

**April 14, 2021**

John Swanson  
Manager, Criteria Pollutant and Air Toxics Reporting Section  
California Air Resources Board  
1001 "I" Street, Sacramento, CA 95814

**RE: Pacific Gas and Electric Formal Comments on Proposed Amendments to the AB 617  
Criteria and Toxics Reporting Regulation**

Dear Mr. Swanson,

Pacific Gas and Electric (PG&E) appreciates the opportunity to provide formal comments on the Air Resource Board's (ARB) 15-day amendments to the AB617 "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants" (CTR) Regulation, which were released on March 30, 2021.

PG&E would like to acknowledge the formal amendments proposed by CARB in the recent revisions that are conducive to our operations, such as the removal of reporting permit emission limits from AB617 CTR and additional time for reporting for facilities in smaller air districts. These revisions proposed by CARB reflect some of the concerns that were raised by PG&E in prior comments on the AB617 CTR regulation. PG&E respectfully submits the following comments on the formal amendments, including requests for clarification in formal guidance.

**1. Petition for Additional Qualifying Activities for Abbreviated Reporting**

Section 93421 of the proposed regulation includes a provision for petitioning additional qualifying activities for abbreviated reporting. PG&E requests that CARB explicitly outline the approval process for petitions to request additional qualifying activities for abbreviated reporting. PG&E recommends publishing the criteria that will be used to justify the approval of such a petition in upcoming implementation guidance. The proposed amendments do not currently state how petitions requesting additional qualifying activities for reporting will be evaluated, which makes it difficult for entities to prepare petitions or even understand what may be eligible.

**2. Reporting of Portable Diesel-Fueled Engines**

Section 93404(c) requires the reporting of emissions from portable diesel-fueled engines above a rated 50 horsepower at 'GHG facilities' and/or 'Criteria facilities' as defined in the proposed regulation, regardless of equipment ownership or permit status. PG&E and its independent

contractors use portable equipment for a variety of operating needs, including planned and unplanned activities and projects. Consequently, the reporting of portable diesel-fired engines outside of the control of PG&E is overly burdensome and tracking the usage and location of these engines will be very difficult, if not impossible. Additionally, CARB has updated this section to indicate that “At the local air district’s discretion, additional facilities may be required to report emissions from portable diesel-fueled engines and devices.” PG&E wants to reiterate this amendment will impose substantial uncertainty and recordkeeping burden on PG&E and its operations while adding no additional information since the vendors have a separate reporting obligation that should provide the air districts the same information.

Additionally, the Portable Equipment Registration Program (PERP) regulation defines utilities as Providers of Essential Public Service (PEPS) and exempts these engines from recordkeeping and reporting requirements per PERP Regulation section 2458(a)(1)(C) (PG&E is classified as a PEPS). Based on these recordkeeping exemptions, we will be unable to calculate actual emissions from PG&E-owned PERP equipment. PG&E believes it would have been appropriate to include an exemption for PEPS in order to maintain consistency with the PERP program.

### 3. ChemSet-2 Chemicals

The proposed amendments to Table B-3 of Appendix B introduce a high level of uncertainty in year-to-year reporting, especially for a company as diversified as PG&E. During the Q&A session of the February 11, 2021 webinar, CARB staff stated that any acceptable health risk value, be it Proposition 65, the American Conference of Governmental Industrial Hygienists (ACGIH), the National Institute for Occupational Safety and Health (NIOSH), the US Environmental Protection Agency (EPA) Integrated Risk Information System (IRIS) database, or others, could trigger inclusion into Table B-3 of AB617 CTR. PG&E acknowledges that CARB mentioned that it would track the status of these chemicals, but the ever-changing chemical list for annual reporting introduces a high level of non-compliance risk for PG&E.

PG&E requests that CARB provide explicit information in upcoming implementation guidance on who will track this information, when updates should be expected, and how the information will be relayed to facilities by local air districts.

### 4. Inconsistencies in Applicability Criteria Between AB2588 EICG and AB617 CTR

PG&E has several hundred facilities across Northern and Central California that are potentially subject to AB617 CTR Regulations, and are classified as both District Group A and District Group B. While PG&E appreciates that facilities above 4 tpy of criteria pollutants have been removed from the amended language of the AB2588 Emissions Inventory Criteria and Guidelines (EICG) and AB617 CTR (only if located in District Group B), these amendments create inconsistencies between the two regulations. In particular, District Group A facilities will have an additional recordkeeping burden due to multiple regulatory requirements.

### 5. Cost of Implementation

The Initial Statement of Reasons (ISOR) estimates an implementation cost per facility for the initial reporting year at \$560 but would decrease to \$300 per year. PG&E believes that these cost values are grossly understated. PG&E estimates that initial reporting for just the CTR would cost at least two- to three-times more than the values presented in the ISOR and that annual reporting, for the simplest of facilities, would roughly cost \$1,000 per facility thereafter.

Thank you for the opportunity to submit these comments on the proposed AB617 CTR Regulation.

Sincerely,

Fariya Ali