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September 23, 2009

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melz@capcoa.org

Ms. Mary Nichols
Chair, California Air Resources Board
1001 I Street
Sacramento CA 95812

Re: CAPCOA Comments on Proposed AB 32 Cost of Implementation Fee Regulation and Proposed Amendment to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions

Dear Ms. Nichols:

On behalf of the California Air Pollution Control Officers Association (CAPCOA), thank you for this opportunity to comment on Proposed AB 32 Cost of Implementation Fee Regulation and Proposed Amendment to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions.

As you know, CAPCOA represents the Air Pollution Control Officers from all thirty-five local air quality agencies throughout California. We have been in existence since 1975, and are dedicated to protecting public health and providing clean air for everyone. CAPCOA promotes unity and efficiency, and strives to encourage consistency in methods and practices of air pollution control.

We respectfully request modification of one aspect of each of the above referenced proposals – to enable the future approval of alternative reporting tools developed by local air pollution control or air quality management districts. We strongly believe this will result in streamlined reporting, significant savings of costs and time for businesses and our organizations, and represents good government and customer service. The specific language we suggest is shown in the Attachment to this letter.

This modification is consistent with language in AB 32. Section 38530 (a)(4) of AB32 states, “*Ensure rigorous and consistent accounting of emissions, and **provide reporting tools and formats** to ensure collection of necessary data*” (emphasis added). This language suggests that more than one tool is appropriate. Section 38530 (c)(2) further states “*Review existing and proposed international, federal, and state greenhouse gas emission reporting programs and make reasonable efforts to promote consistency among the programs established pursuant to this part and other programs, **and to streamline reporting requirements on greenhouse gas emission sources***” (emphasis added).

Districts that develop optional tools that consolidate criteria and greenhouse gas reporting should be allowed the opportunity to work with CARB staff to make sure these reporting tools meet all the requirements of the mandatory reporting regulation. Only then should those alternative tools be approved.

Most of the facilities that report greenhouse gases to CARB are also required to report criteria and toxic pollutants to their local air quality agency. Much of the information is the same. Combined reporting will save the facility time and eliminate errors or inconsistencies in reporting. Reconciliation of reports, such as the amount of fuel used, will be inevitable if facilities report to both agencies. We anticipate that this will take significant time from both local air quality staff and CARB staff.

It is prudent, especially in these economic times, to develop solutions that reduce redundancy and can result in lower costs for industry and our agencies. Please keep this option open by incorporating the attached suggested language.

Thank you for the opportunity to comment on this important issue. If you have any questions regarding these comments, please call me at (805) 961-8853 or contact me at: dresslert@sbcapcd.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Dressler". The signature is fluid and cursive, with a large loop at the end.

Terry Dressler
President

Atch.

cc: CARB Board Members
James Goldstene

ATTACHMENT

CAPCOA Suggested Language

Proposed AB 32 Cost of Implementation Fee Regulation

§95204. Reporting and Recordkeeping Requirements.

(a) Reporting Format

All reports required by this article must be submitted to ARB by using the California Air Resources Board's Greenhouse Gas Reporting Tool, as specified in Title 17, California Code of Regulations section 95104(e), and is available on ARB's internet website at www.arb.ca.gov or an equivalent tool developed by local air pollution control or air quality management districts and approved by the Executive Officer.

Proposed Amendment to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions

§95104. Greenhouse Gas Emissions Data Report.

(e) The operator shall submit emissions data reports, and any revisions to the reports, through the California Air Resources Board's Greenhouse Gas Reporting Tool or an equivalent tool developed by local air pollution control or air quality management districts and approved by the Executive Officer.