ATTACHMENT B TO THE RESOLUTION

PUBLIC MEETING TO CONSIDER THE ADOPTION OF PROPOSED REGULATION FOR ENERGY EFFICIENCY AND CO-BENEFITS ASSESSMENT OF LARGE INDUSTRIAL FACILITIES

Staff's Suggested Modifications to the Original Proposal

AS PRESENTED AT THE JULY 22, 2010 HEARING
OF THE AIR RESOURCES BOARD

Shown below are staff's suggested modifications to the originally proposed amendments to the regulatory text set forth in Attachment A to Resolution 10-30. The text of all proposed modifications will be made available to the public for a fifteen-day comment period prior to final adoption.

Criteria Pollutant and Toxic Air Contaminant Emissions Reported to the Air Pollution Control and Air Quality Management Districts (Districts)

Staff is proposing to modify the proposed regulatory language to add accommodation for a 12-month period instead of calendar year period when including criteria pollutants and toxic air contaminants that were reported to the district, since some districts require reporting on a 12-month (i.e., July to June) basis.

Additional Guidance for Facilities Not Required to Report Emissions to the Local Air District

Staff is proposing to modify the proposed regulatory language to provide guidance to facilities that are not required to report their criteria air pollutant and/or toxic air contaminant emissions to their local air quality management or air pollution control district (district). The modification will require the emissions to be reported in accordance with the existing regulations and district rules and will ensure the same requirements will apply to all facilities, regardless of district reporting status.

Assessing Energy Efficiency Improvement Project Estimated Time Frame

Staff is proposing to modify the proposed regulatory language to clarify that the estimated implementation time frame is needed for all projects that are identified in the assessment. Additionally, the proposed modification would clarify that the facility must provide the estimated or actual completion year, instead of completion date, for those projects that are scheduled, on-going, or already completed.

Third Party Assessor Certification Statement

Staff is proposing to modify the proposed regulatory language to clarify that, if the Assessment Report is conducted by a third party, the third party assessor must certify that they are duly authorized to represent the facility and operator on all matters related to the Assessment Report. The previously proposed language required the third party to certify that the operator was duly authorized to represent the third party, which was not the original intent.

Additional Modifications As Needed

Staff may propose additional modifications as needed, and all proposed modifications will be made available to the public for a fifteen-day comment period prior to final adoption.