





































FARM BUREAU FEDERATION

















































Mr. Gregory Harris
California Air Resources Board
1001 I Street
Sacramento, California 95812

Subject: Air Resources Board and California Air Pollution Control Officers Association (CAPCOA) Discussion Draft, "Risk Management Guidance for Stationary Sources of Air Toxics" (May 27, 2015).

Dear Mr. Harris:









The undersigned groups represent hundreds of California facilities currently subject to state and local air toxics regulations. We also represent thousands of additional facilities that may become subject to these programs following implementation of the revised Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, issued by the Office of Environmental Health Hazard Assessment on March 6, 2015. As ARB and CAPCOA are aware, the OEHHA document includes changes to air toxics risk assessment methodology that will have the effect of increasing facility risk estimates by 1.5-3-fold or more relative to the prior methodology, absent any increases in actual facility emissions.

We appreciate ARB and CAPCOA's efforts to address a broad range of risk management issues and forecast an agenda for future air toxics program updates in a single comprehensive document. The Discussion Draft offers important context for the expected changes in facility risk estimates including language in Section I describing California's dramatic progress on reduction of air toxics emissions and risk in the face of significant population growth and economic expansion, and new language in Section III describing what risk estimates mean to a given individual. Unfortunately, in some respects this document is a step backward relative to existing guidelines in terms of its utility to local air districts and regulated entities.

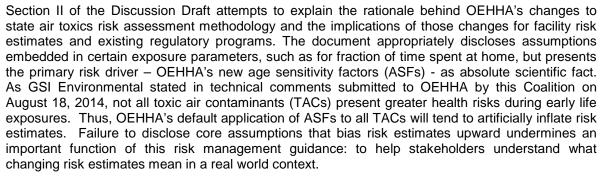


The following comments address our concerns with the Discussion Draft and our recommendations for further changes in content and process before this document is presented to the Air Resources Board.

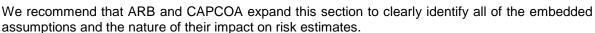


## Risk Assessment Assumptions and Their Effect on Risk Estimates Should be Fully Disclosed











Cıtrus Mutual

### Stakeholders Should be Included in the Facility Prioritization Guideline Update Process



The Discussion Draft acknowledges that existing AB 2588-regulated facilities may be subject to new requirements as a result of OEHHA's updated risk assessment guidelines, but offers almost no information on how currently unregulated facilities will be evaluated for purposes of determining future compliance obligations. Appendix C outlines in general terms actions CAPCOA is taking to update its existing Hot Spots Facility Prioritization Guidelines (July, 1990). However, it lacks any detail on CAPCOA's development of new "prioritization normalization factors," how these factors will be used to determine which facilities will be required to conduct health risk assessments, what actions local districts are contemplating with respect to adjustment of their current prioritization thresholds and the time frame for updating the 1990 Facility Prioritization Guidelines. Perhaps most importantly, the Discussion Draft is silent on opportunities for stakeholder input into this process.



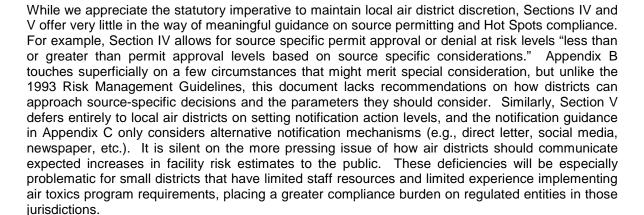
We recommend that additional information be included in Appendix C detailing actions CAPCOA is taking to update the 1990 Facility Prioritization Guidelines and identifying opportunities for stakeholder input.



# Permitting

### Permitting and Hot Spots Guidance Should be Expanded



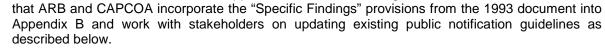












Since this document is intended to supplant the 1993 Risk Management Guidelines, we recommend



























#### Work Plans Should Include an Update of CAPCOA's 1992 Public Notification Guidelines

The Discussion Draft offers only cursory information on risk communication in Section III and neither the anticipated near-term actions in Section VII, nor the proposed risk management work plan actions in Appendix E, address the need to update the existing CAPCOA Air Toxics "Hot Spots" Program Public Notification Guidelines, which date back to October of 1992. Based on public comments during a June 5 South Coast AQMD Board hearing, there appears to be emerging consensus among stakeholders that the public should be informed that future changes in facility risk estimates will be due almost exclusively to changes in risk assessment methodology, not actual increases in facility air toxics emissions. Using preexisting notification methods and templates will promote the false perception that facility operations have changed in ways that increase health risks to individuals living nearby. The consequence will be unnecessary public alarm and anger directed at both the air districts and the affected facilities.

To avoid this outcome, ARB and CAPCOA should work with stakeholders to update the 1992 public notification guidelines and develop new, user friendly risk communication materials that more clearly explain the reason for new notices and increases in risk from existing facilities, and what these developments mean for the majority of individuals in the exposed population. Much of this information could be adapted from the various sections and appendices of this Discussion Draft and the updated OEHHA risk assessment guidelines, but it must be presented in a more condensed and cohesive manner that is relevant to the concerns of individuals receiving notices from regulated facilities.

Thank you for the opportunity to comment on the proposed Discussion Draft. We look forward to your responses and working with you to implement our recommendations.

Sincerely,

Anthony Samson
Policy Advocate
California Chamber of Commerce

On Behalf of the Following Organizations:

African-American Farmers of California
Agricultural Council of California
Almond Hullers and Processors Association
American Chemistry Council
Associated General Contractors- California
Associated General Contractors- San Diego
Bay Area Council
Bay Planning Coalition

Big Bear Chamber of Commerce
Building Industry Association of Fresno and Madera Counties
California Association of Sanitation Agencies



California Attractions and Parks Association California Building Industry Association

California Business Properties Association

California Cement Manufacturers Environmental Coalition

California Citrus Mutual

California Construction and Industrial Materials Association

California Cotton Ginners Association

California Cotton Growers Association

California Farm Bureau Federation

California Fresh Fruit Association

California Hospital Association

California League of Food Processors

California Manufacturers and Technology Association

California Metals Coalition

California Refuse Recycling Council

California Small Business Alliance

California Society for Healthcare Engineering, Inc.

California Trucking Association

Can Manufacturers Institute

Cathedral City Chamber of Commerce

Cerritos Chamber of Commerce

Chambers of Commerce Alliance of Ventura and Santa Barbara Counties

Chemical Industry Council of California

Coastal Energy Alliance

Construction Industry Air Quality Coalition

Culver City Chamber of Commerce

**Dairy Cares** 

Delano Chamber of Commerce

Dinuba Chamber of Commerce

Elk Grove Chamber of Commerce

El Monte/South El Monte Chamber of Commerce

Folsom Chamber of Commerce

Fullerton Chamber of Commerce

Gateway Chambers Alliance

Greater Bakersfield Chamber of Commerce

Greater Riverside Chamber of Commerce

Hayward Chamber of Commerce

Indio Chamber of Commerce

Industrial Association of Contra Costa County

Industrial Environmental Association

**Industry Manufacturers Council** 

Inland Empire Economic Partnership

Irvine Chamber of Commerce

Kern County Farm Bureau

Kern County Taxpayers Association

Laguna Beach Chamber of Commerce

Lodi Chamber of Commerce

Los Angeles Area Chamber of Commerce

Los Angeles County Busin ess Federation

Malibu Chamber of Commerce

Manufacturers Council of the Central Valley

Metal Finishing Association of Northern California

Metal Finishing Association of Southern California

Milk Producers Council

NAIOP- Southern California

National Federation of Independent Business











































National Tank Truck Carriers, Inc.

Nisei Farmers League

Norwalk Chamber of Commerce

Ontario Chamber of Commerce

Orange County Business Council

Pasadena Chamber of Commerce

Rancho Cordova Chamber of Commerce

Richmond Chamber of Commerce

Rural County Representatives of California

Sacramento Metropolitan Chamber of Commerce

San Bernardino County Solid Waste Management Division

San Diego Regional Chamber of Commerce

San Francisco Chamber of Commerce

San Gabriel Valley Legislative Coalition of Chambers

San Gabriel Valley Economic Partnership

San Jose Silicon Valley Chamber of Commerce

San Rafael Chamber of Commerce

San Ramon Chamber of Commerce

Seawright Custom Precast

Solid Waste Association of North America

Southwest California Legislative Council

Southwest Riverside County Association of Realtors

Styrene Information & Research Center

Torrance Area Chamber of Commerce

**Tulare Chamber of Commerce** 

Tulare Kings Hispanic Chamber of Commerce

Valley Industry and Commerce Association

West Coast Lumber & Building Materials Association

Western Agricultural Processors Association

Western Growers

Western Plant Health Association

Western States Petroleum Association

Western United Dairymen

Western Wood Preservers Institute

Wilmington Chamber of Commerce

cc: Matthew Rodriquez, Secretary, California Environmental Protection Agency Richard Corey, Executive Officer, California Air Resources Board Richard Stedman, President, California Air Pollution Control Officers Association

Alan Abbs, Executive Director, California Air Pollution Control Officers Association