



March 4, 2019

Dave Edwards, Branch Chief
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95814

SUBJECT: CTR Regulation 15-Day Draft

Dear Dave Edwards:

The Mojave Desert Air Quality Management District (MDAQMD) does not support primary elements of proposed 15-day changes to the Proposed Regulation Reporting Criteria Air Pollutants and Toxic Air Contaminants, as detailed below.

§93401(a)(4) selected communities strikeout:

The proposed regulation effectively implements the emissions reporting intent of AB617 in the Applicability provision, by targeting significant emission or risk permitted facilities and those facilities within communities selected through the AB 617 process for increased reporting burden. This targeting process is otherwise consistent with the mature statewide emissions reporting program (which as you know already targets significant and high-emitting sources). The proposed regulation ties the mandatory reduction of reporting thresholds to the community selection process; any increased reporting burden will be associated with selected communities. However, *this strikeout removes this association with selected communities and apply the increased reporting burden throughout the state.* This is akin to defining the entire State of California an AB 617 selected community for emissions inventory reporting purposes – no reading of AB 617 supports this unprecedented emissions inventory burden throughout the state.

§93401(a)(4) permitted facility strikeout and new thresholds:

The strikeout removes the association of the increased reporting burden with permitted facilities. The listed activity categories with an emissions threshold of zero may by definition include operations currently exempted from permit by the existing MDAQMD permit structure. The new applicability criteria of “4 or more tpy of any criteria pollutant” and those subject to an “activity level” would greatly increase those sources that we inventory on an annual basis, and may significantly expand MDAQMD permitting requirements as a result. The MDAQMD supports the gathering of emissions inventory data – my staff are dedicated to gathering, reviewing, approving and evaluating emissions data. My staff employ the resulting emissions and risk data through permitting and planning decisions. My staff dedicate the most time to obtaining and reviewing the largest and greatest impact facilities, and provide the least time to obtaining and reviewing the smallest and least impact facilities (like remote engines and low use spray booths). The existing ten ton per year general threshold makes sense for the state (after the

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

BRAD POIRIEZ, EXECUTIVE DIRECTOR

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major source and high risk source filters), and applies my finite staff resources in the correct places. I see no benefit to a further refinement of emissions data for sources down to the proposed four ton per year threshold (or the zero threshold for that matter). If the proposed zero threshold source categories represent a potential health risk the appropriate response is a statewide source specific rulemaking, not a backdoor emissions inventory requirement.

The MDAQMD has a solid emissions inventory program (inventory criteria and toxics routinely), but the proposed changes would translate to a significantly increased workload. Currently we only inventory our major sources on an annual basis (those FOPs and a few more we have identified as a need for annual), and then we inventory the remaining sources once every three years, effectively updating one third of our 'minor' facilities ever year. The change in applicability to this low threshold equates to tripling the amount of inventories processed on an annual basis. Inventory season always bogs down our workload as it is, as the MDAQMD does not have a dedicated inventory team and each permit engineer is required to perform other duties such as permitting. Another concern is that the low applicability threshold also corresponds to a smaller type facility and from experience it is safe to say that the smaller the facility is the more amount of hand-holding required to get accurate inventory data. And this regulation requires quite a lot of detail such as device and stack data. The MDAQMD has the local expertise, the local relationships with sources, and strives to assist them as new requirements are discussed and ultimately adopted. We do prefer to keep this at the local level as we have in the past with toxic inventory work. I think throughout this process little to no outreach has happened to the regulated community explaining how these proposed changes may impact their operations.

Here are some specific numbers for our jurisdictions that may be impacted:

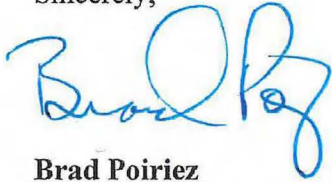
- Every diesel engine (essentially) – this is huge – essentially adds a specific inventory requirement for 1136 emergency engines alone. Very few would be exempt under the proposed activity levels.
- Every methylene chloride stripper user and every body shop using more than 30 gallons of paint per year (370 permits)
- Every asphalt batch plant (45 permits)
- Potentially every commercial printer (including some we may not currently be requiring a permit from!)
- Every crematory (13 permits)

I have had limited time to review, discuss, and comment or share concerns on these 15-day draft changes without the threat of CARB just moving forward to the public domain – which in and of itself has the potential to pit air districts vs CARB on the very proposed changes. I must say I am disheartened at how this is working through the system when the CAPCOA Board and CARB Executive staff have met and discussed these components many times to share our strong concerns and why, only to feel that those concerns fall on deaf ears and it is full steam ahead to meet some other CARB commitment, Legislative or Board directive. The MDAQMD is not the only district with concerns – we believe the proposal comes with many pitfalls or flaws. I recommend a more inclusive and comprehensive revision process to provide clarity and

justification for the proposed changes, which could then generate support from the group which will implement the regulation.

If you have any questions regarding this action, please contact me at 760-245-1661 extension 5737 or Alan De Salvio of my staff at extension 6726.

Sincerely,



Brad Poiriez
Executive Director

15 day comment letter