
From: Thomas Ferrell <tferrell@syar.com>
Sent: Thursday, March 21, 2019 9:58 AM
To: ARB Criteria & Toxics Regulation Reporting
Cc: Brian Stopper; Michael Corrigan
Subject: Comment on Proposed Rule Changes Related to Reporting Requirements for AB 617

Syar Industries is commenting on the proposed “enhanced emission reporting” being required by the ARB under AB 617. Below are Syar’s initial comments followed by a short explanation.

ARB did not notify public about proposed changes.

The ARB has done a poor job of alerting the regulated public about these proposed changes. Syar Industries is a large company with ties to the local air districts and trade associations and was alerted through those agencies. To date, Syar has seen nothing from the ARB detailing the proposed changes being made to AB 617. Syar suspects that the vast majority of the businesses throughout the state have not been notified about these proposed changes and are completely unaware that their reporting requirements are going to expand significantly.

15-day comment period was too short for such and expansive change to AB 617.

In line with the poor notification is the very short 15-day time period allowed for comment. After reviewing the proposed reporting changes to Section 93401, 93403, and 93404 it is clear these changes are significant and will have a serious impact on Syar Industries and all of the businesses throughout the State. These changes are large and complex so 15-days is an inadequate amount of time to accurately review, evaluate, and comment on their impacts.

Proposed reporting changes go beyond the intent of AB 617.

These reporting changes are also expanding the reporting requirements of AB 617 beyond the intent of the law. AB 617 clearly focused on businesses inside and around Environmental Justice (EJ) areas. The law had requirements for these nearby businesses to report and had a clear definition of a “Stationary Source”. The ARB’s expansion of both of these requirements is a gross and unnecessary overreach of the laws intent. The State never wanted or anticipated that AB 617 be applied to every business in the State regardless of its location relative to an EJ area.

The amount of information being reported is extremely high and complex.

The ARB wrote these proposed reporting requirements as if every source in the State was an extremely large Title V facility. However, only a very small percentage of the impacted businesses are extremely large Title V facilities. The vast majority of businesses affected by these proposed reporting requirements are large to extremely small businesses and this type information is just not available. It is also unnecessary.

The new expansive list of reporting equipment, types of emissions, and the complexity of reporting pollutants have never been completed for almost all of the businesses impacted by the proposed reporting changes. This highly detailed information that will have to be collected/calculated/measured for each piece of equipment or process then submitted to the local air district throughout the entire state is alarming. How is this going to help an EJ area that could be hundreds of miles away?

The proposed reporting changes are going to be extremely costly for both businesses and air districts.

These proposed changes will create a new and significant burden on business throughout the state. After reviewing the proposed reporting changes it is clear that California businesses will have to spend considerable effort and cost collecting and submitting this information every year. The local air districts will also have to hire staff to review and

manage this very large amount of new information. The burden of increasing air district staff will be passed down to State businesses in the form of fees. These changes increase both the cost of operation in the State of California and the environmental fees being assessed to California businesses.

It is Syar's opinion that the ARB should withdraw the proposed reporting changes to AB 617 immediately. The ARB should establish reporting requirements in conjunction with the intent of AB 617 to serve Environmental Justice areas and revise them to information practices already established by the local air districts.

Sincerely,

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