
From: Ed Ward <ed.ward@vpps.net>
Sent: Friday, May 3, 2019 3:01 PM
To: ARB Criteria & Toxics Regulation Reporting
Subject: AB 617 Changes to Criteria and Toxics Reporting

Dear Assistant Division Chief Edwards,

I am a member of the fuels and convenience industry in California. The proposed changes to the AB 617 and Criteria and Toxics Reporting regulations are troubling for a variety of reasons. I am opposed to these changes and I urge you to not pursue these amendments.

These changes would increase the burden on small businesses by adding multiple layers of reporting that are not currently performed. My business does not currently have the capacity to conduct this level of monitoring, and the rapid expansion of this program does not account for the lack of qualified consultants in California. If CARB moves forward with these amendments, facilities outside of the 10 already designated AB 617 communities should be afforded a fair opportunity to learn the impacts of this enormous regulation, just as the 10 communities had a year in the selection process. CARB should also seriously consider that businesses located in attainment zones shouldn't fall into this burdensome regulation, as their air monitoring proves that they meet or exceed CARB standards.

At a time when many air districts, as well as CARB, are increasing permitting fees and operating costs, this new requirement will further impact my ability to deliver fuel to the more than 95% of California drivers that rely on gasoline and diesel to go about their daily lives. Given that the fuel supply chain is comprised of numerous layers of businesses, cost increases on those companies could result in adverse increases to the price of fuel, adding to the already high cost of living in California that are overburdening families and communities.

A 15-day informal comment period is inappropriate for amendments that change the intent of AB 617, as passed by the Legislature. It simply does not provide enough time for my business to evaluate the impacts of the proposed changes and submit comments to CARB. This is a disservice to the goal of the regulation as it will not result in the most effective rules or allow for in-depth comments from businesses operating in the community. I operate my business within the regulations set by CARB and other agencies, and I take my commitment to safely serving the public very seriously. CARB should do the same and give these amendments the time and attention needed to deliver regulations that will continue to protect Californians, while allowing businesses the time to provide feedback.

I believe the impacts on the Air Districts will be more drastic than originally stated in the ISOR from last year. They will require increased staff to handle the amount of data being reported and the questions stemming from these changes, leading to yet another increase to permit fees. CARB staff should revisit their predictions in order to ensure the most accurate representation of the unintended consequences and high costs of this regulation.

I ask you to direct staff to continue to work on these amendments in a full 45-day comment period and to properly notify regulated entities. At this time, CARB does not know what businesses will fall under these new requirements and could not give direct notice to those affected. The agencies shouldn't move forward blindly without knowing the true impacts and the full list of businesses that will be impacted. This rule should proceed forward with transparency and science, not estimates and expediency at the expense of thoroughness.

Sincerely,

Ed Ward
1916 Dorset Ln
Modesto, CA 95355
ed.ward@vpps.net