



March 6, 2020

Electronic Transmittal via email to ctr-report@arb.gov

Dave Edwards Ph.D., Chief
Greenhouse Gas and Toxics Emissions Inventory Branch
Air Quality Planning and Science Division
California Air Resources Board
1011 I Street
Sacramento CA 95814

Subject: Comments on the Proposed Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (draft CTR)

Dear Mr. Dave Edwards:

The Eastern Municipal Water District (EMWD) appreciates the opportunity to provide comments on the California Air Resources Board (ARB's) Proposed Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (draft CTR) dated February 5, 2020. EMWD supports ARB's efforts to develop a uniform statewide annual reporting system for criteria air pollutants and air toxic emissions, and accurate statewide emission inventories, as directed by Assembly Bill 617, however EMWD has concerns that the proposed amendments prematurely broaden the scope of the AB 617 directives. As a potentially affected entity, this letter provides EMWD's comments on the draft CTR.

EMWD provides water, wastewater, and recycled water services to over 827,000 people in a service area of 555 square miles in Riverside County. EMWD owns and operates multiple facilities in the South Coast Air Basin, including, but not limited to, water pumping plants, storage tanks, wells, desalter and water filtration facilities, regional water reclamation facilities, and sewer lift stations. We operate these facilities to fulfill our mission to "deliver value to our customers and the communities we serve by providing safe, reliable, economical and environmentally sustainable water, wastewater and recycled water services." As the provider of

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potable water, wastewater reclamation and recycled water services, EMWD is responsible for effectively managing its resources economically while being a good neighbor to the community. As a provider of essential public services, EMWD is also a member of the Southern California Association of Publicly Owned Treatment Works (SCAP).

As a member of SCAP, EMWD supports the concerns and recommendations expressed in the SCAP comment letter. We strongly support the recommendation to delay the additional applicability provisions and expanded chemical list until the original AB 617 categories have been successfully implemented. EMWD would also like to provide the following additional comments regarding specific provisions proposed in the draft CTR.

Applicability Criteria (Section 93401(a)(4) and Reporting Thresholds in Appendix A: Table A-3

The draft CTR, specifically in Section 93401(a)(4), proposes to significantly lower the threshold for reporting, as well as establish specific activity level reporting thresholds to determine reporting applicability. The proposed expanded applicability widely broadens the scope of sources required to report emissions. This will capture numerous small or de minimis emission sources, which will significantly affect EMWD's facilities with stationary emergency back-up generators.

More specifically, the draft CTR proposes a threshold of "5 hours per year of operation" for the combustion of diesel by a permitted source (Sector 8). Emergency back-up generators will trigger this threshold solely from annual maintenance and testing (M&T) operation, which is necessary to ensure equipment readiness for an emergency. It is critical for essential public services, like EMWD, to install and maintain emergency back-up generators to ensure reliable potable and wastewater services to our customers and surrounding communities, especially during an emergency or power outage. As proposed in the draft CTR, this low threshold will trigger reporting for numerous facilities that only operate a single permitted source, such as a back-up emergency generator. The rationale associated with the proposed activity level thresholds in Table A-3 is ambiguous. Due to the significant impact to EMWD facilities, we respectfully request more information on the basis for the proposed thresholds.

Reporting Emissions from Portable Diesel-Powered Engines

The newly proposed section, Section 93404 (c)(2)(C), of the draft CTR will require that emissions from any diesel-powered portable engines operated at a facility, regardless of equipment ownership, be reported. This proposed provision places compliance and enforcement burden on facility operators for any contractors or construction-related activity. Our contracts require compliance with all air quality rules and regulations, however, we cannot reliably keep track of all contractor, sub-contractor, etc., portable engines and equipment that are used for a construction or maintenance project. We respectfully request the removal of this section from the draft CTR.

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Summary and Recommendations

In summary, EMWD is concerned that the draft CTR significantly expands the scope of reporting beyond the directive of AB 617. We support the goal of uniform statewide reporting, however, achieving this goal throughout the state is a challenging task. The draft CTR complicates this difficult task by adding a significant number of smaller sources during the early stages of implementation.

In conclusion, we request that:

- The inclusion of Section 93401(a)(4) be delayed or removed until the program has fully and successfully implemented uniform state-wide reporting for the original three categories specified in AB 617.
- Delay any new list of toxic air contaminants until facilities have sufficient time to understand if they are emitted, establish adequate quantification methods to determine this, and ensure toxicity factors for the new list of compounds are scientifically developed.
- The rationale associated with the proposed activity level thresholds in Table A-3 is ambiguous. Due to the significant impact to EMWD facilities, we respectfully request more information on the basis for the proposed thresholds.
- We request the removal of Section 96404(b)(2)(C) from the draft CTR.

Thank you again for the opportunity to comment on the draft CTR. We respectfully request that ARB consider our comments prior to finalizing the official rulemaking draft of the CTR regulation. If you have any questions or need additional information, please feel free to contact Alison Torres at (951) 928-3777 extension 6345 or at torresa@emwd.org.

Sincerely,



Alfred Javier

Director of Environmental and Regulatory Compliance

ARJ/AT: tlg

c: Doug Edwards, EMWD
Records Management, EMWD

