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June 8, 2026



COMMITTEES
CHAIR, ECONOMIC DEVELOPMENT,
GROWTH, AND HOUSEHOLD IMPACT
APPROPRIATIONS
BUDGET
ELECTIONS
GOVERNMENTAL ORGANIZATION
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH

Lauren Sanchez, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Subject: June 30, 2025 Petition for Review of the Toxic Air Contaminant Human Health Assessment for Hexavalent Chromium; Response to May 8, 2026 Correspondence

Dear Ms. Sanchez:

Thank you for your May 8, 2026 letter responding to the April 21, 2026 request that I submitted on behalf of a bipartisan group of nineteen California Assemblymembers and Senators. In our April 21 letter, we asked CARB to undertake a comprehensive review of the June 30, 2025 Health and Safety Code section 39662(e) petition to the California Air Resources Board (CARB) seeking reevaluation of the inhalation unit risk factor (IUR) for hexavalent chromium (Cr(VI)) based on significant new scientific evidence that was not available when California developed its current health assessment and IUR in 1985 (Petition). We also asked CARB to confirm that it has initiated the established process to evaluate the Petition that is set forth in the Scientific Review Panel on Toxic Air Contaminants (SRP) Process for Evaluation and Response to Submittals of New Scientific Information as Evidence for Review of Toxic Air Contaminant Risk Assessments (SRP Guidance).

I appreciate that you are considering our request and have begun evaluating the Petition. I am concerned, however, that your response is focused on previous legislation that is not the subject of the Petition.

The Toxic Air Contaminant Identification and Control Act (AB 1807, Tanner 1983) (TAC Act) requires CARB to base its regulation of toxic air contaminants (TACs) on the best available science. (Health & Saf. Code, § 39650(c), (d).) To ensure CARB continues to do so as science advances over time, the TAC Act allows any person to petition CARB to review the science underlying a TAC determination based on “additional scientific evidence regarding the health effects of a substance which was not available at the time the original determination was made and any other evidence which would justify a revised determination.” (Health & Saf. Code, § 39650(e).) To implement the intent of the Legislature in the TAC Act, CARB must promptly and

carefully evaluate any such petition and, if warranted by current science, update the underlying health risk evaluation.

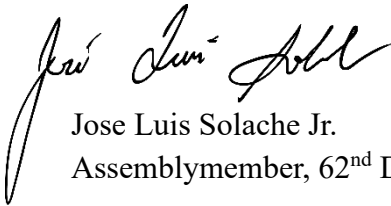
These requirements in the TAC Act do not conflict with the legislative intent stated in budget trailer bill AB 211 (2022) to fund regulatory action to eliminate Cr(VI) at decorative and functional chromium plating facilities and chromic acid anodizing facilities. They also do not conflict with the legislative direction in budget bill AB 221 (2023) to utilize specific funds to further reduce emissions from chromium plating operations by transitioning away from the use of hexavalent chromium. On the contrary, the TAC Act's direction to CARB to base its regulation of TACs on the best available science ensures that CARB's regulatory actions to implement AB 211 and AB 221 are likewise based on the best available science. Moreover, neither the Petition nor the April 21 letter asks CARB to reconsider or modify any decisions or actions related to implementation of AB 211 or AB 221. It simply advises CARB of the availability of new scientific evidence that may justify a revised Cr(VI) IUR and asks CARB to review that determination as required by the TAC Act.

The response letter we received refers to "the regulation in question," which I assume is a reference to CARB's Hexavalent Chromium Airborne Toxic Control Measure for Chrome Plating and Chromic Acid Anodizing Operations (Chrome Plating ATCM), which CARB updated in 2023. The implication is that the purpose of the Petition, and by extension the April 21, 2026 letter, is to compel CARB to reverse course on this regulation, which is simply not the case. The Chrome Plating ATCM is a technology-forcing regulation that requires decorative and functional plating operations to transition to trivalent chromium (Cr(III)). If CARB affirms that the technology is available to facilitate this transition within prescribed timeframes, then the transition will occur independent of any change to the Cr(VI) IUR. However, other air toxics regulations, such as those developed by air quality management districts to implement the Air Toxics Hot Spots Program, are risk-based and much more directly impacted by inhalation unit risk factors. These regulations are evergreen in the sense that changes in facility emissions, proximity of sources to sensitive receptors, risk assessment methods, or new scientific information for individual TACs can result in facility-specific reassessments and subsequent requirements for public notification and risk reduction.

As CARB is aware, there are many other industries that may generate Cr(VI) as an incidental by-product of metal working and other industrial processes that have nothing to do with chrome plating. Cr(III) is not a viable alternative in these industry sectors because Cr(VI) emissions are the result of conversion of chromium in the raw materials as they are being processed. My primary interest, which is consistent with CARB's statutory responsibility under the TAC Act, is to ensure that future investments of limited state, local, and private sector resources will achieve meaningful further progress on public health protection. This is simply not possible if CARB does not update health risk information underlying its TAC determinations as soon as possible after learning of advances in scientific knowledge and understanding that indicate existing risk factors may materially understate or overstate a risk to public health.

I would like to thank CARB for their prompt attention to this matter. While I offer no opinion regarding the sufficiency of the Petition or the accuracy of its claims, I encourage CARB to utilize scientific advances in its determinations even if the new scientific evidence may impact ongoing regulation of a TAC.¹ It is precisely this circumstance the Legislature sought to address in Section 39660(e), consistent with California's commitment to advancing science-backed climate, environmental, and health policies. Accordingly, I reiterate the request that CARB please respond to the signatories of the April 21 letter confirming that it has initiated the SRP Process to evaluate the Petition. I look forward to continued engagement.

Sincerely,



Jose Luis Solache Jr.
Assemblymember, 62nd District

cc: Dr. Steven Cliff, Executive Officer, CARB
Rajinder Sahota, Deputy Executive Officer, CARB
Edie Chang, Deputy Executive Officer, CARB
Elizabeth Scheehle, Chief, Research Division, CARB
Dr. Kris Thayer, Director, OEHHA
Dr. David Edwards, Chief Deputy Director, OEHHA

¹ As Governor Newsom succinctly observed in recent comments on the Trump administration's proposal to reverse the 2009 climate endangerment finding, ignoring the best available scientific evidence "is not discretion—it is negligence." (Gov. Office, [September 22, 2025 Letter to EPA](#) [noting that EPA is "putting politics over evidence," which "is bad policy, a dereliction of duty, a moral abdication, and a betrayal of the very mission entrusted to you"]; Gov. Office, Press Release, [Governor Newsom blasts Trump administration's proposal gutting climate and clean air protections as 'negligence'](#) (Sept. 22, 2025).)