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To: [ARB Clerk of the Board](#)
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Subject: DoD Comments on the Proposed Modifications to Reporting of Criteria Air Pollutants
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Attachments: [DoD Comments on AB 617 CTR_15-day Revisions.docx](#)

The Department of Defense appreciates the opportunity to provide the attached comments to the Proposed Modifications to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants.

If you have any questions, I can be reached at 619-532-2285.

Thank you,

Kat

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- ARB has indicated that the 15-day regulatory changes are intended to address incomplete and inconsistent data collection efforts and provide sufficient data to meet California's community protection needs. NRSW is in support of ARB's underlying intent; however, the expanded regulation puts the emphasis on relatively small contributors to air pollution at great cost to the local agencies and regulated entities. It is well documented that the majority of emissions (80% or more) and health risks are due to mobile sources, which this regulation does not address. There is significant cost associated with the proposed modifications without clear environmental benefits. Implementing this regulation, as currently proposed, would stretch the already limited resources of the local air districts and potentially have a negative impact on reducing emissions protecting disadvantaged communities.
- The proposed facility actual emission threshold of 4 tons/year (tpy) for permitted equipment and processes is significantly lower than the threshold that the legislation had intended (i.e., 250 tpy). This threshold appears to be based on SCAQMD's NSR threshold for providing offsets. It is unclear the relevance of the SCAQMD threshold to a statewide reporting threshold. This threshold should be revisited; possibly raised; or a tiered threshold should be implemented. For example, consider annual reporting for greater than 20 tpy facilities, reporting every 2 years for between 10-20 tpy, and reporting every 4 years for 5-10 tpy facilities.
- The regulation seems to focus on quantities of emissions and not on another component of risk, which is proximity to receptors. NRSW recommends that proximity of the affected facilities to offsite receptors be taken into account when determining reporting frequency. Many military installations in California are in remote locations, miles away from offsite residential communities and businesses. Expending a significant level of effort to report annual air toxics emission for these facilities is not justified since the emissions do not reach any communities. These resources would be better spent if applied to actual emission reduction projects.
- Based on the above comment, NRSW requests a specific exemption from this regulation for NALF San Clemente Island and San Nicolas Island. Both Navy islands are tens of miles away from nearest receptors. They are subject to local districts' emissions inventory requirements, which adequately capture their criteria and toxics emissions.
- Recommend adding an exclusion for military tactical support equipment (TSE) from the applicability and provisions of this rule to be consistent with other CARB regulations.
- The revised regulation requires facilities to report criteria and toxics emissions year after year even if the activity levels have remained unchanged. This is a significant level of effort with potentially little environmental benefit, especially since there is already a mechanism to capture toxics emissions from larger facilities (AB 2588). NRSW recommends:
 - Adding a provision to allow affected facilities to certify that their activity levels/emissions have not changed more than a certain percentage (10%, possibly?) compared to the prior year; or
 - Consider reducing the reporting frequency to every 2, 3 or 4 years, depending on proximity to offside receptors.
- This regulation contains several unresolved items. It also requires significant additional APCD/AQMD resources that are not currently available. Consider postponing start date to 2020 (for reporting in 2021) until most issues are resolved and appropriate resources are put in

place. In the meantime, most large facilities are already subject to reporting under local requirements as well as under AB 2588.

- This regulation is intended to capture permitted emission units and processes. However, it contains language that allows the local districts to expand the scope to nonpermitted units at their discretion. Recommend eliminating these provisions, as they are not aligned with ARB's intent to implement a uniform state-wide reporting program.
- Treatment of portable units is not clear because "Location" is not defined. Define "Location" to make it completely clear whether portable equipment that moves within the facility boundary is covered by this regulation.
- Abbreviated Reporting under (b)(1)(B) should apply to auto body shops and dry cleaners in addition to the ones already listed to be consistent with AB 2588 industry-wide survey sites that include gas stations.
- Section (b)(6)(A-C) requires emission release data reporting but is only necessary if an HRA threshold is triggered, resulting in unnecessary labor for CARB, air districts and facilities. Suggest that these reporting elements not be required unless specifically requested by local air district.
- It is our understanding that if one piece of equipment or process triggers reporting by exceeding the threshold in Table A-3, the entire facility's equipment and processes would be subject to reporting. Recommend limiting reporting to the emission unit/process that exceeds the applicable threshold if no other rule applicability thresholds are exceeded.
- Emergency generator thresholds of hours/fuel used should be only for routine maintenance and testing to be consistent with AB 2588. Emergency hours and emissions should not be included when comparing to the threshold.
- Recommend reporting diesel engine activity once every 4 years to be consistent with AB 2588. San Diego, for example, has over 2,000 diesel engines that are mainly emergency generator that only run for maintenance and testing. It is already difficult for air districts and facilities to report the emissions once every 4 years. Recommend improving the reporting/review process before collecting annual data.
- Remove Hazardous waste treatment, storage, disposal and recycling from the table or include a reasonable throughput threshold. These are relatively small sources of VOC emissions. A threshold of zero, could make the entire facility subject to annual reporting at a significant cost with little environmental benefit. Further, these facilities are already subject to requirements that minimize emissions.
- Change designation of Imperial County from Group A (Large and Medium districts) to Group B (Rural and Mountain districts). Imperial County is a sparsely populated rural area that does not fit the definition of a Large or Medium District.
- The regulation is structured in a way that no reasonable exemption can be sought. Recommend including a mechanism to negotiate an exemption status for yearly reporting at the discretion of ARB or the local APCD/AQM. For example, under exclusions; add paragraph B, clause 4: "This article does not apply to facilities or emission units that meet exemption criteria as

approved by the local air districts or ARB.” Examples of criteria for exclusion include: Remoteness of facilities; distance from receptors, less than 10% change in operations; stability of operations, etc.

- The Preliminary Revised Economic Impacts Summary (Appendix D) grossly underestimates the cost of implementing this program. The stated costs appear to be unrealistic and inaccurate. The study estimates a cost of approximately \$490 a year for small companies and \$1,140 for large facilities. This cost is not realistic or achievable, considering all the steps involved in collecting the data, detail checks, data gaps analysis, and submittal to the agency. One San Diego facility estimates 500 hours to complete the annual inventory for the facility.