



California Fuels and Convenience Alliance  
2520 Venture Oaks Way, Suite 100  
Sacramento, CA 95833

July 31, 2019

The Honorable Mary Nichols  
California Air Resources Board

**Re: California Fuels and Convenience Alliance Comments Regarding Second Proposed 15-Day Modifications to Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants**

The California Fuels and Convenience Alliance (CFCA) represents about 300 members, including nearly 90% of all the independent petroleum marketers in the state and half of the state's 12,000 service stations. Our members are small, family- and minority-owned businesses that provide services to nearly every family in California. Additionally, CFCA members fuel local governments, law enforcement, city and county fire departments, ambulances/emergency vehicles, school district bus fleets, construction firms, marinas, public and private transit companies, hospital emergency generators, trucking fleets, independent fuel retailers (small chains and mom-and-pop gas stations) and California agriculture, among many others. CFCA appreciates the opportunity to submit comments on this issue.

The California Fuels and Convenience Alliance opposes the proposed amendments to the AB 617 Criteria and Toxics Reporting requirements as both the rulemaking process and the amendments have or will create overwhelming burdens on small and medium businesses.

**Rulemaking Process**

In the first 15-day modification, this program attempted to curtail input from industry and local Air Districts by conducting a shortened rulemaking process. While CARB has allowed for another comment period, it is only because the public demanded a fair and open process. This harmed the trust between the regulated small business community and the Board. Now in a second 15-day modification, multiple pages of applicability have been removed. This voided all previous estimates of applicability and costs and does not allow nearly enough time for businesses that already operate on tight schedules and budgets to determine if they will be subject to the rule or calculate potential costs.

This repeated abuse of the 15-day modification process that contain extreme revisions to the proposed regulation continues to harm the relationship between the regulated community and the Agency.

**Abbreviated Reporting**

As CARB intends to expand this program further in 2020 to retail gas stations and bulk fuel facilities, the Program must acknowledge the lack of adequate third-parties that provide the necessary services for this level of reporting. CARB has established emissions and risk levels of all types of fuel and approves all equipment used by these facilities and should use this data to provide abbreviated reporting for these businesses. These are known quantities that are calculated by the Agency and should be used appropriately to lessen the burden on both the regulated community and air district staff.

**Cost Estimates**

CARB has failed to address the rising permit fees at the air district level as the districts attempt to cover the costs of the increased staff needed to fulfill the needs of this proposed regulation. As more facilities are brought into the reporting requirements, third-party vendors that provide the monitoring calculations will increase the cost of their services. This is due to the limited number of companies operating in California, something industry sees across numerous programs at numerous agencies.

Thank you for your time and consideration in this matter. Please contact Sam Bayless at bayless@cfca.energy with any questions or feedback.

Sincerely,

Samuel Bayless  
Regulatory Issues Specialist  
California Fuels and Convenience Alliance