

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE REGULATION FOR THE REPORTING OF CRITERIA AIR POLLUTANTS AND TOXIC AIR CONTAMINANTS

The California Air Resources Board (CARB or Board) will conduct a public hearing on the date and time noted below to consider approving for adoption proposed amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (CTR, title 17, California Code of Regulations, section 93400 et seq.). The proposed amendments to CTR are part of a broader effort by CARB to improve inventories of airborne emissions from all sources within California, including stationary sources (i.e., typically facilities), on-road and off-road emissions from mobile sources and area-wide sources (e.g., consumer products). The proposed CTR amendments are necessary to support collection of the emissions data needed for CARB and air districts to have a comprehensive understanding of facility emissions throughout California. This comprehensive understanding of emissions sources will further CARB's ability to meet its obligations under applicable state and federal law. These obligations include those flowing from California Assembly Bill (AB) 617¹, AB 197², AB 2588³, the California Clean Air Act, the federal Clean Air Act, and CARB's broader obligation to protect public health via an understanding of the causes of, and solutions to, air pollution in the state.

DATE: November 19, 2020

TIME: 9:00 a.m.

Please see the Public Agenda which will be posted ten days before the November 19, 2020, Board Meeting for any appropriate direction regarding a possible remote-only Board Meeting. If the meeting is to be held in person, it will be held at the California Air Resources Board, Byron Sher Auditorium, 1001 I Street, Sacramento, California 95814.

This item may be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., November 19, 2020, and may continue at 8:30 a.m., November 20, 2020. Please consult the agenda for the meeting, which will be available at least ten days before November 19, 2020, to determine the day on which this item will be considered.

¹ Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

² Assembly Bill 197, Garcia, E., Chapter 250, Statutes of 2016, amending and adding to California Health and Safety Code, Chapter 1.5 of Part 1 of Division 2 of Title 2.

³ Assembly Bill 2588, Connely, 1987, California Health and Safety Code §§ 44300-44394.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the hearing and may provide comments by postal mail or by electronic submittal before the hearing. The public comment period for this regulatory action will begin on October 2, 2020. Written comments not physically submitted at the hearing must be submitted on or after October 2, 2020, and received **no later than November 16, 2020**. CARB requests that when possible, written and email statements be filed at least ten days before the hearing to give CARB staff and Board members additional time to consider each comment. The Board also encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action. Comments submitted in advance of the hearing must be addressed to one of the following:

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Postal mail: Clerks' Office, California Air Resources Board
1001 I Street, Sacramento, California 95814

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted in California Health and Safety Code sections 39600, 39601, 39602, 39605, 39606, 39607, 39607.1, 39607.3, 39701, 40913, 41500, 41511, 42700, 42705, 42705.5, 42705.6, and 44391.2. This action is proposed to interpret and implement sections 39003, 39500, 39606, 39607.1, 42705.5, 44301, 44391.2 of the Health and Safety Code.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendments to California Code of Regulations, title 17, Subchapter 7.7, Article 1, sections 93400, 93401, 93402, 93403, 93404, 93405, 93406, 93407, 93408, 93409, 93410, and adopt new Article 2, sections 93420, 93421, and new Appendices A and B, to title 17, California Code of Regulations.

Documents Incorporated by Reference (Cal. Code Regs., tit. 1, § 20, subd. (c)(3)):

- California Air Resources Board, *Staff Report: Initial Statement of Reasons for the*

Public Hearing to Consider Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants, Appendix B – U.S. EPA Unit Type Codes. October 2, 2020. Incorporated by reference in section 93402, definition for “Unit Type Code.” Staff Report available at: <https://ww2.arb.ca.gov/rulemaking/2020/proposed-regulation-reporting-criteria-air-pollutants-and-toxic-air-contaminants>.

Background and Summary of Proposed Amendments:

Sound science and the data that supports it drives effective public health policy. At its core, emissions inventory data collected to support regulatory actions is a key to success. For this reason, CARB has collected emissions data from a wide variety of sources over its more than 50-year history.

California’s existing air quality programs are responsible for significant public health improvements and progress through statewide and regional air quality planning requirements, advancement of technology-based solutions, and toxics risk reduction efforts near industrial facilities. However, until recently, there have not been uniform methodologies or data collection rules for facility emissions. To address this gap, which can make it more difficult to make progress on all of CARB’s duties, and to help sustain and track that progress, the Board adopted the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants, or CTR, in December 2018, which became effective on January 1, 2020. The current CTR requires annual reporting of criteria pollutant and toxic air contaminant emissions by a limited number of facilities (approximately 1,300) subject to the applicability requirements of the regulation. The data collected through the initial applicability in the CTR is a start, but it does not give a comprehensive assessment of the majority of permitted facility emission sources statewide.

Further, certain communities continue to experience adverse and inequitable environmental and health impacts from air pollution. As compared to other areas, communities near ports, rail yards, warehouses, or freeways, for example, experience a higher concentration of air pollution due to emissions from mobile sources such as cars, diesel trucks, locomotives, and ships. Many of the same communities also experience air quality impacts from large industrial facilities such as oil refineries. Additionally, in many communities across the State, smaller sources of toxic air contaminants like chrome plating facilities, metal recycling facilities, oil and gas production operations, and chemical use, also contribute to localized air quality impacts. Within certain communities, multiple sources of toxic air contaminants that are located in close proximity to one another may also result in an elevated cumulative toxics exposure for people in those communities.

In keeping with the agency’s 50-year history of analyzing the sources of air pollution and reducing the impacts from air pollutant emissions, CARB continues to develop and implement programs and regulations to address air quality issues. The proposed CTR amendments support and are consistent with the tenets of AB 197 which

establishes core requirements for making air emissions data publicly available and transparent, and AB 617, which continues California's environmental leadership by establishing innovative new, community-focused practices to improve air quality. The proposed amendments also support CARB's fulfillment of its obligations under the California Clean Air Act, the federal Clean Air Act, and the general protection of public health via an understanding of the causes, and solutions to, air pollution in the state. Accurate, uniform, data on facility emissions is foundational to CARB's obligations as the state's primary air regulator and in its oversight role for local air pollution.

The proposed CTR amendments also provide updated toxics data for air districts, so they may evaluate risks to local residents related to the emissions of toxic contaminants pursuant to implementation of AB 2588, and CARB will use this data to evaluate and update air toxic control measures, as needed. The proposed amendments to CTR enhance the quantity and quality of emissions inventory data from facilities, which in turn will provide these and many other ongoing CARB and air district programs with the emissions data they need to address air quality issues. The amendments are also a direct way to move forward, as CARB is trying to provide a framework of comprehensive emissions data and consistent reporting statewide, ultimately unifying disparate existing reporting structures.

The proposed amendments would increase the number of facilities subject to the CTR reporting regulation from about 1,300 facilities currently subject to reporting to approximately 60,000 facilities at full implementation, using a permitted emissions process and pollutant-based approach to establish applicability. In addition to including multi-year phase-in criteria, to reduce near-term resource impacts, the proposed requirements also provide simplified "abbreviated" reporting for many permitted processes (approximately 40 percent of facilities, or 24,000 facilities). This option reduces costs and streamlines workload for facility operators and local air districts.

In addition, under the proposed amendments, we are coordinating CTR reporting requirements with the Air Toxics Hot Spots Emissions Inventory Criteria and Guidelines reporting requirements. This helps minimize redundancy and uncertainty regarding toxics emissions reporting. Finally, the amendments add reporting requirements for diesel-powered portable equipment, provide options allowing air districts further flexibility in implementing the requirements, and include other revisions for completeness and clarity.

A major goal of CTR now and into the future is for CARB to establish a uniform statewide system of annual reporting of criteria pollutant and toxic air contaminant emissions from facilities, while working closely with the local air districts. The currently adopted CTR meets this goal, in part, by including the following:

- Annual criteria pollutant and air toxics emissions reporting for sources subject to the CTR Regulation;

- Consistency in the types of criteria pollutants and air toxics that need to be reported;
- Establishing applicability criteria for sources subject to the reporting requirements;
- Establishing the contents of emissions data reports and how the emissions data must be reported;
- Creating reporting deadlines and the process for submitting emissions data reports.

CARB is implementing the current CTR and any proposed amendments in tandem with local air districts to avoid potential duplication of reporting efforts. Air districts have worked closely with their local facilities for many decades and have detailed, specific knowledge of these facilities with regard to their permitting, data collection, and enforcement histories. The districts' knowledge is necessary to ensure the success of the statewide reporting program.

As described in the next section, now that the basic CTR requirements are being implemented, it is necessary to expand the limited scope of the initial applicability requirements to establish comprehensive statewide reporting. This is necessary to establish a more complete statewide system of mandatory annual emissions reporting, needed to support the variety of programmatic needs previously discussed.

Proposed Regulatory Action:

The proposed CTR amendments have been developed to support multiple CARB and air district program needs by establishing the framework for a uniform statewide system of annual reporting of criteria pollutant and toxic air contaminants for facilities. In summary, the proposed amendments to the "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants" (or CTR) include the following:

- Collect comprehensive and reliable annual emissions data from the majority of permitted facilities in California, and establish uniform applicability criteria, reporting schedules, and data submission requirements for these facilities;
- Support many CARB programs including the AB 197 public right-to-know requirements, the community air protection components of AB 617, the AB 2588 Air Toxics "Hot Spots" program, State Implementation Plans, National Emission Inventory requirements, Air Toxic Control Measures development, monitoring studies, CalEnviroScreen input data, and other Board activities;
- Provide a foundation to track emissions data and trends over time, and geographically throughout the state, to assist in reducing community exposure to airborne pollutants and associated health risks;
- Include two new appendices to establish a phase-in schedule for permitted processes and to specify additional toxics subject to reporting;
- Minimize resource impacts on facilities and districts by providing abbreviated reporting options;
- Use scientifically defensible methodologies and provide applicability thresholds that are easy to understand by industry and the public;

- Further refine the existing requirements in the regulation for completeness and clarity.

CARB is implementing the current CTR and any proposed amendments in tandem with local air districts to avoid potential duplication of reporting efforts. Air districts have worked closely with their local facilities for many decades and have detailed, specific knowledge of these facilities with regard to their permitting, data collection, and enforcement histories. The districts' knowledge is necessary to ensure the success of the statewide reporting program and to implement the expanded scope of emissions data reporting.

A comprehensive description of the proposed amendments are provided in the CARB document: "Staff Report: Initial Statement of Reasons – Public Hearing to Consider Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants," referred to as the Initial Statement of Reasons (ISOR)⁴.

Benefits of the Proposed Amendments:

Many areas of California continue to be disproportionately burdened by air pollution. CARB has an obligation to collect and communicate emissions data at the regional and local levels, evaluate the risks from airborne emissions, and reduce exposure to air pollution in these communities, and the proposed amendments to CTR are critical to supporting these objectives. Multiple federal and state statutes authorize and require CARB to collect, evaluate, and make publicly available facility emissions that are needed to implement the statutes. These include the National Emissions Inventory, AB 2588, AB 617, AB 197, the California Clean Air Act, and others. Using data collected under the proposed CTR requirements, the emissions sources and trends for the majority of California's permitted facility emission sources will be more fully understood.

A key benefit of the proposed regulation and amendments is its harmonization of statewide data submission requirements, such as reporting deadlines, frequency of reporting, and the specific chemical substances and other data to be reported on an annual basis, so that similar industrial sectors will have data comparability, regardless of where they are located within California. The effort also makes the data collection activities more consistent across programs, providing additional efficiency.

For example, the proposed CTR amendments are being aligned with proposed amendments to the AB 2588 "Toxic Hot Spots" program, so that the phase-in schedule for implementation, the list of applicable chemical substances to be evaluated, the reporting deadlines, and other aspects of the two programs are synchronized and consistent. This improved data in turn provides benefits to community groups, the public, regulators, scientists, CARB, and others, who have

⁴ ISOR available here: <https://ww2.arb.ca.gov/rulemaking/2020/proposed-amendments-reporting-criteria-air-pollutants-and-toxic-air-contaminants>.

growing needs to access complete, user-friendly, and high-quality emissions data. The proposed amendments would significantly increase access to useful data in user-friendly forms, such as mapping (as provided in the current CARB Pollution Mapping Tool⁵), graphs, and detailed emissions data reports when needed.

In addition to addressing the goals of AB 197 and AB 617, State Implementation Plans, California Clean Air Act, exposure modeling, and more, inventory data helps determine what is being emitted into the air, by whom, and where. Inventory data helps guide, and provide the scientific basis for, CARB's regulatory development process. Inventory data helps identify and address areas of concern, and track progress in emission reduction efforts from facilities, area sources, and mobile sources. Inventory data is an essential element in the development of cost-effective solutions to reduce air pollution and protect human health. And, although the reporting regulation amendments provide no direct benefits to worker safety, over time, indirect health benefits to workers and residents within California are expected to be realized as actions are taken to reduce emissions based on improved inventory data.

Comparable Federal Regulations:

Various provisions of existing federal regulations require the reporting of criteria emissions and toxics air contaminants to U.S. EPA. The proposed CARB amendments to CTR also require reporting of criteria and toxic emissions, which does have some overlap with existing federal requirements. Overall, however, the requirements are not duplicative. The U.S. EPA reporting thresholds are higher than the proposed CTR thresholds, which do not effectively meet CARB needs specifically associated with collecting data necessary for evaluating air pollution impacts in disproportionately impacted communities and statewide. These objectives cannot be met with data collected under existing federal regulations, which makes the proposed amendments necessary.

In addition, elements of the amended CTR requirements are mandated by AB 617, section 39607.1(b)(1) of the H&SC, which requires CARB to establish "a uniform statewide system of annual reporting of emissions of criteria pollutants and toxic air contaminants for a stationary source." Further, the cost of differing reporting regulations is justified by the anticipated benefits to human health, public welfare, and the environment. Community monitoring and emission reduction programs will be developed and implemented using the data collected under the amended regulation as a foundation to establish, evaluate, and quantify community air quality improvements. Additional discussion related to the justification for adoption of regulations different from federal regulations is provided in Section IX of the "Staff Report: Initial Statement of Reasons – Public Hearing to Consider Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants," referred to as the Initial Statement of Reasons (ISOR).

⁵ CARB Pollution Mapping Tool: https://www.arb.ca.gov/ei/tools/pollution_map/ (CARB, Pollution Mapping Tool, 2017)

An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):

During the process of developing the proposed regulatory action, CARB conducted a search of any similar regulations on this topic and concluded that these amendments to CTR are neither inconsistent nor incompatible with existing State regulations.

DISCLOSURE REGARDING THE PROPOSED REGULATION

Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subds. (a)(5)&(6)):

The determinations of the Board's Executive Officer concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below. A more detailed description and analysis is provided in Chapter VII of the ISOR for this regulatory item.

Local Mandate Determination and Cost to any Local Agency or School District Requiring Reimbursement under section 17500 et seq.: None. Because the regulatory requirements apply equally to all reporting categories and unique requirements are not imposed on local agencies, the Executive Officer has determined that the proposed regulatory action imposes no costs on local agencies that are required to be reimbursed by the State pursuant to part 7 (commencing with section 17500), division 4, title 2 of the Government Code, and does not impose a mandate on local agencies that is required to be reimbursed pursuant to Section 6 of Article XIII B of the California Constitution. The proposed regulatory action would not create costs to any school district reimbursable by the state pursuant to Part 7 (commencing with section 17500), division 4, title 2 of the Government Code. Were the local agencies determined to be subject to unique requirements, they have the authority to levy service charges, fees, or assessments sufficient to pay for the services required under the proposed regulatory action.

Cost or Savings for State Agencies: Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would result in a total marginal cost increase to approximately 500 state owned or operated facilities, with a total cost of approximately \$731,000 over ten years. The costs result from additional emissions reporting requirements.

Other Non-Discretionary Costs or Savings on Local Agencies: The cost to approximately 2,000 local agencies is estimated to be \$41.5 million over ten years. The local agency cost estimate includes a ten year cost of approximately \$39.0 million for local air districts to implement provisions of the regulation, and a ten year cost of \$2.5 million for 2,000 additional local facilities, such as water treatment plants, landfills, power plants, and others, who would be subject to the proposed

reporting requirements for facilities.

Cost or Savings in Federal Funding to the State: None. Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings in federal funding to the State.

Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):

The Executive Officer has made the initial determination that the proposed regulatory action will not have a significant effect on housing costs.

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

Results of The Economic Impact Analysis/Assessment (Gov. Code, § 11346.5, subd. (a)(10)):

NON-MAJOR REGULATION: Statement of the Results of the Economic Impact Assessment

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would not produce a noticeable change in the creation or elimination of jobs within California, creation of new businesses or elimination of existing businesses within California, and expansion of business within the state, consumer prices, or business competitiveness in California due to the reporting requirements. However, if the proposed regulation is adopted, we are expecting a small additional increase in California employment for technical consultants who will assist facilities in meeting the regulatory requirements. These consultants will typically act as technical assistance providers to assist in compiling data, preparing and reviewing emissions reports, and submitting required data. The employment increase to assist facilities is expected to be minimal, possibly 13 to 58 new jobs statewide. Most affected facilities are already subject to data collection and reporting programs, so they will be able to comply with the regulation requirements using existing staffing. We do not expect any new businesses to be created resulting from the amended regulation, because any needed consultants would most likely be hired from existing firms.

Benefits of the Proposed Amendments:

The objective of the proposed regulatory action is to implement consistent statewide annual reporting requirements for facility criteria and toxics emissions data to support

a wide variety of CARB and air district program needs. A primary benefit of the regulation is to obtain detailed and comprehensive emissions data for use in reducing air pollution impacts for people living and working within communities disproportionately affected by airborne emissions, as well as statewide. A more complete discussion of benefits of the proposed updates is provided previously in the "Benefits of the Proposed Amendments" section of this notice.

Business Report (Gov. Code, §§ 11346.5, subd. (a)(11); 11346.3, subd. (d)):

In accordance with Government Code sections 11346.5, subdivisions (a)(11) and 11346.3, subdivision (d), the Executive Officer finds the amended reporting requirements of the proposed regulatory action that apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):

In developing this regulatory proposal, CARB staff evaluated the potential economic impacts on representative private persons or businesses. The Executive Officer is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action, and has made an initial determination that the proposed regulatory action would not have a significant statewide economic impact directly affecting representative private persons.

CARB staff performed an analysis of the private sector facilities affected by the proposed amended regulation and estimated that 58,400 unique facilities will have economic impacts resulting from the reporting requirements in the proposed regulation over ten years of implementation.

CARB staff estimates that the amended requirements will lead to an overall cost increase of approximately \$67.4 million for affected private sector reporting facilities over a ten year period. Many industrial sectors in the state are affected by the proposed amendments including large facilities such as refineries and power plants, down to smaller facilities such as retail gasoline fueling stations and automotive paint shops. For this reason, facility-specific costs will vary widely based on the complexity of the facility, the pre-existing facility reporting requirements, the sophistication of existing data collection and management systems, and other factors. However, on an average basis, a reporting facility affected by the proposed revisions will have an estimated maximum annual initial cost of \$560 to comply with the regulation, and an annual ongoing cost of \$300 thereafter. Additional economic and fiscal information is included in the Section VII of the ISOR.

Effect on Small Businesses

The Executive Officer has determined, pursuant to California Code of Regulations, title 1, section 4 that the proposed regulatory action would affect approximately 50,000 small businesses, with an average initial set-up cost per facility to comply with the reporting requirements of approximately \$560 per year, and annual ongoing costs

of \$300 thereafter, depending on the complexity of the facility and the currently established reporting requirements. The definition of “small businesses” is based on the description of “small business” as established in California Government Code Section 11346.3(b)(4)(B),⁶ which requires that the business is independently owned and operated, not dominant in its field of operation, and has 100 or fewer employees. The cost of this regulation will have a minor financial impact on individual small businesses to collect and report data needed to comply with the regulation. However, the regulation is not expected to have a significant material financial impact, because the required data and reporting will typically include information that is currently being collected (and often reported) by facility operators such as throughputs, fuel use, material use, or sales data.

Consideration of Alternatives (Gov. Code, § 11346.5, subd. (a)(13)):

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. The proposed amendments to the regulation do not have a significant adverse fiscal or economic impact.

Staff considered several alternatives to the proposed regulation, including not amending the regulation (taking no action), evaluation of several alternatives related to altering the reporting applicability criteria, the adoption of performance standards, and alternatives for small business applicability. The specific alternatives are described in Chapter VIII of the ISOR. These alternatives were evaluated but dismissed as not being as effective or more effective than the proposed regulation in meeting CARB and air district program objectives.

ENVIRONMENTAL ANALYSIS

CARB, as the lead agency under the California Environmental Quality Act (CEQA), has reviewed the proposed regulatory action and concluded that it is exempt pursuant to CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the proposed action may have a significant adverse impact on the environment. A brief explanation of the basis for reaching this conclusion is included in Chapter V of the ISOR.

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

⁶ California Government Code, Section 11346.3, approved by Governor September 14, 2016.

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than ten business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative John Swanson, Manager, at john.swanson@arb.ca.gov, or (designated back-up contact) Daniel Sloat, Air Pollution Specialist, at daniel.sloat@arb.ca.gov, both in the Criteria Pollutant & Air Toxics Reporting Section.

AVAILABILITY OF DOCUMENTS

CARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is titled, "Staff Report: Initial Statement of Reasons – Public Hearing to Consider Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikethrough format to allow for comparison with the existing regulations, may be accessed on CARB's website listed below, or may be obtained from the Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, on September 29, 2020. Because of current travel, facility, and staffing restrictions, the California Air Resources Board's offices may have limited public access. Please contact Bradley Bechtold, Regulations Coordinator, at bradley.bechtold@arb.ca.gov or (916) 322-6533 if you need physical copies of the documents.

Further, the agency representative to whom non-substantive inquiries concerning the proposed administrative action may be directed is Bradley Bechtold, Regulations Coordinator, (916) 322-6533. Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may take action to approve for adoption the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also approve for adoption the proposed regulatory language with other modifications if the text, as modified, is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15-days before final adoption.

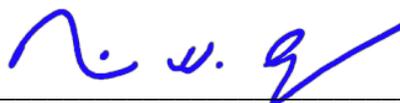
FINAL STATEMENT OF REASONS AVAILABILITY

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice or may be accessed on CARB's website listed below.

INTERNET ACCESS

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB's website for this rulemaking at <https://ww2.arb.ca.gov/rulemaking/2020/proposed-amendments-reporting-criteria-air-pollutants-and-toxic-air-contaminants>.

CALIFORNIA AIR RESOURCES BOARD



Richard W. Corey
Executive Officer

Date: September 15, 2020

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.arb.ca.gov.