

Appendix A

Addendum to the Final Statement of Reasons for Rulemaking

**Public Hearing to Consider the Proposed Amendments to
the Airborne Toxic Control Measure for Chromium
Electroplating and Chromic Acid Anodizing Operations**

Comment 1 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: CARMEN
Last Name: CAMPBELL
Email Address: lab@anaplexcorp.com
Affiliation:

Subject: NEW AMMENDEND HEX CHROME RULE
Comment:

To whom it may concern,

258 As a minority part owner of a metal finishing company; I appreciate the community concerns regarding toxics that affect our environment. But to be fair the community is the one who works for facilities like metal finishers and some for over 20 years without any medical concerns related to exposure. Is unfortunate that the lack of industry science data knowledge hasn't been taken into consideration in regard to the true impact the aerospace manufacturing industry has in the state of California. The industry from 2017-present has gone thru many changes that have modified the way the industry operates in favor of improving our environment air quality. Many have invested hundreds of thousands of dollars in Best Available Equipment to improve the environment. As some of the Board members questioned, why if there are bigger fish in the pond contributing higher levels of toxics why are we targeting the least contributor? In addition, rules are created to regulate and monitor not meant to band business without taken into consideration the lack of alternatives to some. Is like COVID; it was new, nearly took out a government, did take out businesses but later with research and experiments were able to find ways to deal with a KILLER VIRUS. Thank you for your time and consideration. WE NEED COMMON SENSE RULES.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-10-17 08:11:44

No Duplicates.

Comment 2 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: Jerry

Last Name: Desmond

Email Address: jerry@desmondlobbyfirm.com

Affiliation: Metal Finishing Association of CA

Subject: Comments on Third Notice of Availability of Modified Text
Comment:

Attachment: www.arb.ca.gov/lists/com-attach/453-chromeatcm2023-VjVTNABzBTQBWFaz.pdf

Original File Name: CARB CrVI ATCM Letter 10-20-23.pdf

Date and Time Comment Was Submitted: 2023-10-20 13:58:07

No Duplicates.



October 20, 2023

Via electronic submittal: <https://www.arb.ca.gov/lispub/comm/bclist.php>

Hon. Steven S. Cliff, Ph.D., Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re Third Notice of Public Availability of Modified Text - Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations

Executive Officer Dr. Cliff:

The Metal Finishing Association of Northern California [MFANC], Metal Finishing Association of Southern California [MFASC] and National Association of Surface Finishers [NASF] have the following comments regarding the Third Notice of Public Availability of Modified Text on the Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations [ATCM].

1. The modified text is a substantive revision to the update.

There are five distinct provisions within the current version of the proposed update to the ATCM that define “enclosed plating tanks,” exclude them from the ban dates, and establish an emission limit for them of 0.015 mg/dscm:

- Section 93102.3(a)(34): “Enclosed Hexavalent Chromium Plating Tank” means a Chrome Plating Tank using a Hexavalent Chromium solution that is equipped with an enclosing hood and ventilated as specified by the manufacturer.
- Section 93102.4: This section sets forth requirements that apply to all Facilities using Hexavalent Chromium for Chrome Plating Operations, except for those Facilities that only operate Enclosed Hexavalent Chromium Plating Tanks.
- Section 93102.6: Requirements for Tri-Chrome Plating or Hex Chrome Plating in Enclosed Tanks
- Section 93102.6 (b)(1): establishes an emission limit of 0.015 mg/dscm per tank, as measured through the add-on pollution control device or compliance with two alternatives: chemical fume suppressants or a mass emission rate limit.
- Appendix 6: Mass Emission Rate Calculation Procedure.

2. The modifications remove enclosed tank provisions that draft update regulatory language has identified and addressed since the first draft in May of 2021.

The first draft of the regulatory language on May 26, 2021: <https://ww2.arb.ca.gov/sites/default/files/classic/toxics/chrome/draftlanguage.pdf>.

3. The modifications remove provisions that plating facilities have been relying upon.

Plating facilities have invested time and resources over the past 2.5 years to develop, purchase, install and utilize enclosed tanks in

- continued

accordance with this provision.

3. Enclosed hoods are a Best Available Control Technology [BACT].

Plating tanks with hoods eliminate fugitive emissions, capture 100% of the hexavalent chromium emissions from those hoods, are reliable, measureable, and enforceable.

4. The modifications remove enclosed tanks with hoods as a BACT.

The rulemaking record clearly dismisses available and effective BACTs including the following in the ISOR:

259 *“For this ATCM, CARB staff have evaluated all feasible substitutes (e.g., conversion to trivalent chromium plating) and emission reduction and monitoring strategies (e.g., use of fume suppressants, increased testing and recordkeeping, and fugitive emission control strategies) to reduce emissions of hexavalent chromium from chrome plating facilities in California. Since there is no safe threshold exposure level identified for hexavalent chromium, due to the location of many of these facilities within communities and near sensitive receptors, and since less toxic alternative technology is available or is under development, CARB staff is proposing to eliminate usage of hexavalent chromium by the chrome plating industry in order to protect public health.”*

5. The failure of the modifications to consider enclosed plating tanks with hoods, and other BACTs, is contrary to the requirements of state law:

Health and Safety Code [HSC] Section 39666[c] requires the ATCM for toxic air contaminants [TACs] with no identified safe level of exposure to reduce emissions to the lowest level achievable through application of the best available control technology or a more effective control method, in consideration of the factors specified in HSC Section 39665[b]. These factors include health risks, availability and technological feasibility, costs, and the availability, suitability, and relative efficacy of less hazardous substitute compounds.

HSC Section 39666[c] requires the ATCM “to reduce emissions to the lowest level achievable through application of the best available control technology or a more effective control method.” The proposed draft CrVI ATCM not only fails to identify or analyze the best available control technology [BACT] or more effective control methods, it purposefully eliminates one.

This clear error is compounded by the fact that the South Coast Air Quality Management District [SCAQMD]’s updated Rule 1469, a rule in which CARB was engaged, includes BACT requirements.

Further, HSC Section 39666[c] does not state that the ATCM may include two of the key provisions of the draft update: [i] chemical bans; and [ii] requirements to substitute trivalent and other yet-to-be-determined substitutions for CrVI.

For each of these reasons, the associations request that CARB revise the modifications to allow for the use of enclosed tanks that will obtain the desired objective of zero emissions of hexavalent chromium emissions from plating tanks.

Sincerely,

Bobbi Burns

Bobbi Burns, MFANC President, 510-659-8764

Bryan Leiker

Bryan Leiker, MFANC & MFASC Executive Director, 818-207-1021

Vince Noonan

Vince Noonan, MFASC President, 800-227-9242

Jeff Hannapel

Jeff Hannapel, The Policy Group, on behalf of NASF, 202-257-3756

Comment 3 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: Jim
Last Name: Meyer
Email Address: jmeyer@aviation-repair.com
Affiliation: Aviation Repair Solutions, Inc

Subject: CARB eliminates BACT option without analysis of BACT
Comment:

260-1

This comment pertains to the revision of paragraph one of section 93102.4 to eliminate the phrase "except for those facilities that only operate enclosed hexavalent chromium plating tank" (sic). With this change, the rule rejects the final candidate for BACT even though no analysis was done or shown to the public to support the decision.

The California Air Resources Board (CARB) is required to follow the California Health and Safety Code. This is what the health and safety code has to say about CARB's authority to regulate. CARB is to:

"reduce emissions to the lowest level achievable through application of best available control technology or a more effective control method, unless the state board or a district board determines, based on an assessment of risk, that an alternative level of emission reduction is adequate or necessary to prevent an endangerment of public health"

CARB has not proposed a more effective control method in this regulation. CARB has proposed a ban. Labelled a "phaseout", it is an elimination of the industry. It is a ban. A ban is not a control method. A phase out is not a control method. CARB did not analyze existing or potential BACT. CARB did not propose a BACT. The elimination of enclosed hexavalent control tanks as a compliance option is the last straw. Enclosed hexavalent chrome plating tanks were potentially a BACT. But now, with their elimination, without analysis, CARB will be completely in violation of the California Health and Safety Code.

A careful reading of the health and safety passage above reveals the law does offer CARB the option of performing a risk assessment to establish the necessity of an alternative to BACT, but CARB did not perform a compliant risk analysis. To assess and compare risks in a compliant fashion, CARB would have had to analyze BACT and BACT alternatives. CARB would have had to select one of those alternatives and then analyze the incremental risk that alternative would have created. CARB did not do that. CARB created a risk analysis that was based on an arbitrary emissions limit that CARB set. That emissions limit was one half the previous limit. There is no presentation of any analysis or conclusion explaining why exactly one half the previous emission limit was chosen. There is no analysis explaining why zero, a ban, is a necessity considering

the emission levels that currently available BACT options present. The table below points this out.

Level Comment	Emission
2007 ATCM Limit existing rule	0.0015000 This is the
2023 ATCM Limit (This Rule) proposed limit	0.0007500 This is CARBs
Hard HEPA (Av Repair Sol) ATCM proposed limit	0.0000230 32 times BELOW this
Hard with Covers (Merlin Tanks) ATCM proposed limit	0.0000041 183 times BELOW this

The Aviation Repair Solutions, Inc. source test shown in the table was a "Non-Detect" for hex chrome. It reflects the emission rate at the detection limit under a very heavy plating amp hour load. It was a zero emission which only shows as a non-zero emission rate because of CARB rules about detection limits. The emission rate shown in the table for enclosed hooded tanks is even lower and was also very likely a non-detect for hex chrome. CARB failed to evaluate these two zero emission control technologies (HEPA and Enclosed Tanks) as BACT.

CARB does not reveal any discussion of BACT in the rule making record as is required by law. There is no identification of a BACT. There is no analysis of any BACT emission rate or of any candidate BACT emission rates. The emission inventory shows emission rates by type of emitter and in some cases averages them but it does not show a rate for candidate BACTs. (But since the enclosed tank - Merlin statistic is alone on the table, we can see its' rate). For hard chrome, CARB appears to have taken an average of all hard chrome tests (0.0005588). But, since that is an average of tests applying to a set of different control technologies, it is invalid to have been used in replacement for the legal BACT requirement.

The Health Risk Assessment (Appendix F) did not analyze risk relative to any BACT. Rather, it analyzed the risk associated with the completely arbitrary 0.00075 proposed emission limit. An emission limit is not a BACT. Analyzing the risk of a limit is not the same as analyzing the risk of a control technology. The proposed rule materials provide no analysis or supporting rationale why the halving of the current limit to 0.00075 is or is not related to any BACT or to any particular level of public health. It is just a number that is half the previous number. One wonders why CARB took 2 or 3 years to produce the rule. We can see from the table above that had CARB selected a BACT for analysis (either HEPA or Merlin tank) they could have performed the risk assessment with values of 0.000023 or 0.0000041 but they did not. CARB provided no rationale why they performed a risk analysis that assumed emission levels would be 0.00075 when we can clearly see that much lower emission rates are possible with current BACT alternatives. CARB used a value for the risk analysis that is 32 to 183 times higher than what these two potential BACTs can achieve. They created a strawman. They created a strawman number that, when analyzed as a risk proxy would fail and show potential harm to the public. The tables CARB constructed to show potential emission risks are not constructed with BACT, they are constructed with the strawman emission level. 213 in a million, communicated by CARB staff to the board, to the media, and to the public is a false risk.

The emission model(s) in Appendix F use the strawman emission level, they do not use BACT. As shown by the table above, the BACT

260-2 from enclosed hexavalent chrome plating tanks is 183 times better than CARB'S "PIDOMA" number. CARB's allegation about 213 in a million cancer risks from large facilities are not based on the HEPA systems those facilities are already required to use and are in use, rather they are based on the false strawman. How cynical, how deceptive, how misleading to the public is this? How damaging is this to the regulated industry? An industry which has spent millions of dollars buying the BACT devices that this governmental agency did not even analyze before declaring them insufficient.

260-2 CARB (in this rule) and the SC AQMD (currently) require facilities to conduct source tests of HEPA systems (BACT). The test results must be submitted to the regulator (air district) for regulatory review. South Coast facilities have done this for more than a decade. So, there is a rich set of data from which CARB could have conducted the legally required analysis of BACT. That data exists at SC AQMD (at least) and likely at several other regulators as well. CARB did not review or analyze that data. CARB proves this in the FSOR. CARB admits asking for the air districts to provide data and explains that data was not provided by the districts. Industry was not notified of this but industry is paying the price for the governmental dysfunction. The fact that one or two districts may have failed to be in on the conspiracy and a few results were provided (fourteen out of 110 facilities) adds a little color to the story but it is still a story of incompetence at best and malevolence at worst. There is no BACT analysis because of governmental dysfunction.

260-1 It is even more damning to consider that industry has paid millions of dollars to implement control technologies that are capable of producing zero measured emissions and can achieve "Non-Detect" under heavy load conditions and yet CARB did not analyze them. CARB did this even though the owners of that equipment are required by existing regulations to source test them and turn the data over to the air districts. CARB didn't use the data turned over to the air districts. Even more confounding is that CARB, IN THIS VERY RULE PROPOSAL, is requiring industry to increase the frequency of source testing by a factor of 2.5 and to continue turning the data over to the air districts. For what reason? So that CARB will again, not use the data to determine if their own rule is effective? CARB may have unlimited resources with which to pay people to sit around and not perform analyses but industry does not have the ability to waste money. These source tests cost at least \$15,000 each considering lost production time and test fees. It is astounding.

260-2 I have made public comment from the beginning of public comment (my only opportunity to provide input) about the deficiency of the CARB "emission inventory" and pointed to the lack of correct BACT source test information. CARB staff has ignored me and took this to board vote with full knowledge of this deficiency and lack of compliance with law. I pointed out to CARB that I had provided them with source test information about Aviation Repair Solutions, Inc., two years ago and that it had not been used. CARB's response to my comments and to my provision of source test data in the FSOR is damning. In Master Response 13 CARB states: "industry was not forthcoming in providing source test data that could be verified". This is not a statement about industry providing data, it is a statement about CARB's inability to verify based on not being able to work with SC AQMD! This CARB response could even be viewed by the public as CARB stating industry had lied about data! One could imply that the data I provided was somehow not valid (verifiable) when in fact, it was the government that failed to call another

branch and request verification. CARB was too lazy to pick up a phone and call SC AQMD! There is no restriction on our source test data that prevents AQMD from verifying the summary number or a non-detect! Yet, CARB hides behind this lamest of excuses. In Master Response 11 CARB states: "This included information about actual throughput and source test data. To date, staff have not received any verifiable sources test data from members of industry. Staff has received purported source test results from specific facility owners, but that information was summary in nature, and when staff requested the source test reports that would allow us to verify the values, those reports were not provided." They go on to state in Master Response 11: CARB staff also requested source test data from the Districts. In response to that request, CARB staff received verifiable source test data from the Districts for 14 facilities. Since that was the data that was available at the time of staff's analysis, that is what was used in determining the source tested emission factors."

That last quoted segment in Master Response 11 is proof that CARB cared more about an expedient result than a correct result - "available at the time of staff's analysis". Let's also note that the staff analysis referred to here must have occurred prior to the publishing of the initial proposed rule and prior to any of the public comment periods. We know that because we see the use of only the 14 facilities right from the beginning. No adjustment was made as more data became available (if it did) and no adjustment was made as a result of public comments even though public comment were calling the deficiency to CARB's attention. Truly pathetic behavior by CARB and by CARB attorneys who should have been doing internal verifications to assure that CARB was putting truth out to the public.

Even with the 14 collected source results that the districts did turn over, CARB did not make a presentation of BACT alternatives, or results, or selection of a single BACT emission level from which a relevant risk assessment could be made.

The risk assessment presented in appendix F shows the risks the public would face from an agency that does not follow the law and analyze BACT and set emission levels using BACT.

How can a risk assessment with a falsely inflated strawman baseline and which features no analysis of risks from BACT be used to prove necessity? The law is clear. The law requires necessity be shown if CARB is to deviate from a BACT approach.

Today the public is breathing 99 times more hex chrome emissions in California than produced by the metal finishing industry. We are only 1% of emissions. After this lengthy, costly, two to three year effort, in which there was virtually no two-way involvement and communication between the CARB and industry, the competence of which is described above, CARB will eliminate 1% of emissions in the State. The other 99% will remain. Chair Randolph and Vice Chair Sandra Berg asked staff about this in one of the CARB meetings. Randolph asked, "is it true that metal finishing is only 1%" and Berg asked "what are we doing about the refineries?". Staff answered that the 1% was consistent with CARB data and that CARB had imposed plenty of other requirements on the refineries. (Note: there is no ban of refineries due to hex chrome). So, I will ask the question, what is the BACT that CARB has apparently found to be acceptable for the refineries, the cement plants, the welders, the forges, etc.? These emitters (99% of the hex chrome emitters in

the state) are not banned but the same toxin is being emitted.
260-2 There is no consistency in CARBs behavior.

The State of California needs roads, bridges, buildings, rail, and aircraft, all of which may require some emission of hexavalent chromium.

There may be a staffer/manager/board member at CARB who tries to remove this comment and claim that it is out-of-scope to the issue of "enclosed chrome plating tanks" from which it is derived. That staffer/manager/board member is the very one who should be removed if CARB wants to resume being a data and science-based regulator. Data and science-based people don't find excuses for not collecting appropriate data for analysis. Data and science-based people do not avoid analysis. They are not afraid of analysis. Data and science-based people do not construct strawman baselines from which false progress can be claimed and false risks assessed. Data and science-based people do not construct elaborate ruses filled with half-truths (data could not be verified) to fool the public. Data and science-based people do not find ways to remove comments like this from public comment because they are not afraid of analysis.

260-1 This comment is in scope because it questions the removal of a BACT alternative without analysis and in light of a risk assessment that did not consider BACT and in light of nearly a hundred times more emissions of the same toxic in the state by entities who have lesser controls than we do.

260-2 Ignorance is one thing. The willful continuation of ignorance (avoiding data collection and analysis) has other names. Willful continuation of ignorance in violation of law takes things to a whole other level.

It is past the time to do your lawful duty CARB.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-10-24 12:27:13

No Duplicates.

Comment 4 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: Jim
Last Name: Meyer
Email Address: jmeyer@aviation-repair.com
Affiliation:

Subject: What is the specific logic CARB used to bypass the Health and Safety Code?
Comment:

261

What is the specific logic path CARB used to reject enclosed hexavalent chrome tanks and HEPA ?
1) Is a "phaseout" (or ban) a "more effective control method"? If yes, what is the control?
2) Did the CARB perform an assessment of risk? When was it accomplished? Where are the results of it? Does CARB assert it is appendix F?
3) Relative to an alternative level of emission reduction, how was "adequacy" of HEPA and enclosed tank rejected? What analysis was performed? When was the analysis performed? When did the rejection decision occur? Was the public or any working group able to provide feedback to CARB about the analysis data and methods?
4) Relative to an alternate level of emission reduction, how was "necessity" established? Was there an analysis performed? What were the criteria used to determine necessity? When was the analysis performed? When was the decision made?
5) What is the logic that makes it a necessity to ban enclosed hexavalent chrome tanks and chrome tanks with HEPA controls but makes it not a necessity to ban welding, thermal spray, machining, heat treating, cement making, cement destruction, forging, recycling, refineries, driving cars and trucks (including electric) with brakes, etc., many of which do not require even HEPA?

Please provide a response in the public record (FSOR).

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-10-27 07:52:54

No Duplicates.

Comment 5 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: Jim
Last Name: Meyer
Email Address: jmeyer@aviation-repair.com
Affiliation:

Subject: Verification of Inputs
Comment:

I have stated in public comment that CARB did not use the HEPA source test data I provided them regarding our 2019 Source Test which was a non-detect for hex chrome emissions.

262

CARB responded to my comment by claiming our data could not be verified (See Response 203 and also the Master Responses 11 and 13).

It is very important for the reader to understand that industry had a reasonable expectation that source test information we were required by law to turn over to the air districts was available to CARB. So, why would industry turn source test data over to CARB? We thought they had it. The question that should be asked, and I will ask it now is: Why didn't CARB tell industry that they needed our Source Test Information? CARB never revealed the lack of source test data to industry until publication of the FSOR. So, when CARB states in Master Response 13 that industry "was not forthcoming in providing source test data", this is beyond the bounds of what reasonable people would consider as an appropriate response in a public record. CARB should apologize to the public and to industry for this statement. Or, maybe CARB should reveal how and when they did inform industry of their lack of source test data. I was not informed of CARB's lack of data until the FSOR. CARB, in my opinion, was not interested in seeing data that would lead to a different conclusion than they had already reached. This was not an unbiased process.

But wait, there is more, CARB reports in the rulemaking materials that they did meet with Mr. Hugh Brown. Mr. Brown is a leading authority on source testing and CARB met with him because he is a highly respected expert on the topic. CARB should provide the record of discussion in that meeting. Did CARB inquire about my source test? Did CARB ask about HEPA efficiencies Hugh Brown had observed? If asked, Mr. Brown could have easily verified our source test result with CARB because he wrote our source test protocol and personally performed our source test. He is a credible verification source, a third party, and the individual who signed the report submitted to AQMD. So, CARB's statement that my submittal was not verifiable is incorrect for two reasons; they could have verified with AQMD and they could have verified with the man who performed the test, both of whom they met and communicated with. At the conclusion of our source test, Mr. Brown informed me that we had achieved a non-detect for hex chrome in our test and our source

test result memorialized that outcome. I hereby grant CARB permission to view my source test result on hand with SC AQMD for the purpose of verifying a non-detect and an emission rate of 0.000023. I also give permission to SC AQMD to show the test to CARB. Please let me know if anything else stands in your way.

Lastly, I wonder how many other members of industry and of the public were faced with the additional barrier to comment that was imposed on me and which is documented in Response 203. CARB states:

"The commentor did submit a document that summarized a number of source test runs from 2009 and 2019. However, this data was presented in a one-page summary created by the commentor. The commentor did not provide the source test reports from the source testing companies that conducted the tests. As such, CARB staff could not confirm the validity of this data. For that reason, the unsubstantiated data was not used. CARB staff made no changes to the Proposed Amendments based on the received comments."

Setting aside CARBs failure to alert me to any problem with my input, how many other members of industry and the public were held to this standard? Inputs should not be "created by the commentor", "the commentor did not provide the source test reports", "CARB staff could not confirm the validity of the data". Why did my inputs to CARB require third party verification to be considered? Is that fair? Were comments from the public alluding to bad smells near some facilities thrown out for lack of third party verifiability?

This is not a comment about the most recent change to the proposed rule. This comment is the first available opportunity to respond publicly to the low blow CARB dished out in the FSOR response highlighted above. I hope CARB will see a reason to keep this comment in the record and respond to this comment in a revised FSOR. We do want the public record about this rule to be accurate don't

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-10-27 10:03:31

No Duplicates.

Comment 6 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: David
Last Name: Hill
Email Address: davidhill@electrolizingofla.com
Affiliation: Electrolizing

Subject: HEX Chrome Ban
Comment:

263-1 Our company is a chrome plating processing facility in Los Angeles CA since 1947. We have been processing parts for aerospace, medical equipment and military equipment applications among others. We are a necessary and essential business provider for our customers in their various industries. Military and commercial aircrafts require what we process as well as outline how we process. All environmental and regulatory requirements set forth by the state of California are the strictest in the nation and therefore required to be adhered to in order to remain open and processing. The regulations currently in place are specifically outlined to ensure that NO harmful chemicals are being discharged into local waterways or into the air from our facility. The county of LA is thoroughly monitoring and testing all facilities to ensure current compliance for PFAS and hexavalent chrome restrictions. We are a facility that has been tested and found to be in full compliance with no detriment to our employees and local environment.

263-2 We here at Electrolizing have invested over \$1 million to ensure the safety of our employees and surrounding community. There is no suitable alternative that would comply with the specification requirements for original equipment manufacturers in aerospace. Industrial chrome processing is highly regulated to ensure environmental and personnel safety. Our processing is situated as such that we emit no hexavalent chromium into the air at any time. We have been a spearhead in the industry for air quality by adding highly specialized covers and hydrogen gas absorbing filament in those covers which filter/ resist 100% of the hexavalent chromium.

263-1 What has not been published is what the industry is doing to ensure that any detriment to the local population or environment is mitigated / eliminated. Advancements in information that is available as well as requirements that are currently being adhered to are not mentioned. The article notes that California has the strictest laws in the country regarding this issue.

263-2 With the time and dollar value invested for health and safety, our company has taken into consideration far more then what was listed or not listed in the article regarding what the industry is doing to prevent any further detriment to the air, landscape and waterways. Furthermore, our stance is that we should not be included in the 2039 ban on hexavalent chrome use in California based on the fact that we emit no hexavalent chrome fumes during any point in our process. Being classified as an essential business during COVID we continued to serve our US military and commercial air crafts during the pandemic with industry leading parts to

263-1

ensure upmost safety. As a locally female owned business, we would be remis to fall under the same classification as the unregulated or noncompliant companies.

Thank you for your consideration,
Susan B. Grant
Owner / General Manager

Attachment: www.arb.ca.gov/lists/com-attach/457-chromeatcm2023-BmNROwBkVGQEdlAi.docx

Original File Name: Electrolizing letter.docx

Date and Time Comment Was Submitted: 2023-10-30 14:32:51

No Duplicates.

Greetings from Electrolizing,

263-1 Our company is a chrome plating processing facility in Los Angeles CA since 1947. We have been processing parts for aerospace, medical equipment and military equipment applications among others. We are a necessary and essential business provider for our customers in their various industries. Military and commercial aircrafts require what we process as well as outline how we process. All environmental and regulatory requirements set forth by the state of California are the strictest in the nation and therefore required to be adhered to in order to remain open and processing. The regulations currently in place are specifically outlined to ensure that NO harmful chemicals are being discharged into local waterways or into the air from our facility. The county of LA is thoroughly monitoring and testing all facilities to ensure current compliance for PFAS and hexavalent chrome restrictions. We are a facility that has been tested and found to be in full compliance with no detriment to our employees and local environment.

263-2 We here at Electrolizing have invested over \$1 million to ensure the safety of our employees and surrounding community. There is no suitable alternative that would comply with the specification requirements for original equipment manufacturers in aerospace. Industrial chrome processing is highly regulated to ensure environmental and personnel safety. Our processing is situated as such that we emit no hexavalent chromium into the air at any time. We have been a spearhead in the industry for air quality by adding highly specialized covers and hydrogen gas absorbing filament in those covers which filter/ resist 100% of the hexavalent chromium.

263-1 What has not been published is what the industry is doing to ensure that any detriment to the local population or environment is mitigated / eliminated. Advancements in information that is available as well as requirements that are currently being adhered to are not mentioned. The article notes that California has the strictest laws in the country regarding this issue.

263-2 With the time and dollar value invested for health and safety, our company has taken into consideration far more than what was listed or not listed in the article regarding what the industry is doing to prevent any further detriment to the air, landscape and waterways. Furthermore, our stance is that we should not be included in the 2039 ban on hexavalent chrome use in California based on the fact that we emit no hexavalent chrome fumes during any point in our process. Being classified as an essential business during COVID we continued to serve our US military and commercial air crafts during the pandemic with industry leading parts to ensure upmost safety. As a locally female owned business, we would be remis to fall under the same classification as the unregulated or noncompliant companies.

Thank you for your consideration,

Susan B. Grant

Owner / General Manager

Comment 7 for Proposed Amendments to the ATCM for Chromium Electroplating and Chromic Acid Anodizing Operations (chromeatcm2023) - 15-3.

First Name: Florence
Last Name: Gharibian
Email Address: florencegharibian@yahoo.com
Affiliation: Del Amo Action Committee

Subject: ATCM Amendments
Comment:

October 30, 2023

264

On October 16, 2023, the California Air Resources Board released the Chrome Plating ATCM Third Notice of Public Availability of Modified Text. Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations. We support the proposed amendments and commend the staff for the integrity of this work.

This correspondence provides comments on the document. As mentioned, in previous correspondence we were encouraged by the Board's approval of the ATCM Amendments. Greg Harris and his staff modified the language to correct grammatical errors and more importantly to clarify the language in the document.

Florence Gharibian, Chair of the Del Amo Action Committee served as a Branch Chief in Department of Toxic Substances Control Enforcement Program for several years. Ambiguous language diminishes the ability of inspectors to do the important work of ensuring regulatory requirements are met. It can also make compliance more difficult.

As example of clarification of the ATCM Amendments staff removed the word "only" and removed the phrase "except for the requirements set in 93102.4" to clarify the applicability requirements for facilities that have enclosed hexavalent chromium plating tank(s). This modification was necessary and strengthens the ASTM. The modification makes it clear that chromium plating tanks are subject to that section's requirements for facilities that use hexavalent chromium. Clearly the enclosure of hexavalent chromium plating tank(s) is necessary and significantly reduces air emissions of this dangerous chemical.

Thank You for providing an opportunity to comment,
Florence Gharibian, Chair Board of Directors
Del Amo Action Committee
Cynthia Babich, Director
Del Amo Action Committee

Attachment: www.arb.ca.gov/lists/com-attach/458-chromeatcm2023-B2FVP10zVHVQMwRq.pdf

Original File Name: FlorenceHexChrome10302023 (9).pdf

Date and Time Comment Was Submitted: 2023-10-31 15:57:54



Staff

Cynthia Babich
Director

October 30, 2023

Cynthia Medina
Co-Director

Board of Directors

Florence Gharibian
Board Chair

264

Jan Kalani
Board Member
Homeowner/Resident

Bruce Bansen
Board Member
Homeowner/Resident

Bryan Castro
Board Member

Rosa Vega
Board Member
Resident

Emeritus Board

Lizabeth Blanco
Homeowner/Resident

Lydia Valdez
Homeowner/Resident

In Memoriam

Nick Blanco
Homeowner/Resident

Barbara Stockwell
Homeowner

Brenda Bibee
Board Member

Valerie Medina
Board Member
Resident

On October 16, 2023, the California Air Resources Board released the Chrome Plating ATCM Third Notice of Public Availability of Modified Text. Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations. We support the proposed amendments and commend the staff for the integrity of this work.

This correspondence provides comments on the document. As mentioned, in previous correspondence we were encouraged by the Board’s approval of the ATCM Amendments. Greg Harris and his staff modified the language to correct grammatical errors and more importantly to clarify the language in the document.

Florence Gharibian, Chair of the Del Amo Action Committee served as a Branch Chief in Department of Toxic Substances Control Enforcement Program for several years. Ambiguous language diminishes the ability of inspectors to do the important work of ensuring regulatory requirements are met. It can also make compliance more difficult.

As example of clarification of the ATCM Amendments staff removed the word “only” and removed the phrase “except for the requirements set in 93102.4” to clarify the applicability requirements for facilities that have enclosed hexavalent chromium plating tank(s). This modification was necessary and strengthens the ASTM. The modification makes it clear that chromium plating tanks are subject to that section’s requirements for facilities that use hexavalent chromium. Clearly the enclosure of hexavalent chromium plating tank(s) is necessary and significantly reduces air emissions of this dangerous chemical.

Thank You for providing an opportunity to comment,

Florence Gharibian, Chair Board of Directors
Del Amo Action Committee

Cynthia Babich, Director
Del Amo Action Committee