

MEETING
CALIFORNIA AIR RESOURCES BOARD

ORIGINAL

CALIFORNIA AIR RESOURCES BOARD
AUDITORIUM
2020 L STREET
SACRAMENTO, CALIFORNIA

THURSDAY, JUNE 10, 1993

9:30 A.M.

Nadine J. Parks
Shorthand Reporter

MEMBERS PRESENT

Jananne Sharpless
Brian Bilbray
Eugene Boston, M.D.
M. Patricia Hilligoss
Betty Ichikawa
Jack Lagarias
Barbara Riordan
Harriett Wieder
Andrew Wortman, Ph.D.

STAFF:

James Boyd, Executive Officer
Tom Cackette, Chief Deputy Executive Officer
Mike Scheible, Deputy Executive Officer
Michael Kenny, Chief Counsel

John Holmes, Ph.D.
Bob Barham, Assistant Division Chief, RD
Manjit Ahuja, Mgr., ECT, RD
Ralph Propper, Staff ECT, RD
Jim Rydan, Staff Counsel
Dean Simeroth
Anne Geraghty
Dave Westerdahl
Terry McGuire
Linda Murchison
Richard Bode
Marcelle Surovik
Kirk Oliver, Staff Counsel
Bob Cross
Susan Huscroft
Jim Shears
Francine Baker
Diane Glazer, Staff Counsel
Patricia Hutchens, Board Secretary

ALSO PRESENT: Dr. Clarence Collier, Dr. Alan Lloyd
Dr. Jane Hall, Mr. Tom Coultas,

Dr. Cliff Taylor

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1 (Laughter.)

2 CHAIRWOMAN SHARPLESS: I'll give you a moment to
3 breathe.

4 MR. BOYD: Thank you. Well, I was listening to
5 the introduction as I raced down the hallway. And as you
6 indicated in that introduction, the Toxics Hot Spots
7 Information and Assessment Act of 1987 did create a program
8 to identify sources of air toxics emissions and to assess
9 the risk that those sources pose to the California public's
10 health.

11 Today, we're presenting to you amendments to the
12 regulations which implement the emissions inventory
13 component of the so-called hot spots program. In April of
14 1989, your Board approved the initial emission inventory
15 regulations for the preparation of air toxics emission
16 inventories by facilities that were subject to the hot spots
17 act.

18 In June of 1990, your Board adopted amendments to
19 the regulation to require biennial updates and to extend the
20 program to require inventories from specified facilities
21 which emit less than 10 tons per year of so-called criteria
22 pollutants.

23 Today's amendments were developed to streamline
24 the air toxics hot spots reporting requirements and to
25 refine and clarify the existing regulations. The amendments

1 focus emission inventory update reporting requirements on
2 the most significant facilities. They greatly reduce the
3 emissions reporting requirements for all others -- so-called
4 less significant facilities, and provide methods for
5 the significant facilities to be able to reduce costs of
6 compliance.

7 The effect will be to substantially reduce the
8 overall costs and burdens, we hope, to the facilities
9 subject to the program. However, because the regulation
10 will continue to require updated inventories from those
11 facilities whose emissions would most likely result in
12 significant risks, we believe that this streamlining will be
13 accomplished without any loss in the inventory information
14 that is essential to implement the provisions of the hot
15 spots bill, AB 2588, and relating to the identification of
16 the hot spots.

17 I'd like to indicate that the program and the
18 proposal we bring to you today is the product really of a
19 very extensive consultation process with all interested and
20 affected parties. I know first hand the long hours that all
21 parties, particularly the staff of the Board, have put into
22 this effort. And I thank all who participated in that
23 process for the contributions that they made. I think that
24 the proposal that we bring to you is all much the better for
25 the effort that these people put into the proposal.

1 And, as you know, the fees collected for the hot
2 spot program are specifically addressed in hot spot fee
3 regulations, which will be heard by your Board in next
4 month's Board meeting. So, issues pertaining to fees will
5 be deferred till that particular meeting.

6 With that, I'd like to turn the presentation over
7 to the staff. Marcelle Surovik of the Technical Support
8 Division will make the staff's presentation.

9 MS. SUROVIK: Thank you, Mr. Boyd. Good
10 afternoon, Madam Chairwoman and members of the Board. I'm
11 here today to present the staff's proposal to amend emission
12 inventory criteria and guidelines regulation for the air
13 toxics hot spots program.

14 The regulation contains the specifications
15 for preparing emission inventories required under the Hot
16 Spots Act. We're proposing amendments to streamline the
17 emission inventory biennial update reporting requirements by
18 focusing the effort on the most significant risk facilities;
19 that is, those that pose greatest risk for public health.

20 As a result, the amendments will greatly reduce
21 cost and burdens to California facilities for complying with
22 emission inventory requirements.

23 To begin, I'd like to quickly review the air
24 toxics hot spots program in order for you to better
25 understand our proposed amendments, then I'll specifically

1 discuss the proposed amendments.

2 Following that, I'll discuss the cost savings
3 these amendments are expected to create for facilities and
4 conclude in the summary the public comment letters received
5 to date.

6 As you recall, the goal of the air toxics hot
7 spots act is to identify facilities that will cause or
8 contribute to hot spots of exposure and risk. Another goal
9 is to use the emission data collected under this program to
10 support the Board's toxic air contaminant identification and
11 control program. The Act requires affected facilities to
12 submit an air toxics emission inventory for what is
13 currently over 700 toxic substances to the air districts.

14 The districts must prioritize each facility based
15 on the facility's reported emissions and corresponding
16 potency values. Facilities are categorized as low,
17 intermediate, or high priority.

18 High priority facilities must prepare health risk
19 assessments. Facilities whose risk assessments indicate
20 they pose significant risk to public health must notify the
21 surrounding community of these results. With the passage of
22 SB 1731 last year, significant risk facilities must also
23 reduce their risk within five years.

24 The rest of my presentation today will focus on
25 the emission inventory process for this program. The

1 emission inventory criteria and guidelines regulation was
2 developed to outline the program emission inventory process.
3 Specifically, it identifies what must be included in an
4 emission inventory plan and report and in the biennial
5 update, identifies source test requirements and other
6 emission estimation methods, establishes two groups of the
7 substances to be inventoried -- one for which emissions must
8 be quantified and a second for which only information on
9 production, use, or other presence of the substances must be
10 reported. And it includes the reporting schedule for
11 affected facilities, which I will discuss further in a few
12 moments.

13 Under the hot spots program each affected facility
14 operator must prepare and submit an emission inventory plan
15 to the appropriate district indicating how the facility will
16 calculate its emissions inventory. Facilities must then
17 implement the approved plan and submit an emission inventory
18 report to the districts, who must transmit the data on to
19 the Air Resources Board where they are maintained in a
20 statewide air toxics emission inventory.

21 The Act requires biennial updates to the emission
22 inventories.

23 Facilities are phased into the program depending
24 on their emissions of criteria pollutants. In the first
25 phase of the program, facilities listed on a district's

1 toxics inventory and those emitting greater than 25 tons per
2 year of criteria pollutants were required to submit emission
3 inventory plans by August 1, 1989, and the emission data
4 were due one year later.

5 Emission inventory updates were due every two
6 years thereafter.

7 In the second phase of the program, facilities
8 emitting 10 to 25 tons per year of criteria pollutants were
9 required to submit initial plans by August 1, 1990.

10 In the third phase of the program, specific
11 classes of facilities that emit less than 10 tons per year
12 of criteria pollutants and that are identified in the
13 regulation were required emission inventory information by
14 August 1, 1991.

15 Phase 1 of the program affects approximately 4100
16 facilities. We've received nearly 100 percent of this Phase
17 1 data which, have undergone quality assurance checks, and
18 are now available to the public.

19 A technical report will soon be available that
20 provides the status and capability of the statewide air
21 toxics emission data system and includes a preliminary
22 analysis of Phase 1 data.

23 Phase 2 affects approximately 1500 facilities. We
24 received about 70 percent of Phase 2 data which are
25 currently undergoing quality assurance checks.

1 We expect Phase 3 to affect over 17,000
2 facilities; however, this number could be much larger due to
3 the uncertainty of estimating these smaller, frequently
4 unpermitted sources.

5 The majority of these facilities will be included
6 in industrywide emission inventories that are developed by
7 the districts or will only submit a one-time survey of the
8 presence of listed substances.

9 We've received less one percent of Phase 3 data.
10 We've received a few biennial update reports from Phase 1
11 facilities, and should continue to receive updated data from
12 Phase 1 and 2 facilities.

13 In order for us to more quickly receive the data
14 and make them available to the public, we're developing the
15 capabilities for facilities to submit emission data
16 electronically.

17 Now I will begin my discussion of the proposed
18 amendments to the regulation, which are before you today.
19 The amendments were developed in consultation with the
20 Technical Advisory Committee, consisting of representatives
21 of the air districts and the Office of Environmental Health
22 Hazard Assessment.

23 The Committee met and held teleconferences 10
24 times in the last year. We also met with the CAPCOA six
25 times to discuss the amendments. These meetings were also

1 attended by industry representatives.

2 We held six public consultation meetings to
3 receive public input on the amendments. Approximately 6,000
4 facility operators and members of the public were notified
5 of these meetings.

6 Finally, we met with specific industry and
7 environmental groups to receive their input on the
8 amendments.

9 The focus of our proposed amendments is on making
10 major changes to the biennial update reporting requirements.
11 We're doing this to substantially reduce update requirements
12 and costs for nonsignificant risk facilities and to place
13 the majority of the update efforts on those facilities who
14 pose the greatest risk to public health.

15 In addition to the biennial update procedures, I
16 will discuss other changes we're proposing to the
17 regulation, such as removing facilities from the program,
18 adding instructions for reporting specific types of source
19 test results, restructuring a list of substances, and
20 eliminating specific source test requirements.

21 The current regulation requires all facilities to
22 update any changes and any emissions parameter every two
23 years. We're proposing to reduce the stringency of the
24 biennial update requirements and to now base the
25 requirements on each facility's prioritization category.

1 This flow chart demonstrates the reporting
2 stringency for facilities in each priority category. The
3 update requirements are most stringent for significant risk
4 facilities, which are shown at the top of this chart.

5 The stringency of the reporting requirements
6 decrease for other high-priority facilities that were
7 determined not to be significant risks, and decrease even
8 further for low and intermediate priority facilities.

9 Unprioritized facilities would do minimal updates
10 until they are prioritized.

11 This chart is designed to provide you with a
12 perspective on how many Phase 1 facilities are expected to
13 fall in each priority category. Phase 1, as you recall, are
14 the greater than 25 ton per year sources and those on
15 district toxics inventories.

16 Based on district prioritization of Phase 1
17 facilities, approximately 80 percent of the facilities are
18 low and intermediate priority. Approximately 20 percent of
19 them are high priority and were required to prepare health
20 risk assessments.

21 Based on the risk assessment results, it's
22 expected that approximately five percent of Phase 1
23 facilities will be significant risk, leaving 15 percent as
24 being high priority, nonsignificant risk.

25 However, because most Phase 2 and Phase 3

1 facilities have not been prioritized, these numbers may not
2 be representative of other phases.

3 We are proposing that significant risk facilities
4 continue to prepare biennial update plans and reports.
5 These facilities will need to report only changes since the
6 last inventory report.

7 Requiring these facilities to report both
8 increases and decreases is consistent with emission
9 reduction tracking requirements under SB 1731.

10 Facility operators need only report emissions from
11 the previous calendar year instead of the emissions from the
12 higher of the previous two years as is currently required in
13 the regulation.

14 In addition to only requiring changes to be
15 reported, we are further streamlining the efforts here by
16 giving these facility operators the option to only report
17 changes to significant devices or equipment within the
18 facility.

19 It was necessary to define what is meant by
20 significant devices. Significant devices are those which
21 cumulatively account for 80 percent of the facilities total
22 risk. These facilities have already prepared risk
23 assessments and, in most cases, are aware of which devices
24 and substances at the facility drive the risk.

25 The facility must ensure that all remaining

1 devices must not cumulatively exceed either one potential
2 cancer in a million risk or a noncancer hazard index of one.
3 A facility must work with the district on identifying which
4 devices drive the facility's risk.

5 All other affected facilities will no longer be
6 required to submit updated inventories every two years.
7 Instead, these facilities will submit a new form, a two-page
8 biennial summary form, that is expected to fulfill most
9 facilities' biennial update requirements.

10 Specifically, for other high-priority facilities,
11 those whose risk assessments indicated that they were not of
12 significant risk, we're proposing that the operators
13 complete the new biennial summary form. Only if the form
14 indicates that the facility has experienced significant
15 increases in device activity must an updated inventory be
16 submitted that reflect those increases.

17 We're requiring these high-priority facilities to
18 track and report their significant emission increases
19 because of their potential for moving into the significant
20 risk category.

21 I'll quickly describe what is in the biennial
22 summary form and define what is a significant increase.

23 The two-page biennial summary form contains seven
24 yes-no questions that are separated into three parts. This
25 form does not require the facility to quantify emissions.

1 Part A requests facility information, such as name and
2 address. Part B requires the facility operator to evaluate
3 and indicate general changes in the overall facility
4 operations that have occurred since the last inventory
5 period, such as the addition of new equipment or
6 modifications in permit conditions.

7 Part C requires a facility operator to evaluate if
8 the facility has experienced a significant increase in
9 device activity since the last inventory period.

10 If a facility reported significant increases, the
11 operator must submit an update plan and report for those
12 devices that increased. The operator has two options for
13 determining whether significant increases and device
14 activity have occurred.

15 With the first option, high-priority facility
16 operators may choose to examine activity at each device to
17 determine whether there has been a 10 percent or greater
18 change in any device activity.

19 If a significant increase occurred at a device,
20 the operator must report emission increases for that device.

21 For a small facility with few devices, this first
22 option may be the most appropriate choice.

23 The second option is similar to the option
24 available to significant risk facilities. The facility
25 operator may choose to work with the district to identify

1 significant devices and evaluate whether there has been a 10
2 percent or greater increase in activity at those devices.

3 If a significant increase occurred, then the
4 operator must report emission increases for those devices.

5 As I described earlier for significant risk
6 facilities, significant devices are those that contribute to
7 at least 80 percent of the facility's total risk. All
8 remaining devices must not cumulatively exceed either one
9 potential cancer in a million risk or a noncancer hazard
10 index of 1.

11 The second option may be more suitable to large
12 facilities with numerous devices.

13 Low and intermediate priority facilities will only
14 be required to complete Part A and B of the biennial summary
15 form. These facilities will not be required to evaluate and
16 report significant increases at the device level, such as
17 with the high-priority facilities, but only evaluate
18 changes, such as with fuel type or receptor proximity.

19 The districts must review the forms and determine
20 if significant changes have occurred in the facility's
21 operations to warrant an inventory update.

22 For most facilities, the summary form will satisfy
23 the update requirements, unless the district determines that
24 major changes have occurred that may change the facility's
25 risk.

1 As was mentioned earlier, staff estimates that 80
2 percent of Phase 1 facilities will fall under this reporting
3 category.

4 Unprioritized facilities, those who have not
5 completed enough of the emission inventory process to be
6 prioritized, will only be required to complete Part A of the
7 biennial summary form, which consists of the facility name
8 and address, a contact person, and phone number.

9 As these facilities are prioritized, they will
10 fall into one of the reporting categories discussed earlier.
11 This part principally addresses the less than 10-ton per
12 year facilities, but includes any unprioritized facility,
13 regardless of size.

14 In all cases discussed above, the districts may
15 require updates and additional information if they deem it
16 necessary to evaluate a facility's status. We are proposing
17 other changes to the update requirements. We're proposing
18 to allow facility operators the option to submit voluntary
19 biennial update plans and reports. This option is provided
20 to allow facilities that reduce their emissions to update
21 their inventory, if so desired.

22 We're proposing to require facilities to submit an
23 updated inventory if they use revised data for
24 prioritization and/or risk assessments that differ from the
25 most recently submitted emission inventory.

1 We're proposing that facilities report only the
2 previous year's emissions in their biennial update report as
3 opposed to reporting the higher of the previous two years as
4 is currently required in the regulation.

5 We're proposing to revise the schedule for the
6 biennial update submittals. The current regulation requires
7 all facilities to submit an update plan by August 1 of a
8 given year. The proposed amendments will create a new
9 schedule that would require Phase 1 and Phase 3 facilities
10 that are not significant risk to submit their biennial
11 summary form by February 1, 1994. This represents a one-
12 time six-month postponement of the reporting requirements.
13 The new schedule provides 90 days until May 1 for districts
14 to review the biennial summary forms and inform the facility
15 if an update plan and report is required.

16 If an update is required, the new schedule would
17 allow 90 days for the completion of the update plan until
18 August 1.

19 Phase 2 facilities would have the same schedule,
20 but would submit a year later, beginning February, 1995.

21 Significant risk facilities do not submit biennial
22 summary forms. But the new schedule would postpone the
23 submittal of their required update plan by one year. For
24 Phase 1 and Phase 3 facilities, this would mean a submittal
25 date of August 1, 1994. Phase 2 facilities would submit

1 their plans by August 1, 1995.

2 In addition to modifying the biennial update
3 requirements, we are proposing other amendments to the
4 regulation to improve the emission inventory process. We
5 are proposing that facilities be allowed to be removed from
6 the program when they no longer meet applicability criteria
7 specified in the regulation, such as a facility that reduced
8 criteria pollutant emissions to less than 10 tons per year
9 and is not in the affected classes of less than 10 ton per
10 year facilities. Before being removed, a facility must
11 first demonstrate that it does not pose a significant health
12 risk and is not subject to any other applicability criteria,
13 and obtain both district and ARB concurrence that these
14 criteria are met.

15 We propose that a facility may be removed under
16 three specific cases. These cases are: One, it permanently
17 reduced its emissions of criteria pollutants to below 10
18 tons per year and is not included in the affected classes of
19 less than 10 tons per year facilities; two, it was removed
20 from a district's toxics inventory list or survey; or,
21 three, it is a less than 10 ton per year facility and
22 permanently discontinued the processes listed in the
23 regulation that made it subject to the program.

24 We are proposing to add instructions for how to
25 report emissions based on source test results in which runs

1 are less than the test method's limit of detection.

2 For source test runs in which all values are below
3 the limit of detection, or LOD, facilities would be allowed
4 to use ND for nondetect when reporting emissions.

5 The source test results, including the LODs for
6 the test runs, must be included in the emission inventory
7 report. However, in cases where some but not all of the
8 test results are below the LOD, one-half of the LOD would
9 still be averaged with the detected value to calculate
10 emissions, which is consistent with ARB's current guidance.

11 We're proposing to annotate Appendix A, which is
12 the list of substances, to consolidate pertinent information
13 from other areas of this regulation and from the hot spots
14 fee regulation list of substances.

15 In a separate rulemaking, staff will propose to
16 eliminate the list of substances in the fee regulation,
17 which will make Appendix A the only substance list for this
18 program.

19 To improve the appendix, we are proposing to
20 restructure it and make minor clarifications and
21 corrections. We are not proposing to add any new substances
22 to the list.

23 We're proposing two changes to the source test
24 requirements in Appendix D. We're proposing to eliminate
25 test requirements for the headworks and the chlorinator

1 discharge at publicly owned treatment works, or POTWs, based
2 on comments from the districts and the POTWs that the test
3 requirements are impractical or infeasible. We're also
4 proposing to exempt emergency and standby equipment which
5 burn diesel or distillate fuel from test requirements based
6 on district findings that it often takes more time to
7 conduct a source test than the time the equipment is
8 normally operated.

9 We're also proposing other clarifications and
10 improvements to the regulation that are stated in the staff
11 report.

12 Now, I will discuss the cost savings the
13 amendments are expected to create for facilities for
14 complying with emission inventory provisions of the Act and
15 the effect the amendments will have on the districts and
16 ARB's workload.

17 The proposed amendments to the regulation will
18 substantially reduce costs to facilities for complying with
19 the emission inventory provisions of the Act. These costs
20 reductions result from major reductions in the biennial
21 update reporting requirements.

22 We expect that most facilities will no longer have
23 to submit update plans and reports every two years, but
24 rather that the biennial summary form will satisfy their
25 update requirements.

1 Submitting only the summary form should
2 considerably reduce consultant fees for facilities, because
3 the form requires minimal time and effort and can be
4 completed by facility staff.

5 Source test costs should be considerably reduced,
6 because fewer facilities will be submitting updated
7 inventories and because we are eliminating source test
8 requirements for specific sources.

9 In addition, we are developing air toxic emission
10 factors from the source test data collected under this
11 program, which will help reduce costs for facilities that
12 must submit updated inventories.

13 Although the amendments will shift more
14 responsibility to the districts with reviewing the
15 information in the biennial summary form and determining
16 when an inventory should be updated, overall, the districts
17 will have fewer update plans and reports to review.

18 Consequently, the districts should not experience
19 an increase in workload. The reduction in update reports
20 will provide district staff more time to review the backlog
21 of initial plans and reports from Phase 1 and Phase 2
22 facilities, and to prepare industrywide inventories for
23 Phase 3 facilities.

24 The amendments will result in fewer update reports
25 submitted to the ARB. However, we are still expecting about

1 30 percent of initial Phase 2 data and all of Phase 3 data,
2 which will include data from 17,000 to 30,000 facilities.

3 These data should be received throughout the next
4 year and a half. Once received, they will undergo quality
5 assurance checks. We also expect to perform enhanced
6 quality assurance checks on the database once data from all
7 three phases are received.

8 Consequently, we do not expect to experience a
9 change in workload for implementing the emission inventory
10 provisions during the next couple of years.

11 After the adoption of the proposed amendments to
12 the regulation, we plan to hold district workshops and
13 develop district guidance reports to explain the new
14 biennial update procedures, which should promote greater
15 statewide consistency with implementing the regulation.

16 Now, I will provide a summary of the public
17 comments we've received and our responses to them.

18 We received four letters supporting our
19 streamlining proposals, one from the San Joaquin Valley
20 Unified Air Pollution Control District and one from South
21 Coast Air Quality Management District, both of which are
22 members of our Technical Advisory Committee; one from
23 CALPINE, a geothermal facility in Santa Rosa; and one from
24 the California Council for Environmental and Economic
25 Balance, an industry group we worked closely with during the

1 development of the amendments.

2 We also received a letter from the Western States
3 Petroleum Association, WSPA, strongly supporting our
4 proposed streamlining concepts; however, they suggested a
5 few technical clarifications to the proposed amendments.

6 WSPA suggests that low and intermediate priority
7 facilities that are required to update their inventories
8 only do so for their significant devices, basically the same
9 option allowed for significant risk and other high priority
10 facilities.

11 Significant devices are those that constitute 80
12 percent of total facility risk. We did not include this
13 option because most low and intermediate priority facilities
14 weren't required to submit risk assessments and would not be
15 able to identify which devices drive their risk.

16 However, the districts have enough flexibility to
17 work with these facilities to determine which devices should
18 be included in the inventory update.

19 CHAIRWOMAN SHARPLESS: I might suggest on the WSPA
20 letter, that I notice that Mike Wang from WSPA is here to
21 testify, and he might be covering the same items. So, maybe
22 we will wait on the response to WSPA's comments.

23 MS. SUROVIK: All right.

24 We received comments from Santa Barbara County Air
25 Pollution Control District. The district is concerned that

1 the amendments will create statewide inconsistency with
2 implementing program requirements.

3 Consistent implementation is of primary importance
4 to us as well. In order to reduce statewide inconsistency
5 with implementing the emission inventory provisions, we're
6 proposing to hold district workshops and to develop district
7 guidance reports to explain the new biennial update
8 procedures.

9 The district suggests that we provide an annual
10 summary to all districts regarding changes, such as to
11 emission factors and potency values, that would affect the
12 evaluation of a facility's biennial summary form.

13 Through our discussions -- through our discussions
14 with the districts and CAPCOA, we've already committed to
15 supplying this annual summary of changes.

16 The district suggests that all districts be
17 required to consider specific factors listed in the
18 regulation when reviewing the biennial summary forms to
19 determine when an inventory should be updated.

20 It's our intent that all districts consider but
21 not be limited to the factors listed in the regulation when
22 reviewing the summary forms. We do not intend that any
23 changes in the factors, as indicated on the summary form,
24 would automatically trigger an updated inventory.

25 The district also suggested requiring all low and

1 intermediate priority facilities to complete Part C of the
2 biennial summary forms, which includes an evaluation of
3 device level activity, but withdrew their suggestion after
4 discussing the issue with us and determining that the
5 proposed language gives them the authority to request this
6 additional information from their facilities.

7 We received a letter from the law firm, Mitchell,
8 Silberberg & Knupp, representing Halaco Engineering Company
9 regarding our proposed addition of the instructions for
10 reporting source test results in which some, but not all, of
11 the runs are below the limit of detection, LOD.

12 The company does not believe that one-half of the
13 LOD should be averaged with detected values when reporting
14 emissions.

15 However, this is our current technical guidance on
16 how to report these types of emissions. It is common
17 practice to average one-half of the LODs with the detected
18 values.

19 We're adding these instructions to the regulation
20 to promote statewide consistency. We've also reduced the
21 stringency of the reporting -- of reporting these types of
22 test results by not requiring emissions to be reported when
23 all runs are below the LOD.

24 We also received a letter from the Los Angeles
25 County Sanitation Districts, but they will be presenting

1 oral testimony as well today.

2 That concludes the summary of the public comments
3 and my presentation on the proposed amendments to the air
4 toxics hot spots emission inventory regulation.

5 CHAIRWOMAN SHARPLESS: Okay. We do have four
6 witnesses on this item. I want to ask, however, before we
7 proceed to the witnesses, if there's any questions or
8 clarifications -- yes, Supervisor Wieder.

9 SUPERVISOR WIEDER: Yes. I'd like to compliment
10 staff on the job that you've done. I'm really very, very
11 impressed, particularly when CCEEB is a partner in this.
12 I'm doubly impressed.

13 I think it's almost a prototype for following this
14 procedure and getting the results you have for many other
15 regulations throughout the State at the local level as well.
16 The business of evaluating and inventorying and the
17 timeliness, and all the things that you've done, I want to
18 highly compliment you on.

19 MR. MC GUIRE: Thank you very much, Supervisor
20 Wieder in behalf of the staff.

21 SUPERVISOR WIEDER: Okay.

22 CHAIRWOMAN SHARPLESS: I need a point of
23 clarification before we go on. I was trying to follow the
24 changes in the scheduling, and I just wanted to maybe review
25 that, so I had that clear in my mind.

1 Could you go over that one more time, as to what's
2 going to happen in the schedule?

3 MS. SUROVIK: Yes. Right now, all facilities have
4 to submit a plan by August 1 of a given year. They're all
5 phased in.

6 CHAIRWOMAN SHARPLESS: Right.

7 MS. SUROVIK: Okay. So now, instead of a plan
8 going in August 1, say, of this year for Phase 1 and 2
9 facilities, if they have to submit a biennial summary form,
10 if they're not significant risk facilities, they will submit
11 their biennial summary form February 1 of next, which gives
12 them six months, an extra six months to do the work that
13 would normally be going in on August 1 of this year.

14 CHAIRWOMAN SHARPLESS: So, this is allowing the
15 regulations to become effective; so that, when they do do
16 their update -- or they're operating under the rules of this
17 new regulation, of the streamlined regulation?

18 MS. SUROVIK: That's correct. We feel there's
19 flexibility for -- even though the current regulations are
20 still in effect, and we are adopting these today, it doesn't
21 go through the OAL process. We feel that the districts have
22 the flexibility to not enforce the old regulation or the
23 penalties for not complying with the old regulations.

24 CHAIRWOMAN SHARPLESS: How does that flexibility
25 work?

1 MS. SUROVIK: Maybe Kirk Oliver could address
2 that.

3 MR. OLIVER: Essentially, we are advising the
4 districts that the changes are imminent and advising them to
5 use their discretion in exacting any fines or penalties,
6 given the fact that these new requirements will be coming
7 onboard, and they do have the discretion under the law not
8 to take these penalties, and are following our advice.

9 CHAIRWOMAN SHARPLESS: And who's going to be
10 subject to the requirement to have an update by February of
11 '94? Which group is that?

12 MS. SUROVIK: Phase 1 and Phase 3 facilities.

13 CHAIRWOMAN SHARPLESS: Phase 1 and Phase 3 in
14 which category?

15 MS. SUROVIK: Those are the greater than 25 ton-
16 sources and the less than 10-ten sources.

17 CHAIRWOMAN SHARPLESS: So, less than 10-ton
18 sources to have an update?

19 MS. SUROVIK: Most of them weren't be prioritized,
20 so they will be doing the very minimal --

21 CHAIRWOMAN SHARPLESS: Oh, they'll be doing the
22 minimal.

23 MS. SUROVIK: -- Part A, name and address.

24 CHAIRWOMAN SHARPLESS: And then the low and
25 moderate report when? When do they?

1 MR. BODE: They report next -- they'd be February
2 of '95.

3 CHAIRWOMAN SHARPLESS: And why were they given
4 that extra time?

5 MR. BODE: That was the way the law was
6 implemented in this kind of three-phase schedule; that the
7 first year was the greater than 25-ton facilities; the
8 second year was the 10 to 25 ton facilities; and the third
9 year was the less than 10-ton facilities. On the third
10 year, though, was the -- that aligns up with the updates
11 from Phase 1 facilities as well.

12 So, basically, in this kind of two-year --

13 CHAIRWOMAN SHARPLESS: Oh, so, even though the
14 Phase 3 is a later phase in terms of when they originally
15 had to have their reports in, they get affected by the same
16 update schedule.

17 MR. BODE: Right, Phase 1.

18 CHAIRWOMAN SHARPLESS: I see.

19 MR. BODE: So, in one year, you really have Phase
20 1 and 3 coming together.

21 CHAIRWOMAN SHARPLESS: But because most of them
22 won't be prioritized, most of them will be just giving name
23 and address of facility?

24 MR. OLIVER: That's correct.

25 MR. BODE: That was one of the specific reasons we

1 put in that section about unprioritized facilities, so that
2 these Phase 3 facilities wouldn't have to do another update
3 before their first inventories, basically, had been reviewed
4 and prioritized.

5 CHAIRWOMAN SHARPLESS: Okay. And back on the
6 issue of the limit of detection on the letter, I understand
7 that we do have a current policy or guideline governing
8 limit of detection.

9 But I guess these people are taking issue even
10 with that policy.

11 MR. BODE: Right. Actually, our policy now was
12 submitted as a guidance letter to the districts back in, I
13 believe, 1991. In this case, we decided to put that
14 guidance right in the regulation for two reasons: One was
15 actually to promote consistency with how those provisions
16 were implemented statewide.

17 The other thing is that, right now, our policy is
18 that, if you have a source test where all the runs are below
19 the limit of detection, then you have to report one-half the
20 limit of detection, which is a more stringent requirement,
21 which we have dropped as we've put this language into the
22 regulation.

23 And so, what we have now is we just have the -- if
24 you have any one test run that comes out of both the limit
25 of detection, any of the runs below will be averaged in at

1 half the limit of detection, which is a common laboratory
2 practice that has been with the Air Resources Board.

3 CHAIRWOMAN SHARPLESS: They're using a legal
4 argument here about rebuttable presumption. Could somebody
5 help me out there?

6 MR. OLIVER: We've analyzed that argument and some
7 of the other ones that they have here, and don't feel that
8 an irrebuttable presumption is being created by this
9 statute; instead it -- by the regulation; instead, it's a
10 requirement that's based on substantial evidence of our
11 technical experience in a widely used method in using limit
12 of detection values. And no irrebuttable presumption is
13 being created by this at all.

14 It's a misnomer that the commenter used in the
15 letter.

16 CHAIRWOMAN SHARPLESS: Okay. But I guess,
17 basically, our policy currently, without action on this
18 regulation, is a more stringent policy, and this regulation
19 would change that policy to lower the or make less stringent
20 the --

21 SUPERVISOR BILBRAY: The threshold.

22 CHAIRWOMAN SHARPLESS: Yes, the threshold for the
23 limits of detection.

24 MR. BODE: Right.

25 CHAIRWOMAN SHARPLESS: Okay. If there are no

1 further questions by Board members on this, why don't we
2 call up our first witness, Mike Wang from WSPA. Mr. Wang,
3 would you like to come forward?

4 MR. WANG: Thank you, Madam Chair. I'm
5 unaccustomed to being first. I'm not quite sure what that
6 means.

7 CHAIRWOMAN SHARPLESS: Well, we aren't already
8 muddled with a lot of other testimony.

9 SUPERVISOR BILBRAY: Just think of yourself as the
10 head Christian. Now, go ahead.

11 (Laughter.)

12 MR. WANG: I want to express our appreciation to
13 staff for the fine work they've done. Jim and Terry and the
14 people that you heard today have really knocked themselves
15 out. We appreciate it.

16 They've had several meetings with the regulated
17 industry, as you've heard, and they have heard and responded
18 to comments. I'd like to echo Supervisor Wieder's comments
19 that it is a good example, this process was a good example
20 of how a public agency can work with the regulated industry.
21 We do have some brief comments.

22 We do strongly support the streamlining proposal.
23 We want to make sure that everybody understands that it does
24 keep the intent of the AB 2588 program, but simplifies
25 compliance. And so, what you have is you have environmental

1 protection, but you have a reduced burden on the regulated
2 industry, and that's something that we always are looking
3 for.

4 It saves time and money, and it is certainly
5 consistent with the regulatory form efforts we've all seen.
6 We strongly endorse the concept of making the risk
7 management and risk assessment guidelines, which you'll be
8 reviewing in the next few months, consistent with the
9 streamlining process, and we look forward to that in the
10 next few months. Particularly, next month, I think we'll
11 look at the risk management guidelines. Certain elements of
12 those guidelines directly devolve as a result of the work
13 that's been done up to this time. And we certainly look
14 forward to seeing that type of consistency as well.

15 We did submit some comments on June 2nd to the
16 staff. One comment has been already addressed in the
17 presentation. I haven't heard of the others and, so, I'm
18 unprepared to comment as to what exactly the staff might
19 have responded to in our letter of June 2nd.

20 So, I'd like to open that up for one comment if I
21 could.

22 CHAIRWOMAN SHARPLESS: Okay.

23 MR. BODE: Would you like us to address those
24 specifically?

25 CHAIRWOMAN SHARPLESS: Yes, why don't you?

1 MS. SUROVIK: The WSPA suggests that low and
2 intermediate priority facilities that are required to update
3 their inventories only do so for their significant devices,
4 basically the same option allowed for significant risk and
5 other high-priority facilities.

6 Significant devices are those that constitute 80
7 percent of the total facility risk. We did not include this
8 option because most low and intermediate priority facilities
9 weren't required to submit risk assessment and would not be
10 able to identify which devices by their risk.

11 However, the districts have enough flexibility to
12 work with these facilities to determine which devices should
13 be included in their inventory update. WSPA suggests
14 changing the biennial summary form submittal date from
15 February 1 to May 1.

16 We don't believe this is necessary, because the
17 proposed language allows the districts to use an alternative
18 submittal schedule for their biennial updates.

19 WSPA suggests requiring only significant risk
20 facilities to fill in the facility location coordinate
21 fields on their reporting forms. These fields have already
22 been provided by the districts in each facility's initial
23 report, and only new facilities would have to provide this
24 information, which they can get with the district's
25 assistance.

1 And the WSPA suggests that district discretion to
2 require stack retesting be revised to only require retesting
3 if it would provide significant improvement in the
4 assessment of the facility's risk rather than its emissions.

5 We believe the language the WSPA's referring to is
6 actually explanatory language in the staff report. There
7 does not appear to be comparable language in the regulation
8 to change.

9 The proposed language regarding the use of
10 previously submitted source test data was intended to allow
11 the districts to exempt retesting requirements if they are
12 determined not to be necessary.

13 The WSPA is concerned with the double-counting of
14 emissions when total emissions of listed mixtures, such as
15 gas vapors and PAHs, are required to be reported along with
16 their individually listed constituents. Listed mixtures are
17 required to be reported in this manner because they are
18 specifically included in the sources referenced in the Act
19 that are used to compile the hot spots list of substances.

20 We're aware of the potential double-reporting of
21 these emissions, and will qualify those emissions when
22 releasing the data.

23 That concludes our summary.

24 MR. WANG: Staff's response is consistent with
25 what our interpretation has been and our understanding of

1 district activities.

2 The last issue was the one that we were most
3 concerned about; the fact that they'll issue a qualifier is
4 certainly understandable, and we're satisfied with that.

5 And we want to again restate our support and
6 appreciation for the fine staff work that Jim and his crew
7 has done, and look forward to doing this more in the future.

8 CHAIRWOMAN SHARPLESS: Thank you, Mr. Wang. I'd
9 just comment. I hope it didn't hurt to be first.

10 (Laughter.)

11 MR. WANG: Not this time.

12 SUPERVISOR BILBRAY: Not as much as it did to
13 agree to staff, that's for sure.

14 CHAIRWOMAN SHARPLESS: It is interesting, though,
15 on an item of great significance like this. And I do
16 believe it is of great significance and low controversy,
17 that we have so few witnesses to come and express their
18 opinions. But on items of controversy, we go for hours.
19 So, I appreciate you coming to let the Board know that WSPA
20 appreciates our efforts as well.

21 MR. WANG: I should say, in closing, that the lack
22 of controversy, I think, is due in part to staff's
23 recognition and regulated industry working together to come
24 up with something that's reasonable.

25 So, I think the lack of controversy is a symbol of

1 the communication that's existed.

2 CHAIRWOMAN SHARPLESS: No. I think you
3 misunderstood me. We get less praise for doing a good job
4 than we do for controversy. It's just a social commentary
5 here.

6 MR. WANG: Okay.

7 CHAIRWOMAN SHARPLESS: Thank you very much, Mr.
8 Wang.

9 SUPERVISOR BILBRAY: There's an old saying we used
10 to have. When we do right, they never remember; and when we
11 do wrong, they never forget.

12 CHAIRWOMAN SHARPLESS: That's it.

13 Mr. William Oliver, Radian Corporation.

14 MR. W. OLIVER: My name is Bill Oliver. I'm with
15 Radian, an environmental consulting firm. We're located
16 here in Sacramento and also have offices throughout
17 California.

18 We perform many of the requirements that are laid
19 out in this regulation and we, too, would like to lend our
20 support to this regulation today, the revisions to the
21 regulation. We are the ones who do most of the kinds of
22 source testing, the inventory plans, and the inventory
23 reports. We also do quite a bit of the risk assessment
24 work, and have probably performed well over 200 different
25 analyses for different organizations over the last six years

1 that this set of requirements has been in place.

2 I want to make sure that it's understood why we
3 can take the actions that we're going to take today, we
4 hope, to approve this set of proposed amendments. Six years
5 ago, when the Legislature adopted this bill, there was very,
6 very little information on air toxics emissions. That was
7 exactly why the Legislature wanted a fairly intensive effort
8 of inventory planning, inventory reporting, source testing,
9 as well as risk assessment work to be carried out.

10 And it's because we have quite an extensive data
11 set now that the districts have and the ARB has been pulling
12 together in a very extensive database, that we can now step
13 forward and look at ways we can streamline the process.
14 This truly was not something that could have been initiated
15 since years ago in order to get to the point that we are and
16 meet the goals and objectives that were in the original 2588
17 legislation. I think that's an important element to keep in
18 mind.

19 It's not that we could have gone forward with this
20 kind of effort perhaps six years ago; it's only now that we
21 have the information that we can streamline, we can cut back
22 requirements, we can look at impacts on industry for doing
23 this reporting, and properly use society's resources. And I
24 think that's a real important point.

25 The new approach that we have put together here,

1 that the staff has put together, has been the result of
2 quite a bit of effort, as Mike Wang and others who will
3 follow me will point out (sic). And I, too, would like to
4 support Supervisor Wieder's comments and compliments to the
5 staff. That was quite a bit of effort that was done here.
6 You heard the number of public meetings, the get-togethers
7 with different public agencies that took place. It was an
8 extensive and intensive effort. I would like to suggest
9 that it is indeed that particular effort that has led to the
10 lack of controversy, Chairwoman, that you see here today.
11 And I think it is a harbinger of the kinds of things that
12 industry, and environmental groups, and other public
13 agencies would like to continue with the Board.

14 We found the workshop process very open. There
15 was quite a bit of two-way dialogue. And it's within that
16 framework that we'd like to lend our support behind this
17 particular change to the regulation.

18 Thank you.

19 CHAIRWOMAN SHARPLESS: Thank you very much. It's
20 not often somebody who's going to be losing business comes
21 up and supports the fact that they will be.

22 (Laughter.)

23 MR. W. OLIVER: Well, I'm very pleased that you
24 would notice that without me having to bring it up.

25 (Laughter.)

1 MR. W. OLIVER: But, in fact, that is exactly what
2 will happen. There will be a tremendous reduction in this
3 particular piece of work that my company and many other
4 companies located in California will see. But I think it's
5 very critical, as an individual -- and my company feels the
6 same way -- that we look at this from the use of society's
7 resources. And society's resources have been used to a
8 tremendous extent to get us to this point over the last six
9 years.

10 It's now time to cut back. We don't need that
11 much of an effort to continue on, and on, and on for every
12 two years as the law was originally written and as the
13 original and appropriate regulation was originally written.
14 It's time to reevaluate. That's what's being proposed here.
15 And the compromise that's being offered is a very good one
16 in the eyes of many different organizations, many of whom
17 who won't be here today and haven't written to you to lend
18 their support. You can be sure that there are others who
19 feel the same way.

20 CHAIRWOMAN SHARPLESS: Okay. Thank you very much.

21 MR. W. OLIVER: You're welcome.

22 CHAIRWOMAN SHARPLESS: Mr. Nazemi, South Coast Air
23 Quality Management District.

24 MR. NAZEMI: Thank you, Madam Chair. My name is
25 Mohsen Nazemi. I'm the senior manager in charge of the air

1 toxics program at South Coast AQMD, and I appreciate the
2 opportunity to testify.

3 I would like to, on behalf of the South Coast Air
4 Quality, support the revisions proposed by Air Resources
5 Board staff. Myself and my staff's been working closely
6 with the Air Resources Board in developing these
7 regulations.

8 And we feel that it wasn't a case that ARB was
9 just trying to satisfy the industry and, therefore, backed
10 off on a lot of the requirements. I think they were very
11 responsive to the comments received from districts as well.
12 And those districts that did participate, I want to thank
13 them for this responsiveness.

14 I feel that the specific concern that industry had
15 in terms of burdensome reporting requirements was, to a
16 certain extent, valid. And these regulations, the revisions
17 to these regulations will address those concerns and will
18 significantly minimize these reporting requirements,
19 particularly for facilities that are unprioritized, that are
20 low or medium priority, with a few or significant number of
21 devices (sic), and also for high priority facilities that
22 may or may not be significant risk. It's flexible enough
23 that it allows them to report only changes or increases in
24 their emissions and not have to submit a complete update,
25 which was, I understand, a lot of concern rise -- given rise

1 to their burdensome reporting requirements.

2 There is a couple of points that I want to
3 emphasize in this effort. One is that I think the
4 regulations now will provide minimum information required
5 for the districts to implement the 2588 program. And it's
6 also important to recognize that Senate Bill 1731, the
7 Calderon bill, as a State law, requires the districts to
8 require significant source -- risk sources to reduce their
9 emissions. That's a second step to the inventory
10 notification program.

11 And it's important that -- it's not just those
12 facilities that were identified as a significant risk that
13 are in this Senate Bill 1731 program, but facilities that
14 may be only high priority or a more low priority, but by the
15 change in their operation or increase in their production
16 may now become a significant risk facility.

17 And I appreciate the flexibility that these
18 regulations provide for the districts to be able to
19 implement the intent of Senate Bill 1731.

20 And one other item I'd like to point out is that
21 there are presently a number of proposed legislation that
22 specifically address the biennial update requirements. And
23 through my discussions with the bills' sponsors, I think
24 these revised regulations may significantly impact the
25 concerns that are driving those proposed legislations. And,

1 hopefully, these will be acceptable to the level that there
2 will be very little need or no need at all for any changes
3 in the State law.

4 Thank you for the opportunity again. I'd be happy
5 to answer any questions.

6 CHAIRWOMAN SHARPLESS: Thank you. I'd just
7 comment that, by giving you the flexibility, we've also
8 given you probably a greater workload, because it is going
9 to be up to you to watch the reports fairly carefully
10 and make determinations and judgments about what should be
11 triggered and what shouldn't be triggered.

12 So, we recognize that, even though we're reducing
13 the burden on the facilities, we are increasing the burden
14 somewhat on the districts, even though we're now focusing
15 the program, which -- as an earlier witness suggested --
16 we're now focusing where the resources really ought to be
17 focused, but do recognize that it's going to be up to the
18 districts to be every vigil on this program to make sure
19 that we are focused in the right direction.

20 I appreciate your support. Mr. Lagarias?

21 MR. LAGARIAS: I'd just like to comment that any
22 action that you and the ARB staff take or can take that
23 would reduce the promulgation of new legislation would be
24 greatly appreciated.

25 (Laughter.)

1 MR. NAZEMI: I understand. I have a copy of the
2 air pollution laws from 10 or 15 years ago. And you don't
3 need to look at the dates. You can look at the thickness
4 and tell which year is what. I appreciate that.

5 CHAIRWOMAN SHARPLESS: Thank you very much.

6 MR. NAZEMI: Thank you.

7 CHAIRWOMAN SHARPLESS: Mr. Frank Caponi, L.A.
8 County Sanitation Districts.

9 MR. CAPONI: Good afternoon, Madam Chairman,
10 members of the Board. My name is Frank Caponi. I'm
11 representing the L.A. County Sanitation Districts.

12 I would just like to echo some of the previous
13 comments and lend our support to the streamlining efforts
14 that are being proposed here today. We do fully support
15 them. And I would also like to commend the staff on the
16 work they've done with the regulated community.

17 As other people have said, I think it's gone a
18 long way to have a regulation here today that is -- does not
19 have that much controversy.

20 We had submitted a letter actually asking to do
21 more work and have that accepted, and have the flexibility
22 to do that. And the reason we had asked for that was
23 because, in doing more work, we had asked to submit an
24 updated risk assessment that would fulfill the requirements
25 of the biennial updates. And for our agency, that is

1 actually easier to do.

2 And I've been assured by the staff that we can
3 work out a way to do that with the district and with ARB
4 without having to make a change in the regulations. And
5 we're satisfied with that.

6 And I thank you very much.

7 CHAIRWOMAN SHARPLESS: Okay. Thank you very much.

8 That brings us to the end of this witness list on
9 this item. I'd like to ask staff if they have any other
10 things that need to be entered into the record?

11 MR. BOYD: There's nothing further for the record,
12 Madam Chair.

13 CHAIRWOMAN SHARPLESS: I don't believe we're
14 amending the staff proposal. I didn't hear any amendments
15 being suggested by the staff at this point. So --

16 SUPERVISOR BILBRAY: You have a motion on staff's
17 recommendation, if it's appropriate.

18 CHAIRWOMAN SHARPLESS: Okay.

19 SUPERVISOR RIORDAN: Second.

20 CHAIRWOMAN SHARPLESS: Great. Fine. It's been
21 moved and seconded. Before we take a vote, I'd like to
22 close the record and also ask, for the record, if there's
23 any ex parte communications? I appreciate my colleagues
24 moving the agenda along here.

25 But, before we take the vote, I would like to

1 close the record. And the Board has not granted any
2 extension for the comment period. So, all written or oral
3 comments received after this comment period has been closed
4 will not be accepted as part of the official record on this
5 item.

6 I don't hear any ex parte communications have been
7 had on this item, so why don't -- if there's no further
8 discussion, why don't we ask the Board Secretary to please
9 take the roll.

10 MS. HUTCHENS: Bilbray?

11 SUPERVISOR BILBRAY: Aye.

12 MS. HUTCHENS: Boston?

13 DR. BOSTON: Yes.

14 MS. HUTCHENS: Hilligoss?

15 MAYOR HILLIGOSS: Aye.

16 MS. HUTCHENS: Ichikawa?

17 MRS. ICHIKAWA: Aye.

18 MS. HUTCHENS: Lagarias?

19 MR. LAGARIAS: Aye.

20 MS. HUTCHENS: Riordan?

21 SUPERVISOR RIORDAN: Aye.

22 MS. HUTCHENS: Wieder?

23 SUPERVISOR WIEDER: Aye.

24 MS. HUTCHENS: Wortman?

25 DR. WORTMAN: Aye.

1 MS. HUTCHENS: Madam Chairwoman.

2 CHAIRWOMAN SHARPLESS: Aye.

3 MS. HUTCHENS: Passes 9-0.

4 CHAIRWOMAN SHARPLESS: Thank you. Okay. Do we
5 need about five minutes to set up for the next item, Mr.
6 Boyd?

7 MR. BOYD: A few moments, please.

8 CHAIRWOMAN SHARPLESS: A few moments.

9 (Thereupon, a brief recess was taken.)

10 CHAIRWOMAN SHARPLESS: Okay. We're ready to go.

11 Our next item is 93-7-4. We're considering
12 amendments to the California exhaust emission standards and
13 test procedures for 1985 and subsequent model heavy-duty
14 diesel engines and vehicles, to specify standards for 1994
15 and subsequent urban bus engines.

16 The California Health & Safety Code directs the
17 Board to seek the maximum degree of emission reduction
18 possible from vehicular and other mobile sources in order to
19 attain State ambient air quality standards at the earliest
20 practicable date.

21 The ARB has also been directed by statute to adopt
22 emission standards applicable to new transit bus engines for
23 implementation no later than January 1st, 1996.

24 To comply with these directives, before us for
25 consideration today are amendments to revise the California