



July 23, 2015

Mr. Gregory Harris  
 California Air Resources Board  
 1001 I Street  
 Sacramento, California 95812

**Subject: Coalition comments on ARB and CAPCOA "Proposed Risk Management Guidance for Stationary Sources of Air Toxics" dated July 13, 2015.**

Dear Mr. Harris:

The undersigned groups represent hundreds of California facilities currently subject to state and local air toxics regulations and thousands of additional facilities that may become subject to these programs following implementation of the revised Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, issued by the Office of Environmental Health Hazard Assessment (OEHHA) on March 6, 2015. As ARB and CAPCOA are aware, the OEHHA document includes changes to air toxics risk assessment methodology that will have the effect of increasing facility risk estimates by 1.5-3-fold or more relative to the prior methodology, absent any increases in actual facility emissions.

The Proposed Risk Management Guidance for Stationary Sources of Air Toxics is an improvement over the Discussion Draft in terms of providing further clarification of policy choices that will drive increases in facility risk estimates. This document also provides useful additional context for understanding risk estimates in practical terms and the magnitude of facility-specific estimates relative to background health risks. We continue to question the utility of these guidelines for informing certain critical decisions, such as permitting a facility above local air district regulatory thresholds based on extenuating circumstances. However, we support other changes reflected in this document, especially CAPCOA's decision to invite stakeholders to participate in updating two





important air toxics program implementation documents – CAPCOA's 1992 Facility Prioritization Guidelines and its 1992 Public Notification Guidelines.



As we noted in our comments on the Discussion Draft, the public should be informed that expected increases in facility risk estimates and new notifications will be due predominantly to changes in risk assessment methodology, not actual increases in facility air toxics emissions. Dated messaging and notification templates developed under a different health risk policy paradigm would lead to unnecessary public alarm by promoting the false perception that recent actions taken by the facility and the air district have resulted in increased health risk to nearby residents. The updated Public Notification Guidelines should include new facility and industrywide sample notification letters emphasizing the following messages consistent with statements in the Proposed Risk Management Guidelines:



- Where applicable, higher risk estimates are the result of recent changes in how air toxics risks are estimated, not actual increases in air toxics emissions;
- Air toxics emissions have decreased dramatically over the past 30 years due to state and local regulatory programs and improvements in air toxics emission control technology;
- Risk estimates are not a bright line between safety and danger;
- Facility health risk estimates are small relative to background health risk.



In addition, since many individuals will be receiving notices for the first time, the updated Public Notification Guidelines should recommend a more user-friendly question and answer format with additional background information describing what health risk is and how it is measured.



Thank you for the opportunity to comment on the Proposed Risk Management Guidance for Stationary Sources of Air Toxics. We look forward to working with ARB and CAPCOA on updating the 1992 Public Notification Guidelines and on implementing other elements of the air toxics program work plans reflected in this Guidance.



Sincerely,



Anthony Samson  
Policy Advocate  
California Chamber of Commerce



On Behalf of the Following Organizations:



- African-American Farmers of California
- Agricultural Council of California
- Almond Hullers and Processors Association
- American Chemistry Council
- Associated General Contractors- California
- Associated General Contractors- San Diego
- Bay Area Council
- Bay Planning Coalition
- Big Bear Chamber of Commerce
- Building Industry Association of Fresno and Madera Counties



Mr. Gregory Harris

July 23, 2015

Page 3



California Association of Sanitation Agencies  
California Attractions and Parks Association  
California Building Industry Association  
California Business Properties Association  
California Cement Manufacturers Environmental Coalition  
California Citrus Mutual  
California Construction and Industrial Materials Association  
California Cotton Ginners Association  
California Cotton Growers Association  
California Farm Bureau Federation  
California Fresh Fruit Association  
California Hospital Association  
California League of Food Processors  
California Manufacturers and Technology Association  
California Metals Coalition  
California Refuse Recycling Council  
California Small Business Alliance  
California Society for Healthcare Engineering, Inc.  
California Trucking Association  
Can Manufacturers Institute  
Cathedral City Chamber of Commerce  
Cerritos Chamber of Commerce  
Chambers of Commerce Alliance of Ventura and Santa Barbara Counties  
Chemical Industry Council of California  
Coastal Energy Alliance  
Construction Industry Air Quality Coalition  
Culver City Chamber of Commerce  
Dairy Cares  
Delano Chamber of Commerce  
Dinuba Chamber of Commerce  
Elk Grove Chamber of Commerce  
El Monte/South El Monte Chamber of Commerce  
Folsom Chamber of Commerce  
Gateway Chambers Alliance  
Greater Bakersfield Chamber of Commerce  
Greater Riverside Chamber of Commerce  
Hayward Chamber of Commerce  
Indio Chamber of Commerce  
Industrial Association of Contra Costa County  
Industrial Environmental Association  
Industry Manufacturers Council  
Inland Empire Economic Partnership  
Irvine Chamber of Commerce  
Kern County Farm Bureau  
Kern County Taxpayers Association  
Laguna Beach Chamber of Commerce  
Lodi Chamber of Commerce  
Los Angeles Area Chamber of Commerce  
Los Angeles County Business Federation  
Malibu Chamber of Commerce  
Manufacturers Council of the Central Valley  
Metal Finishing Association of Northern California  
Metal Finishing Association of Southern California  
Milk Producers Council  
NAIOP- Southern California  
National Federation of Independent Business

Mr. Gregory Harris  
July 23, 2015  
Page 4



National Tank Truck Carriers, Inc.  
Nisei Farmers League  
North Orange County Chamber of Commerce  
Norwalk Chamber of Commerce  
Ontario Chamber of Commerce  
Orange County Business Council  
Pasadena Chamber of Commerce  
Rancho Cordova Chamber of Commerce  
Richmond Chamber of Commerce  
Rural County Representatives of California  
Sacramento Metropolitan Chamber of Commerce  
San Bernardino County Solid Waste Management Division  
San Diego Regional Chamber of Commerce  
San Francisco Chamber of Commerce  
San Gabriel Valley Legislative Coalition of Chambers  
San Gabriel Valley Economic Partnership  
San Jose Silicon Valley Chamber of Commerce  
San Rafael Chamber of Commerce  
San Ramon Chamber of Commerce  
Seawright Custom Precast  
Solid Waste Association of North America  
Southwest California Legislative Council  
Southwest Riverside County Association of Realtors  
Styrene Information & Research Center  
Torrance Area Chamber of Commerce  
Tulare Chamber of Commerce  
Tulare Kings Hispanic Chamber of Commerce  
Valley Industry and Commerce Association  
West Coast Lumber & Building Materials Association  
Western Agricultural Processors Association  
Western Growers  
Western Plant Health Association  
Western States Petroleum Association  
Western United Dairymen  
Western Wood Preservers Institute  
Wilmington Chamber of Commerce

cc: Matthew Rodriquez, Secretary, California Environmental Protection Agency  
Richard Corey, Executive Officer, California Air Resources Board  
Richard Stedman, President, California Air Pollution Control Officers Association  
Alan Abbs, Executive Director, California Air Pollution Control Officers Association