

Proposed Rule 1480 – Air Toxic Metals Monitoring

WORKING GROUP MEETING #8

August 29, 2019

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Revisions to Initial Draft of Proposed Rule 1480 (PR 1480)

- At Working Group #7, staff released an initial draft of PR 1480 (July 26, 2019 version)
 - Staff walked through provisions and received a number of comments
- August 14, 2019, Metal Finishing Association of Southern California (MFASC) submitted a letter providing detailed comments on many aspects on the initial draft of PR 1480
- Staff revised PR 1480 – revisions reflect comments received at:
 - Working Group Meeting
 - Comment letter from the MFASC



Revised Proposed Rule Language

Definitions Deleted and Added (c)

- Deleted “Building Enclosures” – no requirements in PR 1480 for building enclosures
- Added definition for “Enforceable Measure” – measure that will reduce or eliminate Metals of Concern emissions and is real, permanent, quantifiable, and enforceable
 - Stakeholders requested enforceable measures be defined
 - Previously described in Designation of a Potentially Significant Facility
- Modified “Sensitive Receptor Cancer Risk” by deleting “Sensitive Receptor” – Sensitive Receptor location is specified within the rule language

Revised Definition of Potentially Significant Facility (c)(10)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">A facility likely to exceed or has exceeded the Significant Risk Level for any Sensitive Receptor location based on data and air dispersion modeling	<ul style="list-style-type: none">A facility that meets the criteria of paragraph (d)(9)
<ul style="list-style-type: none">Stakeholders commented on “likely” to exceedRevised definition to reference the criteria for designating a facility as a Potentially Significant Facility which is in paragraph (d)(9)	

Revised Definitions for Reduced and Significant Risk Level (c)(11) and (c)(15)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Risk levels referred to Sensitive Receptor Cancer Risk and Sensitive Receptor location	<ul style="list-style-type: none">• Risk level specifies the respective cancer risk in chances in one million and Individual Chronic Hazard Index from a facility
<ul style="list-style-type: none">• Reduced Risk Level and Significant Risk Level were changed to refer to the cancer risk and hazard index values only, with no specific reference to the receptor location• Sensitive receptor location is specified outside of the definition of Reduced and Significant Risk Level	

Revised Definition of Valid Sample (c)(16)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">Valid Samples must be obtained between 23-25 hour sampling run-time or run-time approved by Executive Officer	<ul style="list-style-type: none">Added “or an alternative method approved by the Executive Officer”
<ul style="list-style-type: none">Allows for emerging monitoring technologies in the future if approved by the Executive Officer (i.e. continuous monitoring)	

Initial Notice (d)(2)(C)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Provide records for TACs listed in Table 1 of Rule 1401	<ul style="list-style-type: none">• Provide records for Metal TACs• Removed reference to Rule 1401 TACs
<ul style="list-style-type: none">• Intent of PR 1480 is to focus on Metal TACs• Stakeholders commented that referencing Table 1 of Rule 1401 is broader than Metal TACs• Revision reflects that the scope of ambient monitoring is on Metal TACs• Executive Officer would investigate other TACs through other regulations	

Stakeholder Comments on Initial Notice (d)(1) – Criteria for Initial Notice

Comments from MFASC	Response
<ul style="list-style-type: none">• Clear criteria is needed for issuing an Initial Notice• Clarity needed for what is considered “contributing” and what is considered “emitting a substantial amount”	<ul style="list-style-type: none">• No changes to criteria• Purpose of Initial Notice is to provide early notice that facility may be designated as a Potentially Significant Facility• Initial Notice was added to address stakeholder comments• More specific criteria is provided for the Designation of a Potentially Significant Facility

Stakeholder Comments on Initial Notice (d)(1) – Information in Initial Notice

Comments from MFASC	Response
<ul style="list-style-type: none">• Initial Notice should include<ul style="list-style-type: none">• Information on the process, timeframes, and available options• Information that the South Coast AQMD is monitoring and the potential sources of emissions• Basis for the Initial Notice	<ul style="list-style-type: none">• No change, Initial Notice will include this information• Staff Report will have this information• AB2588 notices includes this information

Letter to Aerocraft Before Designating Facility as a Potentially High Risk Facility Under Rule 1402



November 18, 2016

Mr. Gabriel Moreno
Aerocraft Heat Treating Company, Inc.
15701 Minnesota Avenue
Paramount, CA 90723

Via Email, Certified Mail and return receipt

Subject: Notice that Aerocraft Heat Treating Company, Inc. (Facility ID 23752) May Be Designated a Potentially High Risk Level Facility

Pursuant to SCAQMD Rule 1402(g), the SCAQMD is notifying you that Aerocraft Heat Treating Company, Inc. may be designated as a Potentially High Risk Level Facility.¹ As discussed later, the SCAQMD has monitored extremely high levels of hexavalent chromium, a highly toxic chemical, in the industrial areas of the City of Paramount where your facility is located. Because the resulting cancer risk is so high in that area, the SCAQMD needs to expeditiously determine whether your facility significantly contributes to this high level of risk. Based on further information gathered independently and from your facility, the SCAQMD may later designate your facility as a Potentially High Risk Level Facility. If your facility is designated as a Potentially High Risk Level Facility, you will be required to expeditiously reduce risks from your facility and provide reports on your toxic emissions and potential health risks to the surrounding community. Details regarding the evidence regarding this designation and possible next steps are described below.

Summary of Available Information Regarding Air Quality Impacts From Aerocraft Heat Treating Company, Inc.

Ambient Air Quality Monitoring Data

On October 15, 2016, the SCAQMD staff began collecting hexavalent chromium air monitoring samples in the industrial portion of Paramount. Figure 1 below shows the location of the various air monitors. SCAQMD has been collecting air samples at Sites #2 and #3 since 2013, while monitoring for Sites #4 through #17 began in mid-October. As seen in Table 1, the levels that were recently recorded near your facility (e.g., Sites 7, 8, 9, 11, 13, 14, and 15) are substantially higher than those found at Sites 2 and 3. Lower monitored levels have also been found at monitors located farther from your facility.

¹ Pursuant to Rule 1402(c)(14), a Potentially High Risk Facility is a facility for which the Executive Officer has determined that emissions data, ambient data, or data from a previously approved Health Risk Assessment indicate that the facility has a likely potential to either exceed or has exceeded a Significant Risk Level. A Significant Risk Level for purposes of this letter is a cancer risk to surrounding areas of greater than 100 chances in a million. <http://www.aqmd.gov/docs/default-source/rules-and-regs/rules-1402.pdf>

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years, this level would also present a cancer risk to residents of well over the Rule 1402 significance risk threshold.

Inspection of Your Facility by District Staff

As you are aware, District staff visited your facility on October 26, November 3, 9, 10, and 17, 2016. During this visit, District staff noted that there were potential sources of hexavalent chromium emissions including, but not limited to: the facility's metal heat treating, cooling, cutting, and grinding operations.

Designation as a Potentially High Risk Facility

Based on the evidence presented above, your facility may be designated as a Potentially High Risk Facility pursuant to Rule 1402(g). Prior to making this designation, you are required to meet with us so that you can present any additional relevant information to us as we consider this designation. Please contact me at (909) 396-3244 no later than 5 business days from the date of this letter to schedule a meeting.

Rule 1402 Requirements for Potentially High Risk Facilities

If designated as a Potentially High Risk Level Facility, Aerocraft Heat Treating Company, Inc. will be required to submit an Early Action Reduction Plan, an Air Toxics Emission Inventory Report, a Health Risk Assessment, and a Risk Reduction Plan. The timelines for each submittal is outlined below. Each of the due dates below would be measured from the date that the District notifies you that your facility has received a final designation as a Potentially High Risk Facility.

Deliverable	Due Date	Rule Reference
Initial Information for ATR	30 days	1402(d)(1)
Early Action Risk Reduction Plan	90 days	1402(g)(2)
Air Toxics Inventory Report	150 days	1402(d)(2)
Health Risk Assessment	180 days	1402(g)(3)
Risk Reduction Plan	180 days	1402(g)(4)

Guidelines for Preparing Rule 1402 Deliverables

Guidance for preparing each of the previously mentioned documents can be found online in the SCAQMD AB 2588 Supplemental Guidelines available here: <http://www.aqmd.gov/home/regulations/compliance/toxic-hot-spots-ab-2588>

The California Air Resources Board (CARB) has developed the "Hot Spots" Analysis and Reporting Program (HARP) which includes the emissions inventory and risk assessment requirements of the "Hot Spots" Program into a set of program modules. ATRs must be prepared with the Emission Inventory Module (EIM) module of HARP2, and HRAs must be prepared using the Air Dispersion and Risk Management Tool (ADMRT) module of HARP2. A free copy of the HARP software is available here: <http://www.arb.ca.gov/toxics/harp/harp.htm>.

Additional guidance for preparing ATRs is available in CARB's Emission Inventory Criteria and Guidelines here: <https://www.arb.ca.gov/ab2588/2588guid.htm>. Guidance for preparing HRAs is available from the Office of Environmental Health Hazard Assessment (OEHA) here: <http://oehha.ca.gov/air/cmr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>

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Figure 1 – Map of Air Monitoring Sites in Paramount



Table 1 – Hexavalent Chromium Air Monitoring Results (ng/m³)

Sampling Date	Site #1	Site #2	Site #3	Site #4	Site #5	Site #6	Site #7	Site #8	Site #9	Site #10	Site #11	Site #12	Site #13	Site #14	Site #15	Site #16	Site #17
Sat, Oct 15, 2016	0.27	0.13	0.28	0.08	7	7.0	NA	NA	NA	NA	0.08	NA	NA	NA	NA	NA	NA
Tue, Oct 18, 2016	0.53	---	0.43	3.2	0.46	Invalid	NA	NA	NA	NA	0.2	NA	NA	NA	NA	NA	NA
Fri, Oct 25, 2016	0.14	0.11	0.41	0.68	0.9	1.1	NA	NA	NA	NA	0.26	NA	NA	NA	NA	NA	NA
Mon, Oct 24, 2016	1.5	---	0.34	0.58	0.89	4.2	NA	NA	NA	NA	0.24	NA	NA	NA	NA	NA	NA
Thu, Oct 27, 2016	1.1	0.2	0.21	0.28	0.88	5	38	2.7	1.4	1.7	0.2	NA	NA	NA	NA	NA	NA
Sun, Oct 30, 2016	0.46	---	0.08	0.23	0.29	4.8	25	5.1	0.31	0.15	Invalid	NA	NA	NA	NA	NA	NA
Wed, Nov 2, 2016	0.33	0.15	0.2	0.42	0.33	2.7	19	2.4	1.3	1.1	0.11	NA	NA	NA	NA	NA	NA
Sat, Nov 5, 2016	0.25	---	NA	NA	NA	3.6	14	1.2	0.89	0.8	NA	2.3	12	26	0.51	0.81	NA
Tue, Nov 8, 2016	0.43	0.18	NA	NA	NA	3.4	15	1.1	0.87	0.4	NA	0.8	18	13	0.28	0.71	NA
Fri, Nov 11, 2016	Pinpoint	---	NA	NA	NA	2.6	17	2.4	1.8	3.3	NA	0.4	15	16	0.04	0.44	NA
Mon, Nov 14, 2016	Pinpoint	Pinpoint	NA	NA	NA	2.7	12	0.87	0.43	0.5	NA	Invalid	12	14	0.62	0.79	NA
Average	---	---	0.29	0.49	0.72	3.8	17	1.8	1.6	1.7	0.18	0.5	14	17	0.48	0.64	NA

NA: Means no monitor at this location to collect sample and --- means no monitoring scheduled to be collected on this date. Invalid: Means sample collected was invalid due to a variety of reasons such as loss of power, equipment malfunction, etc. Site #2 was discontinued in 2015. Additional monitoring data available for Sites #2 and #3 at: <http://www.aqmd.gov/home/regulations/compliance/toxic-hot-spots-ab-2588>

The average hexavalent chromium monitored level at the highest site (Site 15) is 17 ng/m³. Over many years, this level would present a cancer risk to offsite workers of well over the Rule 1402 (c)(19) significance risk threshold of 100 chances per million. The closest resident is located next to Site #7, where the average hexavalent chromium monitored level is 3.8 ng/m³. Over many

Stakeholder Comments on Initial Notice (d)(1) – Process to Resolve Before Designation

Comments from MFASC	Response
<ul style="list-style-type: none">• Provision enabling the facility to address and potentially resolve the basis for the Initial Notice as an alternative to potentially being designated a Potentially Significant Facility	<ul style="list-style-type: none">• No change, PR 1480 already addresses comment• Process already allows facility to submit information for consideration for designation• Information will be considered prior to designation

Stakeholder Comments on Request for Information (d)(2) - Source Testing

Comments from MFASC	Response
<ul style="list-style-type: none">• Must be clear that a facility will not be required to perform source testing	<ul style="list-style-type: none">• No change, PR 1480 already addresses comment• If the Executive Officer requests emissions testing, operator can<ul style="list-style-type: none">• Conduct emissions testing; or• Provide access to allow Executive Officer to conduct emissions testing

Issuance of Notice of Findings (d)(3)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• At least 30 days following the issuance of an Initial Notice, the Executive Officer may issue a Notice of Findings	<ul style="list-style-type: none">• Added an ending timeframe for Notice of Finding• “At least 30 days <u>and no later than 180 days...</u>”
<ul style="list-style-type: none">• Stakeholders requested an ending timeframe for issuance of an Initial Notice• Owner or operator may collect data prior to issuance of any Notice of Findings• A facility that is not issued a Notice of Findings is not exempt from receiving another Initial Notice	

Designation of a Potentially Significant Facility – List of Enforceable Measures (d)(6)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• ... shall provide a written list to the Executive Officer of any enforceable measures that permanently reduce Metal TAC emissions from the facility, including, but not limited to, surrendering or modifying Permits to Operate	<ul style="list-style-type: none">• ... shall provide a written list to the Executive Officer of any Enforceable Measures.
<ul style="list-style-type: none">• Stakeholders requested a definition of Enforceable Measures• Enforceable Measures is defined in paragraph (c)(2) making the explanation and example in paragraph (d)(6) unnecessary	

Stakeholder Comments on Additional Time to Review Information and Prepare Response for Notice of Findings (d)(7)

Comments from MFASC	Response
<ul style="list-style-type: none">• PR 1480 must provide additional time for facility to provide a response to the notice of findings• Even with 30 day extension, insufficient time for the facility to review the district's information and prepare its response	<ul style="list-style-type: none">• No change to PR 1480• The purpose of the time extension is to allow the facility additional time to submit information• PR 1480 built in the Initial Notification which provides at least 30 days before the Notice of Findings is issued to provide information

Designation of a Potentially Significant Facility – Other Sources (d)(8)

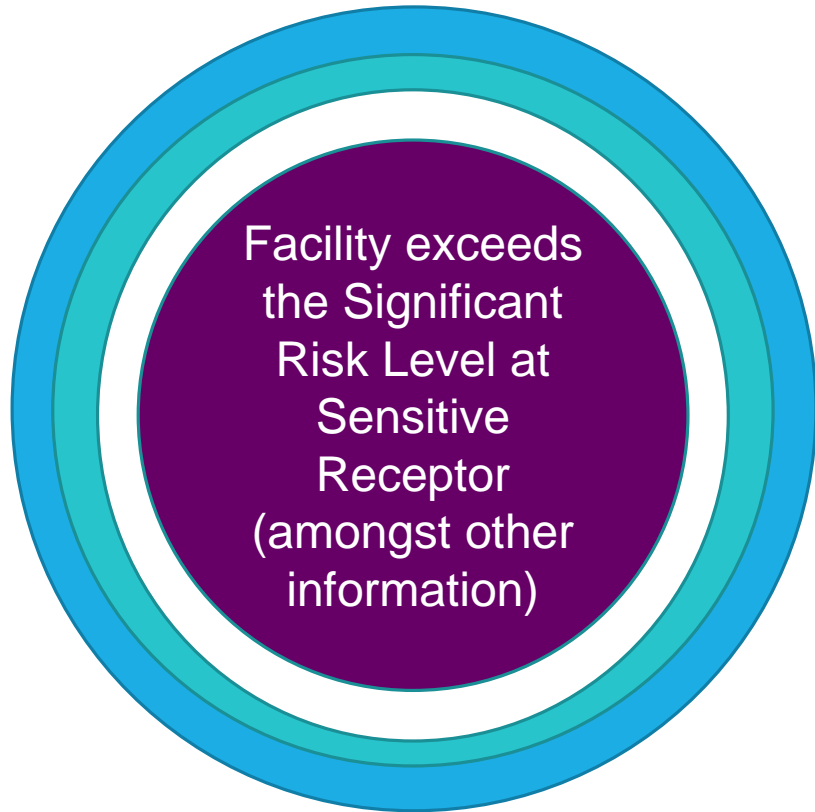
Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Added provision for facility to provide information to the Executive Officer that emissions from Metal TAC Monitoring are attributed to another facility
<ul style="list-style-type: none">• Added to specify the information required to demonstrate that a facility is not the source of elevated Metal TACs monitoring results• Similar process has been added throughout PR 1480 to demonstrate other sources are contributing to ambient monitoring results	

Designation of a Potentially Significant Facility – Criteria (d)(9)

Previous Proposed Rule Language

- A facility shall be designated as a Potentially Significant Facility based on information, including, but not limited to, the information provided in paragraphs (d)(3), (d)(5), (d)(6), and (d)(7).
- Provision does not include a specific criteria for designating a facility as a Potentially Significant Facility
- Stakeholders requested specific criteria to be used for designating a facility as a Potential Significant Facility
- Added criteria for determining if a facility is a Potentially Significant Facility
- Criteria incorporates the concepts from the 4-Step Process discussed in previous Working Group Meetings

Designation of a Potentially Significant Facility – Criteria (d)(9) (*cont'd*)



(A) Facility has source(s) of Metal TAC emissions

(B) Metal TAC Emissions can be released into the ambient air

(C) Determined that facility has exceeded the Significant Risk Level for any Sensitive Receptor location using air dispersion modeling and the Risk Assessment Procedures referenced in Rule 1401

- While taking into account information provided and available to the Executive Officer

Designation of a Potentially Significant Facility – Information Provided at Designation (d)(10)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Only the location of the Sensitive Receptor with the highest risk level was provided	<ul style="list-style-type: none">• Revised to provide the location and estimated values of Sensitive Receptors that exceed the Significant Risk Level
<ul style="list-style-type: none">• Air dispersion modeling will be used to estimate health risk at surrounding areas• Executive Officer will provide the location and estimated health risks so facility is aware of magnitude of health risks to nearby sensitive receptors	

Designation of a Potentially Significant Facility – Information Provided at Designation (d)(10)

- When designating a facility as a Potentially Significant Facility, the notice will also include
 - Equipment and process that may be contributing to Metals of Concern emissions
 - Initial number, type, and approximate location of Metal TAC monitors and wind monitors needed to conduct Metal TAC Monitoring
- Providing operator with list of equipment and processes that were identified as contributing to the Significant Health Risk
 - Allows operator to begin identifying measures to reduce Metals of Concern
- Providing operator with monitoring information will allow operator to:
 - Begin assessing costs; and
 - Assistance in developing the Monitoring and Sampling Plan

Monitoring and Sampling Plan – Plan Contents (e)(2)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Subparagraphs (e)(2)(E) and (e)(2)(F) referred to subdivision (f) for sampling retrieval, analysis, handling requirements, and sampling sites	<ul style="list-style-type: none">• Provisions for contents in the Monitoring and Sampling Plan are in its own paragraph (e)(2)• Added to Monitoring Plan<ul style="list-style-type: none">• Sampling retrieval, analysis, and handling (e)(2)(E)• Number and location of samplers (e)(2)(F)
<ul style="list-style-type: none">• Addressing in Monitoring and Sampling Plan allows monitoring and sampling to be tailored to each facility	

Monitoring and Sampling Plan – Plan Contents (e)(2)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">Background subtraction procedures must be submitted in Monitoring and Sampling Plan	<ul style="list-style-type: none">Changed background subtraction, to Make-up Valid Sample Procedure
<ul style="list-style-type: none">Allow a facility to include procedures to make-up a Valid Sample	

Monitoring and Sampling Plan – Approval Process (e)(3)(A)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">No language that the disapproval letter would include deficiencies of the draft Monitoring and Sampling Plan	<ul style="list-style-type: none">Executive Officer will provide disapproval letter that identifies the deficiencies in the draft Monitoring and Sampling Plan
<ul style="list-style-type: none">Stakeholders requested clarification that the disapproval letter would include deficienciesThese changes were also incorporated into provisions for modification of the Monitoring and Sampling Plan when required by the Executive Officer in subclause (e)(4)(A)(i)(A) or when the facility elects to modify an approved Monitoring and Sampling Plan in subclause (e)(4)(B)(i)(A)	

Monitoring and Sampling Plan – Disapproval of Revised Draft Plan (e)(3)(B)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">No written notice to Executive Officer required if operator will cease operating equipment or elect Alternative Monitoring and Sampling	<ul style="list-style-type: none">Added provision that operator must notify of Executive Officer of compliance path and must either:<ul style="list-style-type: none">Permanently cease operating equipment with Metal of Concern; orCommit to Alternative Monitoring and Sampling
<ul style="list-style-type: none">Included requirement for facility to notify the Executive Officer of compliance path	

Monitoring and Sampling Plan – Modifications to Approved Plans (e)(4)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Modifications to the Monitoring and Sampling Plan are limited to only when Executive Officer required a modification	<ul style="list-style-type: none">• Added provision that facility may also request a modification to the Monitoring and Sampling Plan, as needed
<ul style="list-style-type: none">• Reorganized Executive Officer requirements and facility requests for modifications into separate subdivisions for clarity• Allows facilities opportunity to modify plans as needed	

Metal TAC Monitoring Requirements (f)(2)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">Specified the minimum number of monitors and placement	<ul style="list-style-type: none">Moved to Monitoring and Sampling Plan
<ul style="list-style-type: none">Specified sample collection from midnight to midnight	<ul style="list-style-type: none">Added “or on a schedule in an approved Monitoring and Sampling Plan”
<ul style="list-style-type: none">Required to sample on 1-in-3 day sampling frequency or on a different date for atypical sampling days	<ul style="list-style-type: none">Added 1-in-6 day sampling frequency to account for reduced frequency pursuant to subdivision (h)
<ul style="list-style-type: none">In response to stakeholder comments, moved some requirements in the Monitoring and Sampling Plan to better address facility-specific issues	

Metal TAC Monitoring Requirements (f)(3) through (f)(5)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">Allowed only one Valid Sample to be missed in a 30-day period	<ul style="list-style-type: none">Added “any 30 consecutive calendar days” for Valid SamplesAdded provision that mechanical failure is not counted as missed Valid Sample
<ul style="list-style-type: none">None	<ul style="list-style-type: none">Provision added to allow facilities to provide documentation of repair or replacement of monitor
<ul style="list-style-type: none">Accounts for days when sampler has a mechanical failure or needs repairs or replacement	

Metal TAC Monitoring Requirements (f)(6)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Required to record wind speed and direction in 15 minute intervals	<ul style="list-style-type: none">• Wind data collection will be specified in the Monitoring and Sampling Plan
<ul style="list-style-type: none">• Specified how Valid Samples were to be analyzed	<ul style="list-style-type: none">• Collection, retrieval, analysis, and storage of Valid Samples to be specified in Monitoring and Sampling Plan
<ul style="list-style-type: none">• Moved requirements to Monitoring and Sampling Plan to better address facility-specific issues	

Stakeholder Comments on Laboratories and (f)

Comments from MFASC	Response
<ul style="list-style-type: none">List of laboratories that conduct hexavalent chromium sample analysis	<ul style="list-style-type: none">South Coast AQMD is moving away from the Laboratory Approval ProgramStaff will work with owner or operator to identify a laboratory to conduct sample analyses
<ul style="list-style-type: none">Shipping samples to laboratories might take longer than one calendar day	<ul style="list-style-type: none">Time needed to ship samples specified in the Monitoring and Sampling Plan
<ul style="list-style-type: none">Concerned about compliance cost to retain samples for one year	<ul style="list-style-type: none">Samples can be stored on-siteDuration to retain samples can be specified in the Monitoring and Sampling Plan

Alternative Monitoring and Sampling – Monitoring and Sampling Plan (g)(3) through (g)(5)

- Added provision to require a Monitoring and Sampling Plan for facilities that elect to use the Alternative Monitoring and Sampling approach
- South Coast AQMD will prepare the Monitoring and Sampling Plan
- Owner or operator will be required to:
 - Provide operational information
 - Pay a fee to for preparation of Monitoring and Sampling Plan
- Information contained in the Monitoring and Sampling Plan and approval process is the same Monitoring and Sampling requirements for facilities not participating in Alternative Monitoring and Sampling under subdivision (e)
- Executive Officer may modify the number, type of monitors, and location of monitors by modifying the Monitoring and Sampling Plan

Alternative Monitoring and Sampling – Opting Out of Alternative Monitoring (g)(2)

- Added provision that allows a facility that was using the Alternative Monitoring and Sampling to opt-out
- Facility can opt-out of Alternative Monitoring and Sampling and conduct their own monitoring and sampling if:
 - Facility notifies the Executive Officer
 - Metal TAC Monitoring was conducted by South Coast AQMD for 90 calendar days from start date in the South Coast AQMD prepared Monitoring and Sampling Plan
 - Submits and revises Monitoring and Sampling Plan to reflect owner or operator will conduct monitoring and sampling

Stakeholder Comments on Subparagraph (g) – Alternative Monitoring and Sampling

Comments from MFASC	Response
<ul style="list-style-type: none">• Must list the specific sampling methods that the Executive Officer will utilize	<ul style="list-style-type: none">• No change to PR 1480• Monitoring and Sampling Plan will specify the sampling methods that will be utilized

Reduced Monitoring and Sampling Frequency – Eligibility Requirements (h)(1)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none"> Requires written request to reduce monitoring and sampling frequency 	<ul style="list-style-type: none"> Through modification of the approved Monitoring and Sampling Plan
<ul style="list-style-type: none"> No exceedance of Reduced Risk Level over 180 days at Sensitive Receptors using Metal TAC Monitoring data 	<ul style="list-style-type: none"> No exceedance of Reduced Risk Level at Sensitive Receptors using air dispersion modeling
<ul style="list-style-type: none"> Paragraph (h)(5) did not allow facilities previously on 1 in 6 day schedule to go back to a 1 in 6 day schedule 	<ul style="list-style-type: none"> Moved language to subparagraph (h)(1)(C)
<ul style="list-style-type: none"> Revisions made to provide more clarity A facility is eligible to reduce the sampling frequency after implementation of Enforceable Measures as verified by updated air dispersion modeling 	

Stakeholder Comments on Subparagraph (h)(1) – Eligibility to Reduce Metal TAC Monitoring

Comments from MFASC	Response
<ul style="list-style-type: none">• Must clearly state that the 30 day rolling average and the 180 consecutive day calculation are calendar days	<ul style="list-style-type: none">• Made global change to specify calendar days where appropriate
<ul style="list-style-type: none">• Include maximum period of years after which a facility ineligible to modify its sampling schedule may once again submit a request to reduce frequency of monitoring and sampling	<ul style="list-style-type: none">• No change to PR 1480• Facility has opportunity to explain why exceedance of criteria was not due to the facility before resuming 1 in 3 day sampling schedule• Risk Reduction Plan should be fully implemented within a few years making facility eligible to discontinue Metal TAC Monitoring

Reduced Monitoring and Sampling Frequency (h)(2) and (h)(3)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Provide most recent 30-day rolling average concentration from 180 consecutive day period	<ul style="list-style-type: none">• Provide most recent 30 calendar day rolling average concentration from date of written request
<ul style="list-style-type: none">• Facility could start 1 in 6 day sampling schedule upon written confirmation from Executive Officer	<ul style="list-style-type: none">• Facility starts 1 in 6 day sampling schedule upon written notice of the approval of the modified Monitoring and Sampling Plan
<ul style="list-style-type: none">• Revision in paragraph (h)(2) needed due to reference to duration in subparagraph (h)(1)(A), which was removed• Paragraph (h)(3) revised to add clarity and reference the modification to Plan, pursuant to paragraph (h)(1)	

Reduced Monitoring and Sampling Frequency – Return to 1 in 3 Sampling (h)(4)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none"> Paragraph (h)(6) allowed exceedance of 10 times the concentration in paragraph (h)(2) if the Reduced Risk Level is not exceeded at Sensitive Receptors 	<ul style="list-style-type: none"> Moved language from paragraph (h)(6) to paragraph (h)(4)
<ul style="list-style-type: none"> Call 1-800-CUT-SMOG to report exceedance 	<ul style="list-style-type: none"> Added the information which would need to be included when calling 1-800-CUT-SMOG
<ul style="list-style-type: none"> Resume 1 in 3 day sampling schedule immediately when criteria are met 	<ul style="list-style-type: none"> Added provisions to allow facility to provide evidence it was not the source of emissions before resuming 1 in 3 day sampling schedule
<ul style="list-style-type: none"> Revisions were made to provide clarity Additional provisions were added which allowed the Executive Officer to consider additional information provided by the facility before requiring a facility revert to a 1 in 3 day sampling schedule 	

Reduced Monitoring and Sampling Frequency – Other Sources (h)(5) through (h)(7)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • May submit specified information to the Executive Officer to substantiate that the emissions are not attributed to the facility • Executive Officer will notify the facility of determination • Facility shall resume 1 in 3 day sampling schedule if Executive Officer determines emissions were from the facility • Facility that does not submit information is required to resume 1 in 3 day sampling schedule on next scheduled sampling day
<ul style="list-style-type: none"> • Provides facility an opportunity to demonstrate that exceedances are not attributed to facility • Facility allowed to stay on 1 in 6 day sampling schedule until Executive Officer notifies facility 	

Monitoring, Recordkeeping, and Reporting Requirements – Notification of Exceedances (i)(3) and (i)(4)

- Added notification provision to report high monitored results
- If Valid Sample exceeds a concentration that would correspond to 10 times the Significant Risk Level, owner or operator
 - Required to call 1-800-CUT-SMOG within 24 hours of knowing of exceedance
 - May submit information to the Executive Officer to substantiate that the emissions are not attributed to their facility
- Purpose is to alert the Executive Officer of an elevated reading to investigate the potential cause(s) earlier rather than waiting for the monthly report that is due the following month

Request to Discontinue Metal TAC Monitoring – Monitoring Relief Plan (j)(1)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none">• Owner or operator required to submit a request by modifying a Monitoring and Sampling Plan	<ul style="list-style-type: none">• Modified to require submittal of a “Monitoring and Sampling Relief Plan”
<ul style="list-style-type: none">• Required to include 180 consecutive days of Metal TAC Monitoring data and monthly process records for 365 days	<ul style="list-style-type: none">• Requires throughput records for equipment and processes that emit Metals of Concern
<ul style="list-style-type: none">• Monitoring and Sampling Relief Plan has different required information compared to a Monitoring and Sampling Plan• Metal TAC Monitoring data required to be submitted on a monthly basis per subdivision (i)• Want to focus on throughput records for Metals of Concern emissions, e.g. amp-hours, tonnage, or natural gas usage	

Request to Discontinue Metal TAC Monitoring – Monitoring Relief Plan Approval Criteria (j)(2)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none"> • 30-day rolling average concentration does not exceed Reduced Risk Level 	<ul style="list-style-type: none"> • Removed
<ul style="list-style-type: none"> • Monthly process records represent normal operations 	<ul style="list-style-type: none"> • Throughput records represent normal operations
<ul style="list-style-type: none"> • Verification that enforceable measures through permits or modifications have been implemented 	<ul style="list-style-type: none"> • Removed
<ul style="list-style-type: none"> • Implementation of the Risk Reduction Plan under Rule 1402 ensures that Reduced Risk Level is not exceeded at all receptors • Enforceable Measures would be included in the Rule 1402 Risk Reduction Plan 	

Request to Discontinue Metal TAC Monitoring (j)(3), (j)(4), and (j)(6)

Previous Proposed Rule Language	Revised Rule Language
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • No later than 90 Days after receiving request, the Executive Officer will notify the owner or operator if the Monitoring and Sampling Relief Plan is approved
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • A facility will not be designated a Potentially Significant Facility upon approval of the Monitoring and Sampling Relief Plan
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Monitoring and Sampling Relief Plan subject to fees in Rule 306
<ul style="list-style-type: none"> • Stakeholders requested a deadline from submittal of request to discontinue monitoring • A facility designation as a Potentially Significant Facility is not permanent 	

Appendix 1 – District Quarterly Monitoring Fee

- Added clarification that the facility is responsible for fees once South Coast AQMD starts monitoring on the date specified in the Monitoring and Sampling Plan
- Includes a flat fee for South Coast AQMD to prepare the Monitoring and Sampling Plan
- Based on stakeholder feedback, tables were modified to provide comprehensive fees based on the monitor type and sampling frequency
 - Base fee includes the cost of two monitors, which is required pursuant to subparagraph (e)(2)(F)
 - If additional monitors are needed, the costs for additional monitors are listed separately
 - If the Executive Officer uses a third party contractor, the costs from the contractor will be passed onto the facility

Stakeholder Comments on Appendix 1 – Cost Estimates

Comments from MFASC	Response
<ul style="list-style-type: none">• Cost estimates must address cost to be borne for each potential compliance pathway such as:<ul style="list-style-type: none">• Preparation of response from Executive Officer after being designated a Potential Significant Facility• Preparation of monitoring plan• Performance of sampling and analysis• Review of air monitoring data	<ul style="list-style-type: none">• Appendix 1 lists the fees if facility elects South Coast AQMD to conduct Metal TAC Monitoring, such as preparation of Monitoring and Sampling Plan and conducting sampling and analysis• Compliance costs will be included in a socioeconomic report released prior to Public Hearing

Stakeholder Requests from Working Group #7

Table for Metal TACs Concentration Corresponding to Risk Levels

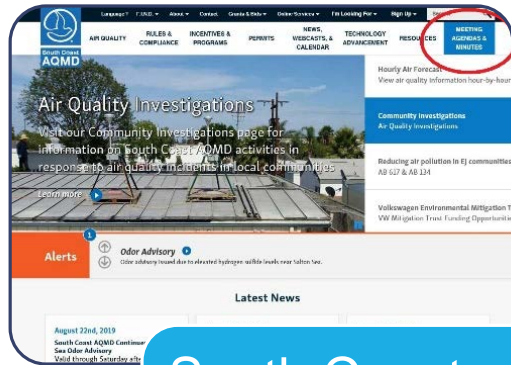
Metal TAC	*Significant Risk Level (ng/m3)		*Reduced Risk Level (ng/m3)	
	Cancer	HIC	Cancer	HIC
<i>Arsenic</i>	1.27	0.852	0.317	0.511
<i>Cadmium</i>	9.84	50.5	2.46	30.3
<i>Hexavalent Chromium</i>	0.181	410	0.0452	246
<i>Lead</i>	308		77.0	
<i>Manganese</i>		450		270
<i>Mercury</i>		150		90
<i>Nickel</i>	162	70	40.6	42
<i>Selenium</i>		511		307

* Based on Consolidated Table of OEEHA /ARB Approved Risk Assessment Health Values last updated on August 20, 2018

Where to Find: AB 2588 Information

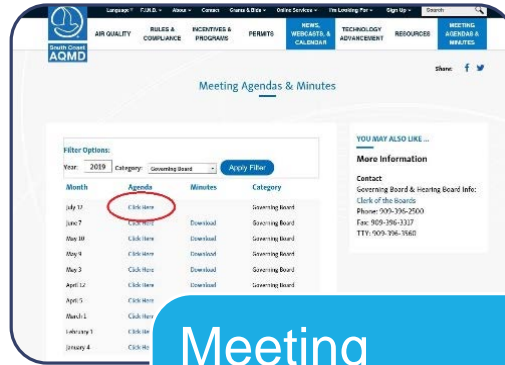
- Air Toxics “Hot Spots” Program:
<https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588>
- Health Risk Assessments, Risk Reduction Plans, and approval letters: <https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588/health-risk-assessment>

Where to Find: Fines from Notices of Violations



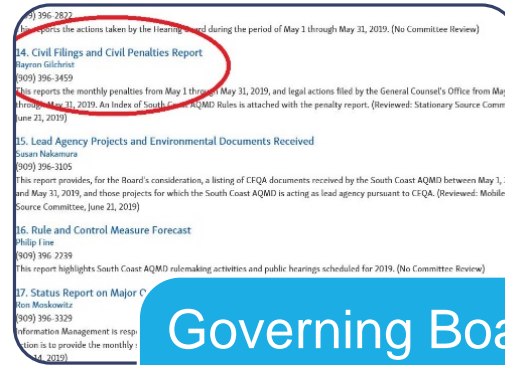
South Coast AQMD Homepage

- Meeting Agendas & Minutes



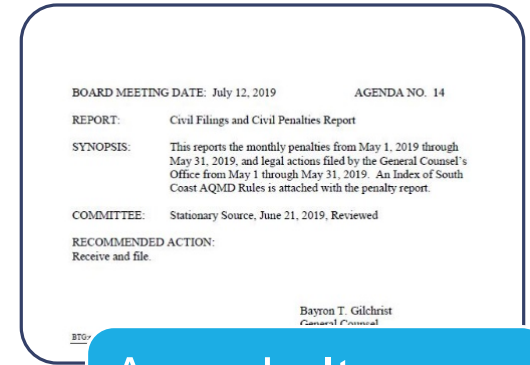
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Governing Board Agenda

- Find Civil Filings and Civil Penalties Report
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Agenda Item

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Link to the most recent file from July 2019: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2019/2019-jul12-014.pdf?sfvrsn=2>

Next Steps

Release Preliminary Draft Rule Language: September 20, 2019



Public Workshop & Stationary Source Committee: October 2019



Governing Board Meeting: December 6, 2019



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