

Mojave Desert Air Quality Management District

Brad Poiriez, *Executive Director*

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • Fax 760.245.2022

Email: engineering@mdaqmd.ca.gov

www.MDAQMD.ca.gov • @MDAQMD



ADVISORY

March 7, 2019

IMPORTANT INFORMATION ABOUT CARB'S CRITERIA AND TOXICS REPORTING REGULATION

This advisory provides owners and operators information about potential state regulations currently being developed by the California Air Resources Board (CARB) that may have a significant impact on businesses within the Mojave Desert Air Quality Management District.

Background

In 2017, Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017) was adopted to develop a new community-focused program to more effectively reduce exposure to air pollution and preserve public health. This bill directs CARB and all local air districts, including the Mojave Desert Air Quality Management District, to take measures to protect communities disproportionately impacted by air pollution. The key components to the new AB 617 mandate include: community-level air monitoring and emission reduction plans, accelerated review of retrofit pollution control technologies on industrial facilities subject to Cap-and-Trade, enhanced emission reporting requirements and increased penalty provisions for air quality violations. The emission reporting component of the AB 617 program is the focus of this advisory.

During its December 2018 meeting, CARB adopted the "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants", which requires affected businesses located in AB 617 communities to annually report to their local air district and CARB their emissions from all permitted activities. Simultaneously, CARB directed its staff to consider further refinements to the regulation's applicability. CARB staff responded to that direction, and on March 5, 2019 released proposed regulatory text which is available at:

<https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting>

Enhanced Emissions Reporting

In its revised regulation, CARB staff have expanded the scope of applicability and is now proposing that essentially all permitted sources in the state will be subject to enhanced emissions reporting requirements. Compliance with this new reporting mandate is expected to bring significant cost increases to all businesses in California, with small businesses likely to be the most affected. Further, CARB staff is proposing to amend the regulation under an abbreviated "15-day" rulemaking process that may not allow affected businesses to provide comments in time for them to be considered before regulatory changes take effect.

Please note that while the Mojave Desert Air Quality Management District supports all efforts to ensure the health of our communities are protected from the effects of air pollution, including developing tools like emissions reporting to help identify air quality issues, CARB's proposed changes are not sponsored by the district. We are continuing to engage with CARB staff on this important issue and are working with them to ensure that regulations are developed with ample opportunity for affected entities to

participate in the rulemaking process, as well as to ensure that those regulations are cost-effective and efficacious.

Should you wish to learn more about CARB's regulation, please visit CARB's website listed above. If you have questions or wish to submit comments on the proposed regulation, please contact CARB staff at ctr-report@arb.ca.gov or Patrick Gaffney at 916-322-7303.

Public Workshops

CARB has held, or will be holding, public workshops to discuss the modified applicability requirements and proposed changes. The remaining workshops are listed below. You are invited to attend and participate in these workshops, and encouraged to share your comments. No pre-registration is required to attend any of these workshops.

San Diego

Monday, March 11, 2019
1:30 PM to 3:30 PM
County Operations Center, Room 124
5500 Overland Avenue
San Diego, CA 92123

Los Angeles

Tuesday, March 12, 2019
10:00 AM to 12:00 PM
Ronald Regan State Building
Auditorium
300 S. Spring Street
Los Angeles, CA 90013

San Joaquin Valley **

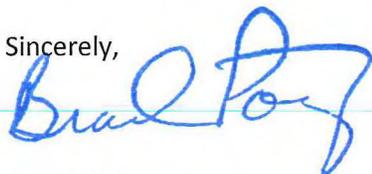
Thursday, March 14, 2019
1:30 to 3:30 PM
San Joaquin Valley APCD Offices
Board Meeting Room
1990 E. Gettysburg Avenue
Fresno, CA 93726

**This workshop will include a video conference to the SJU Air District regional offices:

Northern Region Office
4800 Enterprise Way, Modesto, CA 95356
Southern Region Office
34946 Flyover Court, Bakersfield, CA 93308

Should you have any questions pertaining to this advisory, do not hesitate to contact our engineering section via phone (760-245-1661) or email (engineering@mdaqmd.ca.gov).

Sincerely,



Brad Poiriez

Executive Director/Air Pollution Control Officer