

From: Cedillo, Linda@ARB <linda.cedillo@arb.ca.gov>
Sent: Wednesday, August 4, 2021 6:32 PM
To: Fisch, Angela
Cc: Lindberg, Jeff@ARB; Hawkins, Warren@ARB; McCue, Janet
Subject: [External] RE: Rule 1210 - review and comments

Hi Angela,
Thank you for calling this afternoon to discuss CARB's comments on Rule 1210. As per your request here is a summary of comments and recommendations:

Section Number and Heading: Purpose

Proposed Comment:

The District should rephrase the purpose of the rule to clarify that the limits for maximum individual cancer risk, cancer burden, and total acute and chronic noncancer health hazard indexes are defined under the significant risk threshold.

Discussion and Recommendations:

The purpose suggests that the rule directly specifies limits for maximum individual cancer risk, cancer burden, and total acute and chronic noncancer health hazard indexes, however, these limits are defined by the Significant Risk Threshold. CARB suggests including reference to this fact in the Purpose section and to use consistent language, as follows:

The purpose of this rule is to reduce the health risk associated with emissions of toxic air contaminants from existing stationary sources by specifying limits for maximum individual cancer risk, cancer burden, and total acute and chronic noncancer health hazard indexes through the determination of a significant risk threshold applicable to total stationary source emissions and by requiring stationary sources to implement public notifications and health risk reduction plans, and conduct public meetings, to achieve specified health risk threshold limits, as required by the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588) and District Rule 1210.

Section Number and Heading: (d) (1) PUBLIC NOTIFICATION AND PUBLIC MEETING REQUIREMENTS

Proposed Comment:

The District should include reference elements or criteria to be considered by the APCO to determine how other sensitive receptors will receive such designation

Discussion and Recommendations:

The section mentions other sensitive receptor potentially exposed to such risks as specified by the Air Pollution Control Officer but does not include reference elements or criteria to be considered by the APCO to determine how other sensitive receptors will receive such designation.

Section Number and Heading: (d) (2) (vii) PUBLIC NOTIFICATION AND PUBLIC MEETING REQUIREMENTS

Proposed Comment:

The District should include reference for the source of information to determine the primary languages spoken by non-English speaking persons in the area to receive notification where such language is the primary language of 5% or more of the total persons to be notified in any census tract in the area to receive notification.

Discussion and Recommendations:

The section states that a list of the primary languages spoken by non-English speaking persons in the area to receive notification where such language is the primary language of 5% or more of the total persons to be notified in any census tract in the area to receive notification but does not include a reference on how the 5% determination will be conducted.

Section Number and Heading: (d) (2) (viii) PUBLIC NOTIFICATION AND PUBLIC MEETING REQUIREMENTS

Proposed Comment:

The District should include language to specify a timeline and due date to be included in the proposed method for responding to public comments and requests.

Discussion and Recommendations:

The section states that within 30 days of the date of written notice from the Air Pollution Control Officer that public notification is required, the owner or operator of a stationary source shall prepare and submit to the Air Pollution Control Officer, for approval, a public notification plan. According to subsection (viii), the public notification plan shall include a proposed method for responding to public comments and requests. However, it does not specify a timeline for the responses, which is recommended for consistency with other processes that assure appropriates and timeliness.

Should you have additional questions or comments please do not hesitate to call.

Regards,
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