



March 17, 2020

San Diego Air Pollution Control District
Attn: Bob Kard
10124 Old Grove Road
San Diego, CA 92131

Re: IEA Recommendation regarding Draft Proposed amendments to Rule 1210 –
Toxic Air Contaminant Public Health Risks-Public Notification and Risk Reduction

Dear Bob,

Thank you for the opportunity to provide input on the proposed reduction to the cancer risk mitigation threshold for San Diego County. While we affirm the District's commitment to improving air quality and reducing health risks, the challenge is choosing the right path to get there. We believe that San Diego can achieve this goal without jeopardizing businesses that have demonstrated their commitment to continually reducing emissions and remaining in compliance with environmental regulations in San Diego County.

It is our understanding that you will be offering the following four options for the District Board to consider:

- Leaving the risk reduction threshold at the current level of 100 in a million
- Reducing the threshold by 50% to 50 in a million
- Reducing the threshold to 25 in a million
- Reducing the threshold to 10 in a million

IEA respectfully recommends that the District adopt the option which reduces the current threshold by half, to 50 in a million. We also recommend that the District begin a 5-year assessment period to evaluate the health impacts, environmental benefits, costs, and business impacts from this reduction. At the end of the 5-year assessment period, the District would consider further reductions as necessary. The 5-year assessment period is consistent with the District's proposed time period for facilities to implement measures to get below the new risk reduction threshold level.

We believe that a 50% reduction in the risk threshold is a substantial and laudable change from the current threshold, especially since the existing risk reduction threshold

of 100 in a million has already been effectively reduced by a factor of three due to OEHHA's 2015 changes to Health Risk Assessments (HRA) methodology. Adopting an incremental approach would afford the District the opportunity to properly evaluate the benefits and impacts of the new threshold by completing the following:

- Complete a detailed toxic emissions/risk analysis and economic impact analysis similar to those performed by the San Joaquin Valley Air Pollution Control District (SJVAPCD), Bay Area AQMD and South Coast, to validate via scientific methods, that reducing the threshold will actually result in beneficial and meaningful reduction in air toxics emissions and reducing health impacts in affected communities.
- Complete Screening Risk Assessments (SRAs) for all permitted sources using the most recent emissions inventory data (Calendar year 2018 or most recently approved toxic inventory) to calculate potential toxic emissions and notify sources of potential risks from those emissions and allow them time to implement operational changes to reduce emissions.
- Evaluate the pending CARB AB2588 revisions and determine impacts to San Diego sources.
- Evaluate the impacts of OEHHA's proposed addition of 600-800+ new chemicals to the AB2588 list and its impacts to potential risks.
- Evaluate the impact of CARB's new emission reporting requirements under the Criteria and Toxic Emission Reporting (CTR) regulation adopted in December 2019 and proposed 2020 revisions to reduce thresholds for all permitted facilities in California.
- Study the best approach to ensure level playing field for San Diego facilities. Currently, the District's risk calculations include emission sources that other air districts exempt from the analysis. These include welding, emergency engines and portable diesel engines. While including these sources makes San Diego's risk reduction program comprehensive and robust, it holds San Diego facilities to a higher threshold for risk reduction and notification compared to other Districts, justifying either a higher risk reduction threshold for San Diego County, or an exemption for these source types.
- Consider impact of emission reduction measures under consideration by the District and the community as part of the AB 617 process.
- Use the above data and analyses to determine whether the threshold should be further reduced (and to what level) to achieve additional real, actual and cost-effective reduction in air toxic emissions and health risk in affected communities.

We all know that once a new threshold is selected, there is no going back; therefore, it is critical that each level of reduction is studied, and the benefits and costs are well understood. That is why an updated analysis based on the most recent emissions

inventories and communicating the calculated risks to facilities is an important part of this process.

IEA agrees that the air toxics risk reduction threshold can be lowered in San Diego, but we ask that San Diego approach this carefully and with the confidence that we thoroughly understand the effects it will have on businesses and the benefits it will provide to the affected communities.

We believe that this incremental approach beginning with lowering the threshold by 50% to 50 in a million and studying further reductions will protect public health and is consistent with the District's 30-year track record of providing steady and measurable improvements in air quality in San Diego. San Diego's APCD does not need to emulate other Districts in California when San Diego has been a model for protecting public health in the region.

Sincerely,



Jack Monger
CEO

cc: Supervisor Greg Cox
Supervisor Dianne Jacob
Supervisor Kristin Gaspar
Supervisor Nathan Fletcher
Supervisor Jim Desmond
Sarah Aghassi, DCAO, County of San Diego
Rob Reider, APCD
Jim Swaney, APCD



February 14, 2020

San Diego Air Pollution Control District
Attn: Jim Swaney
10124 Old Grove Road
San Diego, CA 92131

SENT VIA EMAIL

Re: Draft Proposed amendments to Rule 1210 – Toxic Air Contaminant
Public Health Risks-Public Notification and Risk Reduction

Dear Jim,

Thank you for this second opportunity to provide comments to the Draft Proposed Amendments to Rule 1210, and for the workshop held on January 30, 2020. Included below for your consideration are several comments regarding the most recent draft presented at that workshop.

(d) Public Health Risk Notification Requirements

Para. (3) (ix) allows the APCD to require changes to the voluntary risk reduction plan after the plan is approved. We request that language be added to avoid a situation where the District may require changes to the plan after the facility has invested resources in procuring emission control equipment.

Para. (3) (x) (A) Requires “Background information about the 2015 updates to the OEHHA” guidance manual. Given the likelihood that OEHHA will update this manual again in the future, we recommend changing the language to read “2015 or subsequent updates” or “current OEHHA guidelines.”

Para. (4) (vii) APCO should have some flexibility to work to a longer review period if doing so would not result in unreasonable impact to public health. Particularly for 1st time notifiers or when notification materials must be substantially updated to account for changes, it may take a while to come to consensus on how to communicate risk clearly and without causing undue alarm. In addition, the APCO should be also consider external factors that would make five years infeasible such as the requirement for additional permits, approvals or public processes that would be required by other government agencies.

Para. (5) and Para (10) (i) These sections require the use of direct mail for public notification. With the rapid change in techniques for public communication, we

encourage the District to allow for more effective and efficient communication methods that may be available in the near future. This can be accomplished by modifying the text to read:

The owner or operator of the stationary source shall provide written notice by direct mailing based on a mailing list of parents or guardians provided by the school, “or by any means of electronic communication that is found to be acceptable by the District,” or...

Para. (11) We recommend changing the language to read: The owner or operator of the stationary source shall prepare and distribute a public health risk assessment summary to those persons receiving notice pursuant to this rule requesting additional information within 30 days of “being notified by the APCO of” such request.

We suggest that the public health summary should be prepared and distributed within 30 days of being notified by APCD of the request. Since these requests are submitted only to APCD, Industry cannot know when they are received. The triggering event should be when APCD notifies the facility that the notice is required. Similarly, since industry cannot know if/when such a summary will be required, the language should reflect that the summary be approved “prior to distribution” rather than “in advance.”

Para. 12 The rule currently requires a public information meeting to be scheduled “within 90 days after public notification.” To ensure that facilities being required to hold public meetings have sufficient time to engage the resources to support the requirements of this meeting, based upon our experience the triggering event should be the APCO notification to the stationary source that a public meeting will be required, not the public notification itself. We recommend that the draft be updated to indicate that language be changed as follows:

If, based on the public response from persons receiving notice pursuant to this rule within 30 days of public notification, the Air Pollution Control Officer determines, on a case-by-case basis, that a public meeting is required, the Air Pollution Control Officer shall so notify the owner or operator of the affected stationary source and the owner or operator shall hold a public meeting within 90 days “of the APCO notifying the facility of the requirement to hold a public meeting.” ~~after public notification.~~ The meeting shall be held at a time and place that facilitates public attendance. Translators shall be present if five percent or more of the expected audience is non-English speaking. The Air Pollution Control Officer, or designee, shall attend each public meeting.

(e) Stationary Source Toxic Air Contaminant Risk Reduction and Audit Plans

Para (1) (i) Option 1, which maintains the mandatory risk reduction threshold at 100 in a million, is the best option in our opinion. In light of OEHAA changes that recently increased risk by a factor of 2-3 with no increase in emissions, and also added additional compounds for consideration, the fact is that these recent state actions significantly lowered the risk threshold for facilities in California. Considering that future OEHHA changes will reduce the threshold even further, several California Air Districts have chosen to stay with their existing threshold (San Joaquin Valley will remain at 100/ million) at least until the impacts of recent OEHHA actions on air quality and affected facilities can be monitored and understood. We believe this would be the most prudent approach for the District as well. Maintaining the current thresholds will accomplish the

goal of being increasingly protective of public health without disproportionately burdening stationary sources, which are responsible for less than 3% of the region's TAC emissions.

Para. 5 (iv) With respect to the findings that must be made by the APCO to consider allowing additional time for an owner operator to reduce risks below the significant risk mitigation levels, this paragraph identifies the installation of T-BARCT as one of those findings, effectively calling for its installation whether it is effective or not. We think that the District would agree with IEA that no measure should be required unless it is known to be technically feasible and will reduce risks below the significant risk mitigation levels. For this reason we recommend adding the following at the end of the referenced paragraph: "T-BARCT shall not be required if it has been determined that it is technically infeasible to reduce risks below the significant risk mitigation levels."

Para. 5 (v) Recommend increasing the period for reevaluation of T-BARCT feasibility from biennial to quadrennial. It takes time to research and demonstrate new technologies as effective, and for the District to complete its evaluation of those technologies.

Para. 6(i) Although it is not a significant issue, we are wondering why the District is still using SIC codes rather than NAICS codes?

- **General Comment:** Business situations and conditions can change. There should be language added at the appropriate location that provides an option for the District to accept an updated HRA documenting risk below the Risk Reduction Plan Threshold as an alternative to implementation of a Risk Reduction Plan. Requiring the installation of costly controls on facilities that have changed their operations and sufficiently reduced their level of risk would not be an efficient use of resources.

In addition to the comments above, there were a couple of comments raised in our previous comment letter for which we would appreciate your comments. Those included the following:

- Consider risk based on average emissions over several years, because operations and emissions vary year to year. Also, this is a "lifetime" cancer risk; therefore, using an average would make sense.
- The District should evaluate whether the resources that would be spent by industry to control stationary source would be better spent reducing emissions from mobile sources? Wouldn't that provide a much greater benefit in terms of risk reduction? Note that other facilities, such as distribution centers have much higher emissions/risk that are not highlighted because they are not captured by AB 2588. A provision should be added to the rule to allow an option for facilities to propose an alternative, more effective emission reduction approach in lieu of installing T-BACT on stationary sources.
- The currently proposed 15-month implementation schedule is overly ambitious and not consistent with other districts. The timelines should be flexible to give the APCD some discretion on the schedule when it is appropriate and necessary, and when it results in clearer/better public information. We would recommend that the Rule tie the implementation period to when the HRA is approved not the date of rule adoption.

- Finally, as we have mentioned several times, we encourage the District to acknowledge and emphasize that existing regulatory programs have made great progress in reducing risk from stationary sources. Examples of that progress include:
 - a. APCD data shows that emissions of toxic air contaminants have been reduced by approximately 88% since the inception of the District's Hot Spots program in 1989.
 - b. Stationary sources are responsible for less than 3% of the toxic air emissions in San Diego County
 - c. Stationary sources have already made steep reductions in air emissions as a result of existing regulatory schemes, voluntary initiatives, and improvements in technology

This review process was begun because the District Board is committed to protecting public health. Given the District's limited resources, the challenge is to apply those resources in a manner that offers the public the greatest protection possible. That means acknowledging that stationary sources, the target of this rule, are responsible for 3% of all the toxic emissions in the San Diego region. Clearly, the best use of resources would be to attack the sources responsible for 97% of the toxic emissions responsible for affecting the health of San Diegans.

As always, IEA appreciates the District's willingness to work with the regulated community to develop strategies that effectively reduce health risks in San Diego County while providing reasonable options and time frames for industry to operate and grow.

Should you require any additional information regarding our recommendations or have any questions, we would be happy to respond. In the meantime, thank you for your consideration.

Best regards,



Jack Monger
Chief Executive Officer

cc: Robert Kard

September 25, 2019

San Diego Air Pollution Control District
10124 Old Grove Road
San Diego, CA 92131

Attn: Jim Swaney, Chief of Engineering Division

SUBJECT: WRITTEN COMMENTS – Proposed amendments to Rule 1210

Thank you for the opportunity to provide comments regarding the proposed amendments to Rule 1210, presented at the workshop held on August 15, 2019. The City of San Diego's (City) Public Utilities Department supports the District's efforts to continue improving air quality and implementing additional prevention measures that are practical, cost-effective and have scientific or engineering data documenting their effectiveness.

The Public Utilities Department (PUD) operates and maintains the San Diego water distribution and sewerage systems that ensure the quality, reliability, and sustainability of water, wastewater, and recycled water services to 2.4 million residents over a 450 square mile area within the City of San Diego and fifteen surrounding municipalities.

The City requests that you consider instituting a voluntary risk reduction option to allow for the implementation of risk reduction measures by the facility before regulatory risk reduction requirements and processes are triggered. Such an option has already been successfully implemented by the South Coast Air Quality Management District (SCAQMD) in their Rule 1402. Also, please consider a phased implementation of the suggested lowering of the risk reduction thresholds.

A voluntary risk reduction option coupled with a phased lowering of the risk reduction thresholds by incremental decreases over time should be investigated to determine if, together, the use of these mechanisms would provide a faster and more effective reduction in risk than a single 10-fold decrease without a voluntary risk reduction incentive.

Thank you for your consideration. Please contact me at (619) 758-2371 or bbowman@saniego.gov if you need clarification regarding the content of this letter.

Sincerely,



Brent G. Bowman
Senior Chemist

From: Bea Riley
To: [Swaney, Jim](#)
Subject: Comment for workshop on rule 1210
Date: Friday, February 07, 2020 2:45:07 AM

Hello Jim,

Below is a comment I would like to contribute to the discussion at the workshop about rule 1210 on January 30, 2020.

San Diego should set its “significant” risk level at 10 in one million and companies should have to notify the public of this risk. Companies have an obligation not to harm the communities they serve, and the least they can do is notify the public when they do pose a health threat.

Regarding the voluntary reduction plan, I believe the public has the right to be informed. **The APDC doesn't have the right to bargain with the public's right to be informed.**

There are other ways to get companies to voluntarily comply. Use fines that are super heavy, then have a voluntary reduction program that lessens fines for voluntary emission reduction. Or you can let the company know it is approaching the limit for public notification. It can voluntarily reduce emissions before reaching that point.

The time for voluntary action is before the critical point is reached. Once the critical point is reached, the public has the right to be informed.

Sincerely,

Bea Riley
Concerned Citizen
Lone Star Drive, SD 92120

From: Paul Faulstich
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Monday, February 10, 2020 12:32:12 PM
Attachments: [image457458.png](#)
[image299035.png](#)
[image879357.png](#)
[image444699.png](#)
[image429641.png](#)
[image877027.png](#)

Hi Jim,

I have been living at the same address for 9 years and have just recently started working from home and am very concerned about the smells coming from Superior Ready Mix a couple blocks away from my house.

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.
- 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Paul Faulstich
Concerned Citizen
7381 Conestoga Way
San Diego, CA 92120



Paul Faulstich

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phone (888) 788-2254 | direct (858) 332-0514

email pfaulstich@calibamboo.com | web www.calibamboo.com



From: Lee Haripko
To: [Swaney, Jim](#)
Subject: Changes to Rule 1210
Date: Monday, February 10, 2020 12:33:00 PM

Dear Mr. Swaney,

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

1) San Diego should lower its "significant" risk level to 10 in one million.

2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Lee Haripko
Concerned Citizen
5240 Lewison Pl
San Diego, CA 92120

From: Rebecca Conner
To: [Swaney, Jim](#)
Subject: Rule 1210 comments
Date: Monday, February 10, 2020 1:12:03 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its “significant” risk level to 10 in one million.
- 2) The APCD doesn’t have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Living near an area where these changes could have great impact to my health as well as my neighbors and their children is quiet concerning. We can't avoid t his and shouldn't be kept in the dark regarding anything that can cause a risk to our health.

Sincerely,
Rebecca Conner
Concerned Citizen
Mission Mesa Way, 92120

From: dana mackey
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Monday, February 10, 2020 1:48:15 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

1. San Diego should lower it's "significant" risk level to 10 in one million.

2. The APCD does NOT have the right to bargain with or give away my family's as well as the public's rights to be informed. Use other incentives, if needed, to get compliance from facilities that are not in compliance. The public has the right to be informed. My family has the right to be informed.

Sincerely,
Dana Giusti
Concerned citizen and mother of 3 children

7510 Conestoga Way
San Diego, CA 92120
619-250-4864
giustigirl@yahoo.com

From: Cat Jefferson
To: [Swaney, Jim](#)
Subject: Comments for workshop on Rule 1210
Date: Monday, February 10, 2020 3:14:54 PM

To: Jim Swaney

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its “significant” risk level to 10 in one million.
- 2) The APCD does NOT have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Cat Jefferson Concerned Citizen
4910 1/2 Old Cliffs Rd. 92120

From: Cat Lloyd
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Monday, February 10, 2020 3:56:00 PM

Dear Mr. Jim Swaney,

I respectfully submit these comments for consideration in regards to the proposed changes to Rule 1210.

I've always been proud that San Diego County is one of the most beautiful, healthy places to live in the USA. A walk in the fresh air is an excellent form of exercise, and people of all ages in our neighborhood like to participate. It's especially nice to see young Moms and Dads out on a walk with their newborns in strollers. These babies, and everyone else in San Diego County, need to have fresh, clean air to thrive. Additionally, these families need and have a right to be informed of significant health risks.

Therefore, I have specific concerns about the proposed changes to Rule 1210, as follows:

- 1) San Diego County should lower its “significant” risk level to 10 in one million.
- 2) The Public has the right to be informed. That right should not be bargained away for any reason. When a facility poses a significant health risk, it should not be exempted from the requirement to inform the public. The Air Pollution Control District (APCD) should not bargain with or give away the right of the public to be informed.

Thank you for your consideration.

Sincerely,
Catherine Lloyd
Concerned Citizen
5534 Red River Drive
San Diego, CA 92120

From: Greg Lloyd
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Monday, February 10, 2020 3:56:01 PM

Greetings Mr. Swaney,

I respectfully submit these comments for consideration in regards to the proposed changes to Rule 1210.

I've always thought that San Diego County is one of the most beautiful, healthy places to live in the country. A walk in the fresh air is excellent exercise and people of all ages in our neighborhood like to do just that. It's especially nice to see parents out on a walk with their newborns in strollers. These babies, and everyone else in San Diego County, must have fresh, clean air to thrive. Additionally, these families need and have a right to be informed of significant health risks.

Therefore, I have specific concerns about the proposed changes to Rule 1210, as follows:

- 1) San Diego County should lower its "significant" risk level to 10 in one million.
- 2) The Public has the right to be informed. That right should not be bargained away for any reason. When a facility poses a significant health risk, it should not be exempted from the requirement to inform the public. The Air Pollution Control District (APCD) should not bargain with or give away the right of the public to be informed.

We must keep our air clean and healthy. Children and the elderly are at greater risk of health problems when the air is polluted.

Additionally, a community that stinks is of lower value to the city. Property value is decreased. Tax revenues go down.

Thank you for your consideration.

Sincerely,
Greg Lloyd
Concerned Citizen
5534 Red River Drive
San Diego, CA 92120

From: Bree Warth
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Monday, February 10, 2020 4:23:42 PM

I am submitting these following comments for consideration regarding the proposed changes to rule 1210:

1. San Diego should lower its "significant" risk level to 10 in 1 million.
2. The APCD does not have the right to bargain with or give away the public's right to be informed. Please use other incentives to get compliance from facilities. The public has the right to be informed.

Thank you,
Bree Warth

7298 Laura Court
92120

From: Cari Inserra
To: [Swaney, Jim](#)
Subject: Re comments for workshop on rule 1210
Date: Monday, February 10, 2020 4:38:37 PM

Dear Mr Jim Swaney,

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower it's "significant" risk level to 10 in one million.
- 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

As a parent of a child recently diagnosed with cancer, I can't help but wonder if living so close to the Superior Ready Mix plant has something to do with it. The APCD has a duty to protect the people who live in this neighborhood. Making it easier for SRM to pollute our air and environment is a travesty.

Sincerely,
Cari Inserra
Concerned citizen
Canyon Slope Pl, 92120

Sent from my iPhone

From: Wendy Wheatcroft
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Monday, February 10, 2020 5:12:10 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.
- 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Wendy Wheatcroft
Concerned Citizen
Margerum Ave. 92120
Wendy Wheatcroft
wendy.wheatcroft@gmail.com - 619-368-6171

From: Liz Vagani
To: [Swaney, Jim](#)
Subject: Rule 1210 changes
Date: Tuesday, February 11, 2020 9:05:33 AM

Dear Mr Swaney,

I am concerned about the proposed changes in rule 1210. I live very near the superior ready mix quarry on Mission Gorge Rd. There are often terrible smells and uncontrolled dust from the quarry. Without a clear and transparent communication, to which residents are privy, there is not an acceptable level of accountability between corporations and government. Please reject the changes to rule 1210.

Sincerely,

Liz Vagani
5512 Red River Dr
San Diego 92120
517-927-9082

Sent from my iPhone

From: Kristine Riesch
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Tuesday, February 11, 2020 5:07:54 PM

Hi Jim,

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.
- 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Kristine Riesch
Concerned Citizen
Red River Drive, 92120

From: Sharon Sebastiani
To: [Swaney, Jim](#)
Subject: Changes to Rule 1210
Date: Tuesday, February 11, 2020 6:08:01 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.
- 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Sharon Sebastiani
Concerned Citizen
Chaparajos Ct 92120

From: A Riley
To: [Swaney, Jim](#)
Subject: Re: Comments for Workshop on Rule 1210
Date: Tuesday, February 11, 2020 7:03:42 PM

Mr. Swaney,

I'd like to let you know that I applaud your and the county's efforts to come up with approaches that will motivate and encourage local industries to voluntarily pursue actions that will lead to reductions in the environmental pollutants produced by their plants and production processes. However, I would like to express my concerns with portions of the newly proposed Rule 1210 and therefore submit, for your consideration, the following comments on the proposed Rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.

- 2) I feel that relaxing public notification requirements as an incentive to encourage companies to reduce environmental pollutants is a totally inappropriate carrot. I am not a believer in the old adage that ignorance is bliss and truly feel that the APCD does not have the right to diminish the public's right to be informed. I wholeheartedly support the use of incentives, but not this one. The Public has every right to be fully informed on the issue of pollutants.

Sincerely,
Alan Riley
Concerned Neighbor
5685 Lone Star Dr.
San Diego, CA 92120

From: Nancy K. Varga
To: [Swaney, Jim](#)
Subject: Workshop on Rule 1210
Date: Wednesday, February 12, 2020 10:44:57 AM

Proposed Changes to Rule 1210

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.
- 2) The APCD does not have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. **The Public has the right to be informed.**

Sincerely,

Nancy K. Varga

Nancy K. Varga
[nkvara@me.com](mailto:nkvarga@me.com)
<http://raventravels40.blogspot.com>

"Yesterday was History. Tomorrow is a Mystery. Today is a Gift.
That is why it's called the Present."

From: Nancy Stevens
To: [Swaney, Jim](mailto:Jim.Swaney@sdcounty.ca.gov)
Subject: Rule 1210
Date: Wednesday, February 12, 2020 12:18:33 PM

**Please, stop Superior Ready Mix from polluting our neighborhood!!!
There are toxins in their emissions.
We have a right to know and be informed.**

**To: Jim Swaney Jim.Swaney@sdcounty.ca.gov
Re: Comments for Workshop on Rule 1210**

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its "significant" risk level to 10 in one million.
- 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,

Nancy Stevens
Concerned Citizen
5631 Laramie way
92120

From: James Wallen
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Wednesday, February 12, 2020 2:31:38 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its “significant” risk level to 10 in one million.
- 2) The APCD doesn’t have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
James Wallen
Concerned Citizen
5514 Lone Star Dr, San Diego, 92120

From: Robert Baum
To: [Swaney, Jim](#)
Subject: Please think about our health. My children have asthma. Been here since 1971. ONLY GETTING WORSE
Date: Wednesday, February 12, 2020 4:05:58 PM

10 parts per million would save quality of life. Living with the bad air, dust every day, noise pollution SINCE 1971. We where told when we moved in the plant would be monitored and the conditional use permit would have public input before it would be renewed.
Sent from my iPhone

From: Barbara Nalepa
To: [Swaney, Jim](#)
Subject: Re: Comments for Workshop on Rule 1210
Date: Wednesday, February 12, 2020 6:48:29 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:
1) San Diego should lower its “significant” risk level to 10 in one million or at least to 20 in one million. 2) The APCD doesn’t have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed. Sincerely, Barbara N. Oakley Concerned Citizen 7848 Deerfield Street, 92120

From: Scott Vandegrift
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Wednesday, February 12, 2020 7:00:53 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its “significant” risk level to 10 in one million.

- 2) The APCD doesn’t have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Thomas “Scott Vandegrift
Concerned Citizen
5514 Lone Star Dr, San Diego, 92120

From: Merle Lonstein
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Thursday, February 13, 2020 9:21:18 AM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its “significant” risk level to 10 in one million.
- 2) The APCD doesn’t have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Sincerely,
Mere Lonstein
Concerned Citizen
6960 Hyde Park Drive , #30
92119

From: Jamie Abbott
To: [Swaney, Jim](#)
Subject: Comments on Rule 1210 changes
Date: Thursday, February 13, 2020 11:36:54 AM

Dear Mr. Swaney,

I am concerned about proposed changes to rule 1210. Clean air is extremely important to me and to my family and I want to register this concern with the city and county. I believe that San Diego should lower its significant risk threshold to 10 in one million. I also want to make sure that we, the public, maintain our right to be informed about air pollution hazards and I do not want the APCD to bargain away this right.

Thank you for your consideration,

Sincerely,

James Abbott
8111 El Extenso Ct.
San Diego, CA 92119
619-287-4806

From: Family TOWERS
To: [Swaney, Jim](#)
Subject: Rule 1210
Date: Thursday, February 13, 2020 12:44:28 PM

TO: Jim Swaney

RE: Comments for Workshop on Rule 1210

I am submitting these comments for consideration regarding the proposed chsnge to rule 1210.

(1) San Diego should lower its “significant” risk level to 10 in one million.

(2) The APCD doesn’t have the right to bargain with or give away the public’s right to be informed. Use other incentives, if needed to get compliance from facilities. **The PUBLIC HAS A RIGHT TO BE INFORMED.**

Sincerely,

Wayne M. Towers

Concerned Citizen

8126 El Extenso Court

San Diego, CA 92119

From: Mary Michel
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Thursday, February 13, 2020 3:18:19 PM

Jim,

I am submitting these comments for consideration regarding the proposed changes to Rule 1210:

1. San Diego should lower it's "significant" risk level to 10 in one million.
2. The APCD does not have the right to bargain with or give away the public's right to be informed when air quality risks are elevated.
3. We need an alert system, so we can make sure our windows are closed and so that we can stay inside during these times when the air quality is so horrible.
4. I am very concerned about our air quality. Sometimes the "asphalt" smell is so strong that it burns if you take a deep breath. It's a nauseating smell. A non-smoking close neighbor has developed COPD and a member of my family has "allergy" symptoms that won't seem to go away. This is all very concerning.

Sincerely,

Mary Michel
5622 Lone Star Drive
San Diego, CA 92120

From: Lauren
To: [Swaney, Jim](#)
Subject: Re: Comments for Workshop on Rule 1210
Date: Thursday, February 13, 2020 3:23:26 PM

To: Jim Swaney

I am submitting these comments for consideration regarding the proposed changes to rule 1210:

- 1) San Diego should lower its “significant” risk level to 10 in one million.
- 2) The APCD doesn’t have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed.

Furthermore, the fumes from the quarry are obnoxious. I am concerned about my young children's health. We can't use our yard when the quarry is burning those toxic chemicals. It's time to prioritize our youngest citizens' health over corporate profits and convenience!

Sincerely,

Lauren Vasil
5751 Red River Drive, 92120

From: Gregg
To: [Swaney, Jim](#)
Subject: Workshop Rule 1210
Date: Thursday, February 13, 2020 4:08:24 PM

San Diego must lower "significant" air quality to 10 in one million.

The APCD does not possess the right to prevent the public's right to be informed of elevated air quality risk and an alert system is needed. We live in the bluff across from Superior Ready Mix located on Mission Gorge Rd. We frequently observe and experience odorous air including asphalt fumes which has likely caused my developing pulmonary problems. We frequently see excessive dust from our home and from the air when flying our plane. To state that we are extremely concerned about these issues is an understatement!!

Dr. Gregg Michel

From: Cool Guy
To: [Swaney, Jim](#)
Subject: Comments for Workshop on Rule 1210
Date: Thursday, February 13, 2020 7:42:53 PM

I am submitting these comments for consideration regarding the proposed changes to rule 1210:
1) San Diego should lower its "significant" risk level to 10 in one million. 2) The APCD doesn't have the right to bargain with or give away the public's right to be informed. Use other incentives, if needed, to get compliance from facilities. The Public has the right to be informed. Sincerely,
Anthony Sanchez
Concerned Citizen

From: Kirk Riley
To: [Swaney, Jim](#)
Subject: proposed change for rule 1210
Date: Thursday, February 13, 2020 8:59:48 PM

Dear Mr Swaney,

Below is a comment I would like to contribute to the discussion at the workshop about rule 1210 on January 30, 2020.

San Diego should set its “significant” risk level at 10 in one million and companies should have to notify the public of this risk. Companies have an obligation not to harm the communities they serve, and the least they can do is notify the public when they do pose a health threat.

Regarding the voluntary reduction plan, the public has the right to be informed. **The APCD doesn’t have the right to bargain with or give away our right to be informed.**

There are other ways to get companies to voluntarily comply. Use fines that that are super heavy, then have a voluntary reduction program that lessens fines for voluntary emission reduction. Or let the company know it is approaching the limit for public notification. It can voluntarily reduce emissions before reaching that point.

The time for voluntary action is before the critical point is reached. Once the critical point is reached, the public has the right to be informed.

Respectfully,

Kirk Riley
5685 lone star drive, 92120