

**REPORT TO SHASTA COUNTY AIR POLLUTION CONTROL BOARD**

**BOARD MEETING DATE:** 10/3/2023  
**AGENDA CATEGORY:** Scheduled Hearings  
**SUBJECT:** 2023 Annual Report on the Air Toxics “Hot Spots” Information and Assessment Act – AB 2588  
**DEPARTMENT:** Air Quality Management District  
**SUPERVISORIAL DISTRICT NO.** All  
**DEPARTMENT CONTACT:** Monica Stant, Air Pollution Inspector II, (530) 229-8402  
**STAFF REPORT APPROVED BY:** Paul Hellman, Air Pollution Control Officer

<b>Vote Required?</b> <input checked="" type="checkbox"/> No Vote <input type="checkbox"/> 2/3 Vote <input type="checkbox"/> 4/5 Vote <input type="checkbox"/> Simple Majority Vote <input type="checkbox"/> Unanimous Vote	<b>General Fund Impact?</b> <input checked="" type="checkbox"/> No General Fund Impact from the Recommended Action <input type="checkbox"/> No Additional General Fund Impact from the Recommended Action <input type="checkbox"/> General Fund Impact from the Recommended Action
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**SUBJECT:**

Conduct a public hearing and receive a presentation from staff regarding the 2023 Annual Report on implementation of the Air Toxics "Hot Spots" Information and Assessment Act.

**RECOMMENDATION:**

Conduct a public hearing and receive a presentation from staff regarding the 2023 Annual Report on implementation of the Air Toxics "Hot Spots" Information and Assessment Act.

**DISCUSSION:**

The Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) is a public right-to-know law adopted in 1987 in response to public concern regarding emissions of toxic air contaminants and their potential adverse health effects. As the local air district, the Shasta County Air Quality Management District (District) implements the AB 2588. California Health and Safety Code (CH&SC) § 44363 requires each air district to prepare and publish an annual report describing implementation of AB 2588 which includes current facility categories and rankings by risk, progress of the health risk assessment (HRA) program, and development of air toxics control measures. The air district shall disseminate the annual report to the air pollution control board and the board shall conduct a public hearing. The 2023 Annual Report is attached.

District implementation of AB 2588 began in August 1988; since then, the District has assessed over 500 facilities in its implementation. The District notifies potentially subject facilities in Shasta County of the requirement to file emission inventory plans and reports for the purpose of quantifying their emissions of toxic air contaminants. District staff review the submitted emission inventory plans and reports, quantify the facility’s toxic substance emissions, and very conservatively estimate the impact of these emissions on surrounding receptors with risk represented by a prioritization score. If necessary, an HRA is required to more accurately estimate the facility’s toxic emission impact. Proposed new facilities are also screened for potential toxic emission impacts during New Source Review before a permit is issued. Currently, the District has exempted all but 14 facilities from further reporting due to low prioritization scores or low HRA results.

The continued implementation of the program is a dynamic process. Facilities currently in the program change ownerships, change production rates, and sometimes cease operating. All facilities subject to the program must submit update reports or surveys every four years to identify production changes that may or may not influence the facility’s toxic emissions. Last year, one facility was identified which had substantial enough changes to require submission of an updated emission inventory plan. Another facility was also required to submit an updated emissions inventory plan and report in the previous year. In addition, the California Air Resources Board (CARB)

and the State Office of Environmental Health Hazard Assessment (OEHHA) occasionally update the AB 2588 program, or the substances and corresponding health values reported under AB 2588.

As a streamlining effort, AB 564 (Canella Bill) was enacted in 1996, adding several amendments to the original AB 2588 regulations including new guidelines for “industrywide” facilities to reduce the reporting burden on certain small privately-owned businesses, and new “de minimis thresholds” which exempted facilities with process rates too low to pose a serious health risk.

On March 6, 2015, OEHHA adopted revised guidelines to incorporate the most recent data on childhood and adult exposure to air toxics. In August 2016, the California Air Pollution Control Officers’ Association (CAPCOA) released updated prioritization guidelines based on OEHHA’s updates. **Although emissions levels and actual exposures have not changed substantially, the new methodology calculations will show an increase by a factor of 1.5 to 3 in inhalation health risk due to the new awareness of increased sensitivity in infants and children.** The District is currently updating its AB 2588 program to implement these changes starting with Reporting Year 2020. Of the 11 facilities which have been re-evaluated with the new prioritization guidelines, seven were re-categorized as “High Priority” and have been required to submit an HRA using OEHHA’s current methodologies. Six of these required HRAs have been received by the District. One HRA has received final approval from both OEHHA and the District and showed health risks below significant levels but above thresholds for further reporting and was therefore reprioritized as “Intermediate” level.

Additional CARB updates to the AB 2588 program went into effect March 21, 2022, to phase in the addition of around 900 new substances to the AB 2588 list over the next five years, make facility reporting requirements consistent with the Criteria and Toxics Reporting Regulation (CTR) and its amendments, and update the industry applicability criteria and de minimis thresholds based on new understanding of the current reportable toxics risks. The District will develop a plan to implement the 2022 updates which will include re-evaluating many facilities in the District which were previously exempted, and which may no longer qualify for exemption. Reporting for these updates will go into effect in 2025 (for 2024 emissions).

The District has recognized a decline in air toxic emissions from most of the stationary source facilities in Shasta County. The District routinely enforces other regulations which also control or reduce the emissions of toxic substances, including CARB’s Airborne Toxic Control Measures (ATCM), EPA’s National Emission Standards for Hazardous Air Pollutants (NESHAP), and New Source Review. In addition, the District attributes part of the decline of toxic emissions due to some facility owners completing changes or improvements to their operation to either improve emission control efficiency or move to more environmentally safe alternatives to replace toxic compounds. As such, the District has not yet needed to require a facility to develop further air toxics control measures specifically to comply with AB 2588.

#### **ALTERNATIVES:**

No alternatives to the public hearing process required by CH&SC § 44363(b) have been identified by the District.

#### **OTHER AGENCY INVOLVEMENT:**

CARB and OEHHA occasionally make updates to the AB 2588 program as described above. CAPCOA also coordinates with CARB, OEHHA and other air districts throughout the state to develop guidelines to improve consistency and efficiency of AB 2588 implementation. The District implementation requirements of AB 2588 also include submittal of an annual toxic emission inventory to CARB.

#### **FISCAL IMPACT:**

There is no impact to the General Fund. The expense to the District in implementing AB 2588 is already provided for in the existing District budget and is entirely financed by fee regulations enacted by the District and CARB to recover both District and State costs.

Attachments: 2023 AB 2588 Annual Report

Attachment A to the 2023 AB 2588 Annual Report – List of AB 2588 Facilities in 2023  
Attachment B to the 2023 AB 2588 Annual Report – Map of AB 2588 Facilities in 2023