



# 2021 ANNUAL REPORT AB 2588 AIR TOXICS "HOT SPOTS" PROGRAM

December 21, 2022

## *Preface*

*The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) is a State of California public right-to-know law requiring local air quality management and air pollution control districts to collect information about the location, type, and quantity of toxic compounds emitted into the air from specified local businesses and industry. The AB 2588 Program Annual Report is published to provide the public with information regarding the AB 2588 Program of the Butte County Air Quality Management District (District). The enabling statutes (California Health & Safety Code (HSC) Sections 44300-44394) require the California Air Resources Board (CARB) and local air districts to implement the "Hot Spots" Program. This report describes the current reporting and evaluation status for facilities being tracked under this program. This annual report is required by California HSC Section 44363.*

## INTRODUCTION

The goals of the AB 2588 Program are to collect emission data, to identify facilities having localized impacts, to ascertain health risks, and to notify nearby residents of significant risks.

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) requires certain emitters of airborne toxic compounds to submit toxic emissions inventory reports and updates. Facilities meeting Board-specified criteria must also complete health risk assessments. AB 2588 further requires the District to prepare an annual report summarizing progress on the implementation of the program.

HSC Section 44363 requires that the District Board conduct a public hearing concerning the subject report which must include information on the following:

- 1) The prioritization of facilities for the purpose of performing a health risk assessment for air emissions of listed substances;
- 2) The ranking and identification of facilities according to the degree of cancer risk posed to surrounding receptors;
- 3) The identification of facilities which expose individuals or populations to any non-cancer health risks; and
- 4) The status of development of control measures to reduce emissions of toxic air contaminants, if any.

## AIR TOXICS "HOT SPOTS" PROGRAM

The AB 2588 Program (HSC Sections 44300 et seq.) established a process to compile an inventory of air toxics emissions from specified facility categories in California and to assess the potential risks to public health as a result of exposure to those emissions. AB 2588 also requires that the public be notified of facilities whose emissions pose significant health risks. AB 2588 specifies activities that the CARB, the Office of Environmental Health Hazard Assessment (OEHHA), and the districts must carry out to implement the Act. CARB is required to adopt a fee recovery regulation to assess fees on facilities subject to the requirements to ensure that costs to implement and administer the AB 2588 Program. (HSC Section 44380.)

This report addresses the statutory requirements of the AB 2588 Program. This report does not seek to address other toxics-related issues handled by staff. For example, the District also addresses air toxics exposures during permitting of new and modified sources of air pollutants. The source permitting process may require issuance of a public notice if the proposed source releases hazardous air pollutants within 1,000 feet of a school. The District also implements State Airborne Toxic Control Measures (ATCMs) and federal National Emission Standards for Hazardous Air Pollutants (NESHAPs). ATCM and NESHAP requirements are usually implemented through a source permit or equipment registration. During this reporting year, the District has not developed control measures in addition to those required by an ATCM or NESHAP.

## **PROGRAM CATEGORIES OF DISTRICT FACILITIES**

The District began implementing the AB 2588 Program in 1989. Facilities are categorized based on their reporting status in the program. Unless the District is performing an industry-wide survey for a facility category, facilities subject to the AB 2588 Program are required to file an emissions inventory plan and report with the local air district. The District reviews and approves the plan and reports, and based on the reported emissions, performs a prioritization evaluation (develops a prioritization score for the facility).

If the prioritization score indicates further evaluation is necessary, the facility is required to perform a health risk assessment. If the results from the health risk assessment indicate a potential significant risk to the public, the facility is required to notify the public exposed to the emissions. A facility subject to the public notification requirement then may need to develop a risk reduction plan to lower the emissions below significance levels. At this time, there are no facilities identified in the District as posing a significant risk to the public.

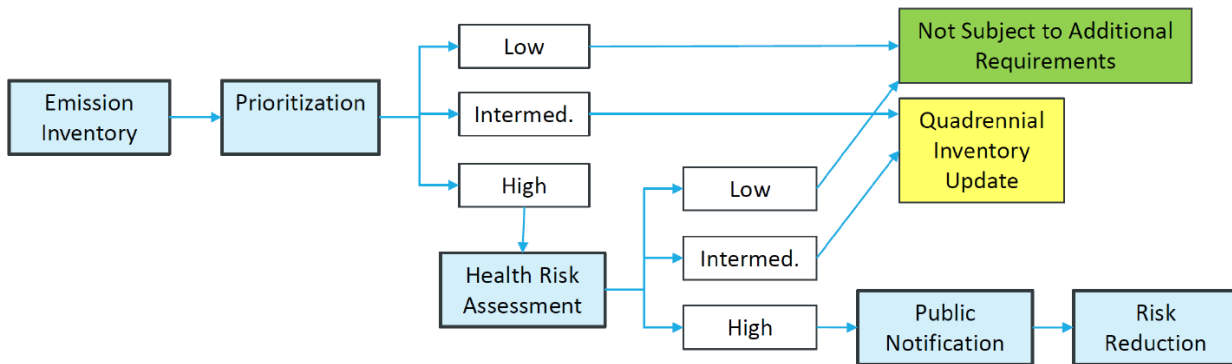
As an alternative to this process, the facility or the District can conduct a health risk assessment as part of a permitting action, provided the results identify any significant risk to the public.

After complying with the initial reporting requirements, based on the prioritization scores or health risk assessment results, facilities may be required to submit update reports every four years.

The following is a summary of the current facility update categories as identified in the Facilities List in Appendix B. A list of category definitions can be found at the beginning of the facility list in Appendix B.

## Graphic Representation of the AB 2588 Process

### AB 2588 Process



### Facility Count for 2021

Facility Category	High	Intermediate	Exempt	Total
<b>Core</b>	<b>1</b>	<b>27</b>	<b>51</b>	<b>79</b>
<b>Exempt</b>			<b>155</b>	<b>155</b>
<b>Industry-Wide Surveys:</b>				
-Autobody Shops		<b>3</b>	<b>41</b>	<b>44</b>
-Dry Cleaners			<b>4</b>	<b>4</b>
-Gasoline Dispensing		<b>5</b>	<b>87</b>	<b>92</b>
-Diesel Internal Combustion Engine			<b>175</b>	<b>175</b>
-Print Shop			<b>23</b>	<b>23</b>
<b>Not Yet Prioritized</b>			<b>0</b>	<b>0</b>
<b>Totals:</b>	<b>1</b>	<b>35</b>	<b>535</b>	<b>572</b>

District staff annually review facility status as indicated on the list in Appendix B of this report. The above facility count may vary each year due to closures and /or addition of new facilities.

#### **Quadrennial Update Summary:**

Facilities that have a high or intermediate ranking are required to submit updates every four years (called “Quadrennial Update”) to allow the District to evaluate their current status.

## **HEALTH RISK ASSESSMENTS**

Since the last annual report, the District completed four (4) health risk assessments (HRA) during the permitting process. Health risk assessments evaluate the health risk to the public due to toxic air emission from new or modified facilities. The health risks were below significance levels and the requested permit was issued by the District. These health risk assessments also satisfy the AB 2588 Program requirement for evaluating toxic air emissions. HRAs during the coming year will be conducted as warranted.

District staff continue to use the AERMOD dispersion modeling software and Health Assessment and Reporting Program Ver. 2. (HARP2) tools to evaluate source risk. The results from HARP2 are used to determine potential risk from a project for a specific site or location.

## **DEVELOPMENT OF CONTROL MEASURES**

During this reporting period, the District has continued to work with affected sources to comply with the U.S. Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants (NESHAPs) at area sources. By State law, NESHAPs that do not have a corresponding Airborne Toxic Control Measure (ATCM) become ATCMs for the State. Area sources are smaller sources such as auto body shops, metal fabricators, paint manufacturers and various other spray coating operations.

NESHAPs, Subpart HHHHHH is a federal Area Source regulation to reduce toxic air contaminants, called Hazardous Air Pollutants or HAPs, from spray coating in the auto body industry and other miscellaneous metal coating operations. The District staff continue to work with new and existing spray coating sources to ensure compliance with the federal regulations.

NESHAPs, Subpart XXXXXX is a federal Area Source regulation to reduce HAPs from spray coating in the heavy construction manufacturing industry. The District has identified this regulation is applicable to one source. Applicable requirements have been incorporated into the source's permit.

NESHAPs, Subpart BBBB is a federal Area Source regulation to reduce HAPs from bulk gasoline terminals and distribution centers. The District has identified this regulation is applicable to one source. Applicable requirements have been incorporated into the source's permit.

NESHAPs, Subpart ZZZZ is a federal Area Source regulation to reduce HAPs from stationary reciprocating internal combustion engines. This regulation affects both spark-ignited (gasoline, natural gas and LPG) and compression ignition (diesel) engines. Most commercial, institutional, and residential emergency engines are exempt from this regulation; however, larger industrial and agricultural engines are subject to control requirements to reduce HAPs from the incomplete combustion of fuel. Regulatory requirements (primarily maintenance provisions) of this federal regulation have been incorporated into facility permits. At this time, the District has not identified any sources that require additional controls beyond what is currently permitted to comply with the regulations. Existing, large natural gas engines require an annual source test to demonstrate compliance and the subject engines have been or are scheduled to be tested annually.

## **AB 2588 PROGRAM FEES**

Program costs may be recovered by assessing a fee to subject facilities pursuant to District Rule 506, *Air Toxics “Hot Spots” (AB 2588) Fees*. The District is required to pay a fee to the State to cover CARB’s costs. State fees are assessed by the District as a straight pass-through to the facility. The District is also authorized by Rule 506 to assess fees to cover local costs.

CARB’s AB 2588 assessment of fees for Fiscal Year 2021-22 was \$134.00. This amount was determined by the following:

SFPP, L.P.’s Chico Terminal = \$134.00 (Category F-Complex)

State costs are allocated among the districts using a formula considering the number of facilities in each of the program categories and resource indices and are based on facility data received from the districts before September 1, 2022.

## **UPDATE TO OEHHA RISK ASSESSMENT GUIDELINES**

The passage of the Children’s Health Protection Act of 1999 (SB 25, Stats. 1999) required Office of Environmental Health Hazard Assessment (OEHHA) to re-evaluate the risk assessment methodologies to ensure infants and children are explicitly addressed in assessing risk. In the last decade, advances in science have shown that early-life exposures to air toxics contribute to an increased lifetime risk of developing cancer, or other adverse health effects, compared to exposures that occur in adulthood. On March 6, 2015, OEHHA adopted revised guidelines to address this greater sensitivity and incorporates the most recent data on childhood and adult exposure to air toxics. At their July 23, 2015 meeting, the Air Resources Board (working with CAPCOA) adopted Risk Management Guidance implementing the new guidelines.

At their December 2015 meeting, the District Board adopted amendments to the existing health risk assessment evaluation criteria incorporating the new OEHHA guidelines. At the December 2016 meeting, the District Board adopted revised Prioritization Guidelines based on the guidance from CAPCOA. The District will be reviewing and recommending updates to the other existing District AB2588 program guidance as necessary. Although emissions levels and actual exposure have not changed, the new methodology calculations will show a 1.5 to 3 times increase in inhalation health risk due to the new awareness of increased sensitivity in infants and children.

Staff from districts across the State through CAPCOA have been working to update guidance and procedures to incorporate the new risk assessment methods. The Public Notification Guidelines have been in review and are being finalized.

## **REVIEW OF NATA DATA**

Every three years, the US Environmental Protection Agency uses federal, state, and local toxic inventories to compile a comprehensive evaluation of toxic risk in a report called the National-Scale Air Toxics Assessment (NATA). During this report period, District staff has reviewed the preliminary information to help identify data errors and provide updated information to EPA on the District’s toxic sources. Staff spent considerable time and effort working with EPA and CARB staff to correct source information that was a relic of EPA’s database system.

## **TOXICS EMISSION INVENTORY**

The AB2588 Emission Inventory Criteria and Guidelines requires districts to review and update toxic emissions inventory data at least every three years. District staff recently reviewed and updated the toxic inventory for applicable sources in conjunction with the fee category reporting and the 2020 emissions inventory reporting.

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# **APPENDIX A**

Public Notice



## **NOTICE OF PUBLIC HEARING**

The Governing Board of the Butte County Air Quality Management District (District) will hold a Public Hearing on January 19, 2023, at 10:00 a.m. at the Butte County Association of Governments Board Room, 326 Huss Drive, Suite 100, Chico, CA to consider the Air Toxics “Hot Spots” Information and Assessment Act of 1987 annual report of program activities. The annual report includes a summary of health risk assessments and identifies and assesses toxic air emissions from facilities within the District.

The annual report may be reviewed at the District office at the address below or on the District website: [www.bcaqmd.org](http://www.bcaqmd.org). For additional information please contact Riley Peacock at (530) 332-9400, ext. 107. Written comments on the annual report should be submitted by January 12, 2023, to: Board Clerk, Butte County Air Quality Management District, 629 Entler Avenue, Suite 15, Chico, CA 95928.

Dated: December 21, 2022  
STEPHEN ERTLE  
AIR POLLUTION CONTROL OFFICER

# **APPENDIX B**

2021 Facility Status List