

2008 Clean Communities Plan

(Formerly the Air Toxics Control Plan)

Working Group

August 26, 2008



Comments Received

Five comment letters received

- Communities for a Better Environment (CBE) and East Yard Communities for Environmental Justice
- Western States Petroleum Association (WSPA)
- Los Angeles County Sanitation Districts (LACSD)
- Eastern Municipal Water District (EMWD)
- Metropolitan Water District of Southern California (MWD)

CBE and East Yard Communities for Environmental Justice Comments

- Cumulative impacts areas to consider
 - Promote meaningful public participation, engagement, and access
 - Enhance enforcement practices
 - ❖ Proactive approach
 - ❖ Allocation of necessary resources
 - ❖ Enhanced monitoring
 - ❖ Building capacity of community to interact with enforcement staff
 - ❖ Offering training to community members
 - ❖ Increasing understanding/sensitivity of enforcement staff of EJ issues
 - Improve permitting by including cumulative impacts analysis for new and existing facilities
 - Revise existing and develop new source specific and umbrella rules
 - ❖ Regulatory model does not address cumulative impacts
 - ❖ Needs to look at impacts from the perspective of the impacted community

CBE and East Yard Communities for Environmental Justice Comments (continued)

- Interaction with Planners
 - Expand outreach to planners and educate them about the air quality impacts of their decisions
 - Greater participation in CEQA process as a Responsible Agency for projects located in disproportionately impacted communities
- Supports recommendations enhancing capacity of communities to participate in air quality decisions that enhance their quality of life

WSPA Comments

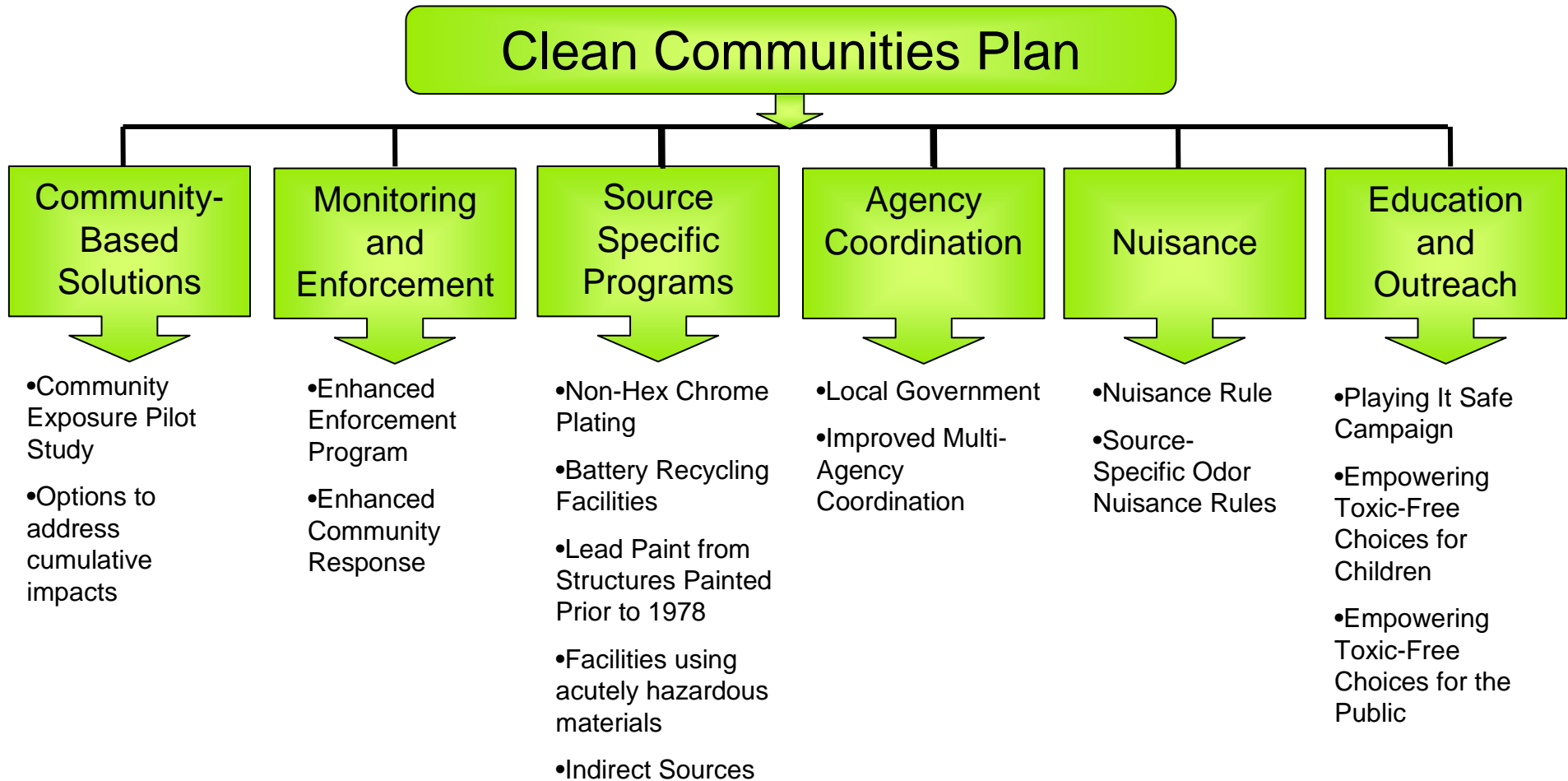
- Goals of the CCP need to be accomplished within the current regulatory framework, and good science and fact-based initiatives
- Identification of facility or industry groups for enhanced regulatory attention should be based on specific or fact-based criteria; not public sentiment
- Highlighting a region for study should be based on accurate and reliable indicators of risk
- All impacts must be considered before recommending material substitutions

LACSD, EMWD, and MWD

Comments

- Odors and public nuisance as part of a toxics plan
 - AQMD already has regulations, policies, and procedures
 - Does not fit with toxics plan
 - Can never eliminate complaints
 - Odor compound list extensive and subjective
- Accidental exposures
 - Already heavily regulated by other agencies
 - Chlorine gas replacement not supported
 - ❖ Outstanding safety record with gaseous chlorine, no public concern
 - ❖ Expensive infrastructure changes, additional truck traffic, potential impact on groundwater
- CCP should be aligned with OEHHA's efforts
 - OEHHA cumulative impacts group recommendations scheduled for Summer 2009

Clean Communities Plan Structure and Proposed Measures



Community Exposure Reduction Plan (COMMUNITY-01)

■ Objectives:

- Provide opportunity for community input regarding air quality issues and solutions
- Develop community-specific exposure reduction plan

■ Phase 1: Community Screening

- Establish criteria to identify and to prioritize communities
 - ❖ Health risk (MATES III)
 - ❖ Emissions data (AQMP)
 - ❖ Socioeconomic data
 - ❖ Population density
 - ❖ Complaints
 - ❖ Solicit participation through open process

Community Exposure Reduction Plan (COMMUNITY-01) *(Continued)*

- Phase 2: Community Input
 - Meet regularly with community and elected officials to understand air quality concerns
 - Community accessibility to AQMD staff
- Phase 3: Community-Based Solutions
 - Evaluation of permitted and non-permitted stationary and mobile sources in community
 - Develop community-specific exposure reduction plan
 - Community Investment Program to provide funding for exposure reduction projects

Options to Address Cumulative Impacts

- Objective:
 - Address community cumulative impacts
- Options to Consider:
 - Differential toxic fees to create a community investment fund
 - Differential requirements for cumulative impacted areas through source-specific alternative assessments

Enhanced Enforcement Program (ENFORCEMENT-01)

- Objectives:
 - Improve public communication
 - Promote transparency in enforcement practices and procedures
- Measure Concept:
 - Mechanism to track and update complaint status
 - Mechanism for public feedback to AQMD regarding complaint response
 - Greater public outreach and training regarding AQMD's compliance program
 - Periodic town hall meetings
 - Evaluate other mechanisms to enhance communications between community and AQMD

Enhanced Community Response (ENFORCEMENT-02)

- Objectives:
 - Improve compliance response time
 - More proactive compliance approach
- Measure Concept:
 - More frequent inspections and increased presence during off-peak hours
 - Develop criteria to proactively determine “hot list” or areas of concern
 - Consolidate annual report by AQMD to meet performance goals
 - AQMD Recognition of “Clean” facilities
 - Contract with other agencies and organizations for enforcement such CHP, code enforcement, etc.

Source-Specific Programs (STATIONARY-01, -02, -03, -04, -05)

■ Objectives:

- Continue building on existing regulatory programs
- Further reductions from existing and new sources
- Use innovative approaches to reduce exposure to air toxics
- Develop approaches for addressing indirect sources

■ Measures:

- Non-Hex Chrome Plating (STATIONARY-01)
 - ❖ Initiate second phase of Rule 1426 development
- Battery Recycling Facilities (STATIONARY-02)
 - ❖ Analyze toxic emissions related to battery recycling
- Lead Paint for Pre-1978 Structures (STATIONARY-03)
 - ❖ Create infrastructure to implement regulation of lead paint emissions
- Alternative Assessment for Use of Acutely Hazardous Materials (STATIONARY-04)
 - ❖ Require alternative assessment for use of certain acutely hazardous materials
- Indirect Sources (STATIONARY-05)
 - ❖ Develop approaches for addressing air toxic emissions from indirect sources

Agency Coordination (AGENCY-01, 02)

■ Objective:

- Influence better land-use decisions
- Improve multi-agency communication

■ Measures:

■ Local Government (AGENCY-01)

- ❖ Continued education and outreach on compatible land-uses
- ❖ Encourage early consultation with local governments and schools
- ❖ Develop guidance document to address cumulative impacts in CEQA review
- ❖ Increased AQMD staff participation in CEQA intergovernmental review and commenting

■ Improved Multi-Agency Communication (AGENCY-02)

- ❖ Combine jurisdictional efforts to solve complex cross-media environmental issues
- ❖ Establish forum or MOU to coordinate multi-agency communication and response for emergencies

Nuisance

(NUISANCE-01, 02)

■ Objectives:

- Establish a preventive approach to eliminate public nuisances
- Minimize air-related public nuisances

■ Measures:

■ Nuisance Rule (NUISANCE-01)

- ❖ Evaluate Rule 402 to allow inspectors to react proactively to nuisance issues
- ❖ Consider BAAQMD approach

■ Source Specific Odor Nuisance Rules (NUISANCE-02)

- ❖ Evaluate odor complaints to identify categories for rule development
- ❖ Performance requirements and odor minimization plans
- ❖ Model after Rule 410 requiring odor minimization plan

Education and Outreach (EDUCATION-01, -02, -03)

■ Objectives:

- Public education to reduce exposure to unhealthy outdoor air
- Increase public awareness of air toxic exposures
- Public awareness to empower the public to make cleaner, less toxic choices

■ Measures:

- Playing it Safe Campaign (EDUCATION-01)
 - ❖ Develop outreach material and AQMD website sections to educate and inform the public on API and when outdoor activities are unsafe
- Empowering Toxic-Free Choices for Children (EDUCATION-02)
 - ❖ Develop educational information and outreach on potential toxic sources for school children, educators and parents
- Empowering Toxic-Free Choices for the Public (EDUCATION-03)
 - ❖ Develop educational information on potential toxic sources and how to protect yourself
 - ❖ Educational outreach to inform the general public on toxic exposure from gasoline refueling, gas-powered leaf blowers, diesel sources, handling broken fluorescent light bulbs (mercury), and e-waste disposal

Contact Information

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