South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

March 1, 2013

Fred Ganster
Exide Technologies
2700 S Indiana St
Vernon CA 90058

Dear Mr. Ganster:

Subject: AB2588 Public Notification and Rule 1402 Risk Reduction
for **Exide Technologies**, **Vernon**, SCAQMD Facility No. **124838**

Pursuant to the Air Toxic "Hot Spots" Information and Assessment Act (AB2588), the revised health risk assessment (HRA) submitted by Exide Technologies, Vernon (Exide) in January 2013 has been reviewed by the South Coast Air Quality Management District (SCAQMD). The Office of Environmental Health Hazard Assessment (OEHHA) has reviewed the previous draft of the HRA and their comments have been incorporated. SCAQMD staff hereby approves the revised HRA. This revised HRA will require public notice and risk reduction by Exide.

This 2013 HRA is hereby approved pursuant to California Health and Safety Code (H&SC) Section 44362(a). The SCAQMD approved 2013 HRA indicates that your facility poses a maximum individual cancer risk (MICR) of 156 in one million (primarily from arsenic) at a worker receptor (receptor #1005) about 300 meters northeast and a cancer burden of 10. The HRA inappropriately used a fenceline receptor as the maximum worker receptor for chronic exposure. Using the next highest, non-facility, non-fence receptor, SCAQMD has used receptor #1005 as the maximum exposed individual worker (MEIW). While arsenic monitoring data suggests that the HRA model may be significantly overestimating the risk at this particular MEIW receptor, monitoring results support the model's estimates of cancer burden and risk at other more distant receptors.

The maximum chronic hazard index (HI) is 63 for the respiratory system (from arsenic) at the same worker receptor (receptor #1005). The maximum acute HI is 3.8 for the developmental system (from arsenic) along the eastern fenceline (receptor #57). And at the residential receptor (receptor #1016, about 1,400 meters north), the MICR is 22 in one million and the maximum chronic HI is 2.9.

The MICR of 156 in one million far exceeds the AB2588 Public Notice MICR threshold of 10 in one million. The maximum chronic HI of 63 and the maximum acute HI of 3.8

also greatly exceed the AB2588 Public Notice HI threshold of 1.0. Based on the MICR and HI, Exide is required to notify the exposed public within thirty (30) days from the receipt of this letter. Please provide us with verification that the entire package (public notice and fact sheet) was mailed to the entire exposed public.

The MICR of 156 in one million, the cancer burden of 10, the maximum chronic HI of 63, and the maximum acute HI of 3.8 exceed SCAQMD Rule 1402 (R1402) Action Risk Levels (MICR of 25 in one million, cancer burden of 0.5, or hazard indices of 3). Based on either the MICR, cancer burden, or HIs, Exide is subject to R1402 and Risk Reduction (facility risks below R1402 Action Risk Levels). Risk Reduction (including R1402 compliance demonstration: source test and HRA) must be completed as quickly as feasible but no later than three (3) years from the initial risk reduction plan (RRP) submittal date, pursuant to Rule 1402(e)(1). Pursuant to R1402(f)(2), Exide is required to submit a risk reduction plan within one hundred eighty (180) days from the date of this letter. We strongly encourage that the Plan submittal and any risk reduction steps be expedited given the high risk levels associated with your facility. One element of the risk reduction plan is a schedule for project completion (see Attachment 4). Given the high health risk levels, SCAQMD staff will work with you to accelerate the project schedule, including expedited permitting and review, to the extent technically feasible. In order to achieve the desired risk reductions quickly and with a high probability of success, we strongly encourage that Exide address the design, operation, maintenance, and condition of your basic processes and associated existing control systems to lower emissions rates and help optimize additional control technology. Staff also strongly encourages the use of available and proven technologies, such as wet electrostatic precipitators.

The MICR of 156 in one million and the maximum chronic HI of 63 exceed the R1402 Significant Risk Levels (MICR of 100 in one million or hazard indices of 5). Please be advised that based on either the MICR or chronic HI, Exide is not eligible for time extensions, pursuant to R1402(e)(2).

Pursuant to R1402(p), Exide is required to provide annual public notice until the R1402 Action Risk Levels are met. Pursuant to R1402(h), Exide is required to submit annual progress reports until the R1402 Action Risk Levels are met.

Please contact Pierre Sycip at (909) 396-3095 (email: psycip@aqmd.gov) to arrange a meeting with SCAQMD as soon as possible to discuss public notification, the content and prompt scheduling of a community meeting, and SCAQMD assistance. At this meeting, we will provide a map containing the notification area (isopleth map), an English and Spanish version of a public notification and information sheet, corresponding envelops, and a transmittal letter for the final HRA that goes to the local library.

I have enclosed our Public Notification Procedures, which provide important information on the notification process. To facilitate this process, please provide the items listed in Attachment 1 to Pierre Sycip (SCAQMD) by March 19, 2013.

If you need more information, please contact me at (909) 396-2239 (email: pfine@aqmd.gov).

Sincerely,

Philip M. Fine, Ph.D.
Planning & Rules Manager

Certified Mail and Return Receipt
PMF:TC: ps: c:\AB2588\my-revue\rrp\exide\124838appHRA.doc

Attachments: Public Notification Procedures
Attachment 1 - Public Notification Checklist
Attachment 2 - Model Agenda for Community Meeting
Attachment 3 - Rule 1402
Attachment 4 - Elements of a Risk Reduction Plan

NOTE: There are 5 attachments

Cc: Ed Mopas
Exide Technologies
2700 S Indiana St
Vernon CA 90058

Chia-Rin Yen
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bcc: Elaine Chang, SCAQMD (letter only)
Laki Tisopulos, SCAQMD (letter only)
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Jill Whynot, SCAQMD (letter only)
Chung Liu, SCAQMD (letter only)
Nancy Feldman (letter only)
William Wong (letter only)
Edwin Pupka, SCAQMD (letter only)
Ruby Fernandez, SCAQMD (letter only)

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Public Notification Procedures for Phase I and II Facilities under the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588)

Version 1.0
July 1994

Office of Stationary Source Compliance

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TABLE OF CONTENTS

I. INTRODUCTION

Under the Air Toxics "Hot Spots" Information and Assessment Act of 1987, commonly known as AB 2588, at Health and Safety Code Section 44362(b), the operator of a facility must provide notice to all exposed persons if, in the judgment of the local air district, the facility's AB 2588 health risk assessment indicates there is a significant health risk associated with air toxic emissions from the facility. The notice is to be made in accordance with procedures specified by the district.

The South Coast Air Quality Management District Governing Board (Board) adopted public notification procedures for AB 2588 at its October 2, 1992 meeting. This document describes the AQMD's public notification procedures. The Board's resolutions adopting the procedures is attached as Appendix A.

The public notification procedures described in this document apply only to facilities in Phases I and II of the AB 2588 program. They do not apply to facilities in Phase III or the industrywide inventory program. Public notification procedures for Phase III and industrywide facilities will be proposed, workshopped and adopted at a later date.

Questions regarding the AB 2588 notification procedures may be directed to Kate Crespi Chun (909-396-3088) or Pierre Sycip (909-396-3095).

II. BACKGROUND ON AB 2588

AB 2588 is a state-wide program to inventory and assess the health risks from facilities that emit air toxics in the state of California and to notify the public about significant health risks associated with these emissions.

Facilities in the AB 2588 program are required to submit air toxic emission inventory plans and reports. The local air districts use the inventory reports to prioritize facilities into high, intermediate and low priority. High priority facilities are required to submit health risk assessments (HRAs). If a HRA indicates, in the judgment of the district, that there is a significant health risk associated with emissions from the facility, the operator of the facility must provide notice to all exposed persons. Notice is to be made in accordance with procedures specified by the district.

Facilities are phased into the AB 2588 program based on their emissions of criteria pollutants or their occurrence on lists of toxic emitters compiled by local air districts. Phase I facilities are those which either emit more than 25 tons per year of any criteria pollutant or were listed in a toxics emitters list, and were required to submit emissions inventory reports for calendar year 1989. Phase II facilities are those emitting between 10 and 25 tons per year, and were required to submit inventory reports for calendar year 1990. Phase III consists of certain designated types of facilities that emit less than 10 tons per year, and were required to report

their emissions for calendar year 1991. Inventory reports must be updated every four years.

Many Phase III sources have been included in the industrywide program. The industrywide program includes classes of sources emitting toxic air contaminants which are predominantly small businesses for which compliance with AB 2588 reporting requirements would pose an economic hardship. For these classes of facilities, the AQMD is preparing the emissions inventories and HRAs.

In 1992, AB 2588 law was amended by Senate Bill (SB) 1731 to include an air toxics risk reduction requirement. The AQMD has adopted Rule 1402, Control of Toxic Air Contaminants from Existing Sources, in order to implement the risk reduction requirements of SB 1731. Rule 1402 requires facilities which exceed specified health risk levels to prepare and implement risk reduction plans to reduce below those levels. The health risk levels specified in Rule 1402 are a maximum individual cancer risk of 100 in one million (1×10^{-4}) or a total hazard index of 5. Facilities whose HRA indicates that they exceed either of these levels will be notified by the AQMD to submit a risk reduction plan. The facility will be required to implement the plan to reduce below these risk levels as quickly as feasible and by no later than five years after the date of plan submittal.

III. PUBLIC NOTIFICATION REQUIREMENTS

III. A. Summary of Public Notification Requirements

The Board adopted the following total facility risk thresholds as significant health risk levels requiring public notification under AB 2588:

Maximum Individual Lifetime Cancer Risk (MICR)	$\geq 1 \times 10^{-5}$ (10 in one million)
Total Hazard Index (THI)	> 1.0 for all compounds except lead
Hazard Index (HI) for lead (Interim level)	> 0.5 (30-day averaging period)

Upon AQMD review and approval of a HRA, the facility operator will be notified in writing if the facility exceeds any significant risk level and therefore is required to provide public notice. Facilities that are required to notify must perform the following notification requirements:

(1) Distribute public notice materials to all addresses and to parents of children attending school in the area of impact;

(2) Conduct a public meeting;

(3) Distribute copies of the facility's approved HRA to the public library closest to the facility and all school libraries in the area of impact.

Each of the requirements is described in detail in the following subsections.

III. B. Significant Risk Levels for Notification

The significant risk levels are formulated in terms of maximum individual cancer risk (MICR) and hazard index (HI). MICR is the estimated increase in the probability of an individual contracting cancer as a result of continuous lifetime exposure to cancer-causing toxic air contaminants. The MICR is calculated as the sum of the MICRs for all carcinogenic air contaminants emitted by a facility. HI is the ratio of the estimated level of exposure to a toxic air contaminant to its Reference Exposure Level (REL). THI is the sum of the HIs for all toxic air contaminants affecting the same target organ. Notification is required for any and all THIs that exceed 1.0, including both acute and chronic THIs.

The toxic air contaminants to be included in the calculation of MICR and THI are listed in the California Air Pollution Control Officers Association (CAPCOA) Air Toxic "Hot Spots" Program Risk Assessment Guidelines. This list may change periodically to reflect updates to the risk assessment guidelines. For a copy of the CAPCOA risk assessment guidelines, please contact CAPCOA (916-676-4323) or the AQMD's Public Information Center (909-396-3600).

The Board set the notification trigger level for lead at a HI of greater than 0.5 due to concern that the REL for lead specified in the version of the CAPCOA guidelines current at the time the notification procedures were adopted might not be sufficiently health protective. OEHHA is currently reevaluating the REL for lead. In addition to the reevaluation of the REL, OEHHA has recommended that a 30-day averaging time be used to calculate a HI for lead. Until OEHHA provides further guidance regarding the REL for lead and subject to the AQMD's subsequent determination of the HI for notification for lead, notification will be required for a HI for lead exceeding 0.5, calculated for a 30-day averaging period.

III. C. Distribution of Public Notice Materials

III. C. 1. Timing of Distribution

The facility operator must distribute the public notice materials in the area of impact within 30 days of receipt of the AQMD letter informing the facility of its obligation to perform public notification.

III. C. 2. Public Notice Materials

The AQMD has prepared public notice materials which must be used to provide public notice. The facility has the option of including a letter of its own authorship which has been reviewed and approved by the AQMD.

Notice materials (AQMD and facility) must be written in both English and Spanish. The need for translation into additional languages will be assessed by the AQMD. Translation can be arranged by the AQMD and the cost charged to the facility.

III. C. 2. a. Notice Materials Prepared by the AQMD

The AQMD will provide a set of the notice materials to the facility operator when informing the facility that it must provide notice. A sample set of the AQMD-prepared notice materials is provided in Appendix C.

The AQMD will tailor the content of the letters to the particular health risk notification levels that are exceeded. The AQMD may revise the notice materials periodically to incorporate new or additional relevant information.

III. C. 2. b. Optional Facility Letter

Facilities have the option of including their own letter with the AQMD-prepared materials. The facility letter is subject to review and approval by the AQMD. Facility letters must follow the guidelines in Appendix D.

If a facility chooses to include its own letter, a draft of the facility letter must be submitted to the AQMD within two weeks after receipt of a letter from the AQMD informing the facility of its public notice obligation.

III. C. 3. Area of Distribution (Area of Impact)

Notice materials must be distributed to all addresses -- both residental and non-residential -- and to all parents of children attending school within the area of impact.

For cancer risk, the area of impact is the geographic area encompassed by the ten in one million (1×10^{-5}) MICR isopleth. For noncancer health risk, the area of impact is the geographic area encompassed by the 1.0 THI isopleth, or the 0.5 HI isopleth for lead.

For the purpose of public notification, the definition of "school" under Health and Safety Code Section 42301.9 shall be used. Under this definition, "school" means any public or private school used for purposes of the education of more than 12

children in kindergarten or any of grade 1 to 12, but does not include any school in which education is primarily conducted in private homes.

The following options are available for distributing public notices to parents of school children, depending on the preference of the school involved:

> The facility operator obtains from each school a list of addresses of parents of children attending the school and distributes the notice materials to the parents.
>
> The facility operator provides copies of the notice materials to the school or a third party approved by the school, which will then distribute the notices to parents. The facility operator is responsible for the distribution expenses.

In both cases, the facility operator must provide verification to the AQMD that the distribution was completed.

The AQMD plans to provide the notice materials to local governments with jurisdiction in the area receiving public notice, including city councils, mayors and planning committees.

III. C. 4. Method of Distribution

The facility operator is responsible for reproducing and distributing copies of the notice materials. All notice materials are to be enclosed in envelopes with AQMD return address labels. These envelopes may be obtained from the AQMD.

Distribution of the notice materials must be conducted by a third party which specializes in mail or delivery services, such as the U.S. Postal Service or other mailing or distribution services. Door-to-door hand delivery is not acceptable, in part because U.S. Postal Service regulations prohibit the use of individual's mail boxes by unauthorized persons.

III. C. 5. Verification of Distribution

The facility operator must verify distribution of the notice materials using the verification form provided in Appendix B. Proof of distribution must be included with the verification and may be in the form of receipts from delivery or mail service agencies or the post office which describe the boundaries of notification and/or the addresses included in the mailing.

III. D. Public Meetings

A public meeting must be held as part of the public notification process. The facility operator will be requested to hold the meeting. It is important that facility operators work closely with the AQMD concerning their plans for the public meeting, including time, date, location and content. Meetings will be attended by AQMD staff.

Public meetings should be scheduled for a date that is within two to four weeks of the distribution of the notice materials. The notice letter will include information about the time, date, location and purpose of the public meeting.

The meeting should be held on a weekday evening or weekend and at a location that is convenient for community members. The facility may wish to hold the meeting at their facility site if they have an available room with a capacity of at least 50 people. The AQMD's Public Advisor's Office maintains a list of facilities (schools, community centers, etc.) which may be available for public meetings. For a list of sites close to your facility, please contact Ron Ketcham (909-396-3213) or Lourdes Cordova-Martinez (909-396-3214).

Facility operators are encouraged to work closely with the AQMD regarding the meeting agenda. The recommended agenda includes a presentation followed by a question and answer period. A pre-meeting should be arranged between the AQMD and facility staff to finalize meeting plans, including the appropriate persons to attend and assist in the presentation. It is recommended that the following topics be included in the presentation:

- purpose of the meeting;
- overview of the AB 2588 program;
- description of the facility: type of operation, processes involved, and materials used or produced at the facility;
- overview of health risks from air toxics;
- description of the health risk assessment process;
- description of facility emissions and results of the HRA;
- facility's projects or plans to reduce toxic emissions or risk;
- government programs to reduce risks from air toxics;

The pre-arranged meeting agenda may not meet the needs of the public in all cases. The facility operator should be prepared to modify the meeting agenda in response to the reasonable needs of the attendees.

III. E. Distribution of Approved Facility Health Risk Assessment to Schools and Public Libraries

Prior to distribution of the notice materials, the facility must deliver a copy of their approved HRA, with a cover letter provided by the AQMD (sample provided in Appendix E), to all school libraries and schools in the area of impact and the public library closest to the facility.

The facility is required to verify the delivery of its approved HRA by submitting to the AQMD a completed verification form (provided in Appendix B).

The AQMD will also make a copy of the facility's approved HRA available at the AQMD headquarters library in Diamond Bar.

III. F. Frequency of Public Notice

Public notice is required each time an approved AB 2588 HRA indicates an exceedance of the AQMD's notification trigger levels. A facility will be required to perform the notification requirements again if a new or updated HRA based on an emission inventory update indicates an exceedance of the notification trigger levels.

III. G. Additional Suggestions on Risk Communication

Facility operators may choose to continue their dialogue with the community after they have completed their notification requirements. This dialogue could take the form of newsletters, facility tours or additional public meetings. The AQMD encourages these efforts and requests that facilities keep the AQMD informed about their communication activities.

APPENDIX A

SCAQMD Board Resolutions on AB 2588 Public Notification Procedures

RESOLUTION NO. 92 - 33

A Resolution of the South Coast Air Quality Management District adopting the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588) Public Notification Procedure for Phase 1 and 2 Facilities.

WHEREAS, the Governing Board of the South Coast Air Quality Management District must determine significant health risk levels for the purpose of public notification required by the Air Toxics "Hot Spots" Information and Assessment Act of 1987 pursuant to the California Health and Safety Code Section 44362(b); and

WHEREAS the Governing Board of the South Coast Air Quality Management District in determining a significant health risk level for the purpose of public notification required by the Air Toxics "Hot Spots" Information and Assessment Act of 1987 does not intend to predetermine the significance level to be established for purposes of Senate Bill 1731, which triggers the requirement to develop plans to implement toxic risk reduction measures. Further, the Governing Board intends to evaluate all relevant factors in determining the risk level for triggering emission control requirements under SB 1731; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District must establish public notification procedures for purposes of implementing AB 2588 pursuant to the California Health and Safety Code Section 44362(b); and

WHEREAS, the Governing Board of the South Coast Air Quality Management District adopted screening risk levels in February 1991 for risk assessments conducted to comply with the Air Toxics "Hot Spots" Information and Assessment Act of 1987; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has adopted a procedure for prioritizing facilities for the purpose of identifying facilities which must conduct and submit health risk assessments pursuant to the Air Toxics "Hot Spots" Information and Assessment Act of 1987; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has received and filed reports identifying prioritized facilities which must conduct and submit health risk assessments pursuant to the Air Toxics "Hot Spots" Information and Assessment Act of 1987; and

WHEREAS, the South Coast Air Quality Management District has held six public consultation meetings and a public workshop; and

WHEREAS, a public hearing has been noticed; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has held a public hearing; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has amended the staff recommendation to ensure that a copy of the facility's approved health risk assessment for which public notification is required, be made available for public review at the local public library closest to the facility and school libraries within the impacted area; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has amended the staff recommendation to require public meetings to be held for all facilities required to provide public notice and the date, time and location of the public meeting to be included in the notice letter; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has amended the staff recommendation to require staff to develop a simplified notice letter, with technical materials attached; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has amended the staff recommendation to allow affected facilities to include, in the District notification packet, a facility authored letter which will be subject to review and approval by District staff; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District has amended the staff recommendation to allow facilities three weeks to correct significant errors in the health risk assessment. Significant errors are limited to the discontinuation of use of compounds or reduction in the volume of compounds used but do not include corrections to source testing data or emission factors.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the South Coast Air Quality Management District does hereby adopt the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588) Public Notification Procedure for Phase 1 and 2 Facilities, as set forth in the attached staff report, which is incorporated herein by this reference, and as amended above.

Attachments

AYES: Antonovich, Albright, Berg, Braude, Morgan, Mikels, Paulitz, Schiller, Wedaa, Wieder, Wilson and Younglove

NOES: None

Dated: 10-2-92

Clerk of the District Board

APPENDIX B

Verification Form for Distribution of Public Notices and Health Risk Assessments

VERIFICATION OF DISTRIBUTION

OF PUBLIC NOTICES AND HEALTH RISK ASSESSMENTS

Facility Name _____

Facility Address _____

_____

AQMD ID No. _____

I hereby verify that the operator of the facility identified above has performed all of the following public notification requirements:

Distribution of public notice materials to all addresses in the area of impact

Distribution of public notice materials to all parents of children attending school in the area of impact

Distribution of a copy of the approved health risk assessment prepared for this facility to the public library closest to the facility and all school libraries in the area of impact

Attached to this form are the following required items:

Proof of distribution of the notice materials to all addresses required

List of schools for which notices were distributed to parents of attending children

List of school libraries in which a copy of the health risk assessment has been deposited

Name and address of the public library in which a copy of the health risk assessment has been deposited

_____

Name of Facility Representative

_____ _____

Title of Facility Representative Telephone number

_____ _____

Signature of Facility Representative Date

(H:NOTPRO\VERIFORM.DOC)

APPENDIX C

Sample AQMD Notice Materials

South Coast
AIR QUALITY MANAGEMENT DISTRICT
21865 E. Copley Drive, Diamond Bar, CA 91765-4182 (909) 396-2000

PUBLIC NOTICE

State law ensures your right to know about possible health risks from toxic air pollutants emitted by facilities in your neighborhood. The law requires the following facility to notify you:

Facility Name:
Address:

Type of Business: <Oil refinery, chemical manufacturing, etc.>

Even though this facility may be complying with all current air pollution control regulations, some toxic chemicals escape to the air during its normal operations. State law requires the facility to notify all of the people in the area where there is a possible health risk. That area is shown on the map on the back of this notice.

As the air pollution control agency for this area, the South Coast Air Quality Management District (AQMD) has prepared the enclosed "Information Sheet" describing the facility, the toxic air pollutants involved, and the health risks those pollutants might cause. The facility was given the option of enclosing its own letter providing additional information.

This facility will conduct a public meeting in your area to answer any questions you may have about the toxic chemicals, the health risks, and what is being done to reduce toxic emissions. Officials from the AQMD will also be at the meeting to help answer your questions. This public meeting is scheduled for:

Date:

Time:

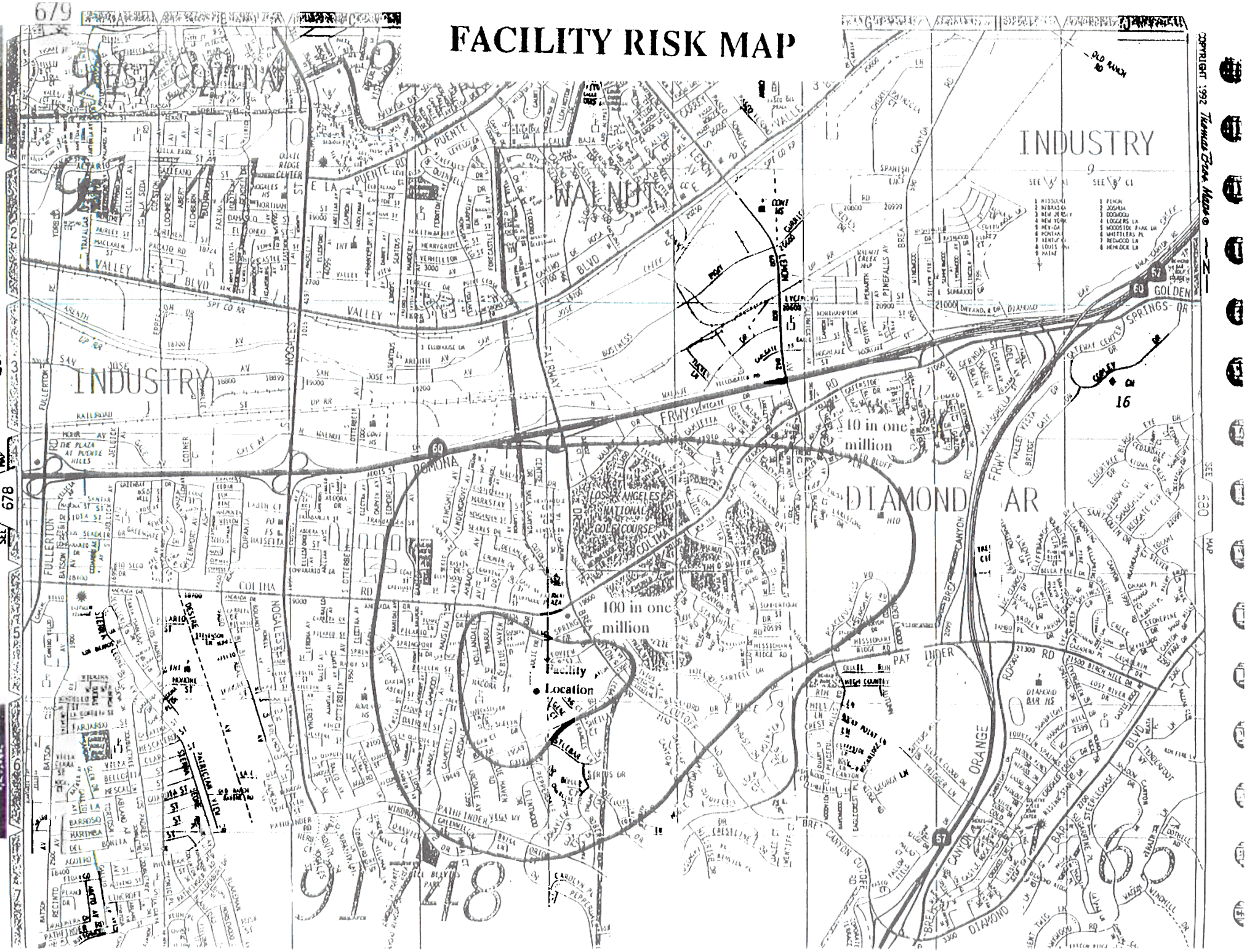
Location:

If you would like to know more about the facility or the public meeting, please contact <facility contact name and phone number> at <facility name>. For more information about government programs to control toxic air pollution, call the AQMD Toxics Section at (909) 396-2393.

Businesses receiving this notice should post it where it is most likely to be read by employees.

Notice [Facility ID Number] **[Date]**

FACILITY RISK MAP



South Coast
AIR QUALITY MANAGEMENT DISTRICT
21865 E. Copley Drive, Diamond Bar, CA 91765-4182 (909) 396-2000

INFORMATION SHEET

What are toxic air pollutants?

Chemicals that cause cancer, birth defects or other health effects are known as toxic substances. When these toxic substances are released into the air, they are called toxic air pollutants.

Where do toxic air pollutants come from?

Toxic air pollutants come from a variety of sources. These sources include chemical plants and large manufacturers as well as cars and trucks and smaller businesses. Many products used at home, such as cleaners and paint thinners, also emit toxic air pollutants.

What toxic air pollutants does this facility emit?

Under normal operation, this facility emits the toxic air pollutants listed below. The possible health effects of exposure to those pollutants are also listed.

Pollutant	Possible Health Effect
<chemical name>	<health effect: cancer, lung damage, etc.>
<chemical name>	<health effect: cancer, lung damage, etc.>

What is the cancer risk from this facility? <include if notice is required for MICR>

For chemicals that could cause cancer, a calculation called a "risk assessment" was done. This is the best method officials currently have for estimating the chance that breathing small amounts of a chemical over a long period of time will cause cancer. Because the odds are generally small, they are written as a "number of chances in a million" of getting cancer.

A safety factor is built into this risk estimate by assuming that a person would be continually breathing the same level of these pollutants for an entire lifetime (24 hours per day, 365 days per year, for 70 years). Most people are not exposed for that amount of time, so their actual risk is likely to be lower.

Based on the risk assessment, people in the area shown on the Facility Risk Map would have their chance of getting cancer increased by up to <MICR at MEI> chances in a million because of the emissions from this facility. The map shows the risks at various locations.

The risk assessment is based on what the facility emitted in (insert year). The current emissions from the facility may be different. This facility must continue to report its emissions to the AQMD.

How does the risk from this facility compare to other risks? <include if notice is required for MICR>

The risk from this facility is relatively small compared to the overall risk that the average American has of getting cancer. Currently, about three out of ten people get cancer for one reason or another. In other words, the odds of getting cancer at some time in your life are about 300,000 in a million.

What is the cancer risk from toxic air pollution in general? <include if notice is required for MICR>

The "Cancer Risk From Toxic Air Pollution" figure on the last page shows the estimated chance of getting cancer due to a lifetime of exposure to all of the air pollution in our area. The cancer risk estimates are based on pollution levels measured at AQMD monitoring stations.

The estimated chance of cancer at these locations ranges from 550 in one million to 1,300 in one million. These estimates assume that a person is exposed for an entire lifetime to the current levels of pollution. The levels of pollution should decrease in the future under AQMD and other government programs to reduce emissions.

The cancer risk from toxic air pollutants in your neighborhood may be higher or lower than the risks at these five locations, depending on toxic emissions in your area. AQMD is expanding its pollution monitoring activities so that it can measure pollutants at more locations in the future.

What about health effects other than cancer? <include if notice is required for HI>

<Text if notice is required for chronic HI>
Long-term exposure to high levels of <chemical> can cause <describe health effects>. A "reference exposure level" for this pollutant has been established by the California Environmental Protection Agency. This level includes several safety factors and assumes a person is exposed continuously for a 70-year lifetime.

The Facility Risk Map shows the area where levels of this pollutant from the facility are estimated to be higher than the "reference exposure level." Because of the safety factors, the levels are not necessarily unsafe. However, there could be a small health risk. If you are exposed for less than 24 hours per day and 365 days per year, the chance of any health effects is even smaller.

<Text if notice is required for acute HI>
Short-term exposure to <chemical> at high levels can cause <describe health effects>. A "reference exposure level" for this pollutant has been established by the

California Environmental Protection Agency. This is a level that a person could be exposed to an hour without experiencing any health effects. This level includes several safety factors.

The Facility Risk Map shows the area where levels of the pollutant from the facility could exceed the "reference exposure level" on some occasions. Because of the safety factors, the levels are not necessarily unsafe. However, there could be a small health risk.

<Text for both chronic and acute HI>
The risk assessment is based on what the facility emitted in <insert year>. The current emissions from the facility may be different. This facility must continue to report its emissions to the AQMD.

What is being done to reduce the health risks from this facility?

The law that required this public notice is one step in getting facilities to reduce their toxic emissions. The AQMD and other agencies also have other programs to prevent pollution and reduce toxic emissions exposure to toxic air pollutants. New regulations are also being developed.

<Insert if applicable>
Many facilities are also taking steps to reduce their emissions. [Facility name] has enclosed a letter that describes what it is doing to reduce its emissions.

How can I get more information?

A copy of <facility name>'s risk assessment report is available for your review at the AQMD library at the address provided below, at <name and address of public library> and at school libraries located inside the area indicated on the Facility Risk Map.

If you would like to know more about the state law or AQMD's toxics program, call or write the AQMD at:

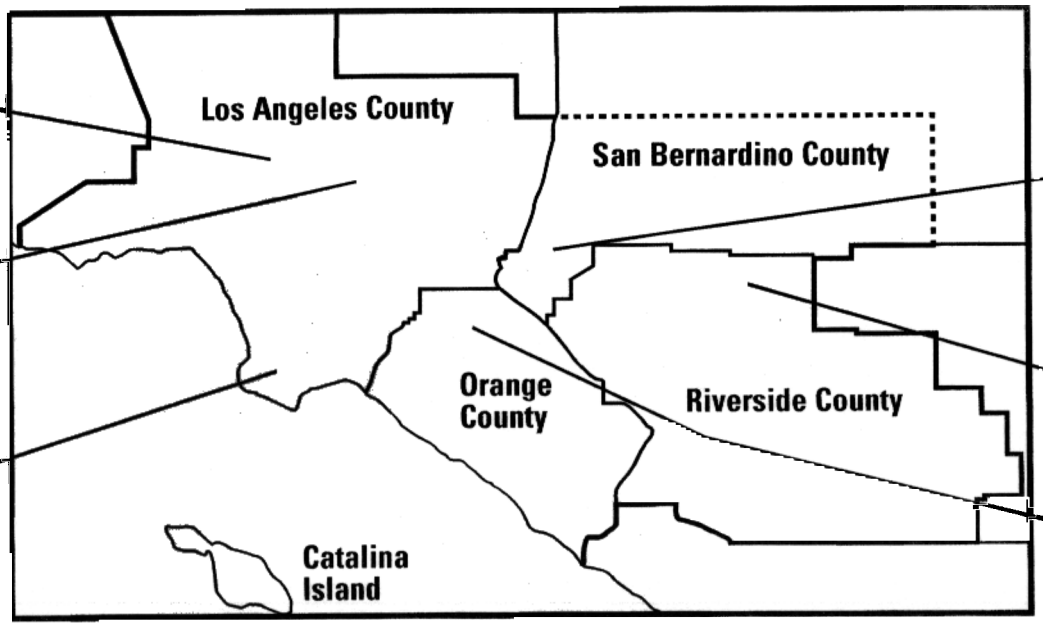
AQMD - Air Toxics Branch
21865 Copley Drive
Diamond Bar, CA 91765
(909) 396-2393

If you would like to know more about <facility name>'s activities, call or write:

<facility contact person>
<facility address>
<facility phone number>

CANCER RISK FROM TOXIC AIR POLLUTION

Like the air in other urban areas across the country, the air in our 4-county area contains pollutants that can cause cancer. The AQMD measures the levels of these pollutants at several locations. Based on these measurements, the chance of getting cancer as a result of a lifetime of breathing these levels of pollutants has been estimated and shown on this map. These numbers represent the risk in the general areas shown, not just the specific points at which the samples were collected.



1509 in-a-million risk
(East San Fernando Valley)

1741 in-a-million risk
(Central Los Angeles County)

1132 in-a-million risk
(South Coastal L.A. County)

1363 in-a-million risk
(N.W. San Bernardino Valley)

1349 in-a-million risk
(Riverside Metropolitan Area)

1121 in-a-million risk
(North Orange County)

RIESGO DE CANCER DEBIDO A CONTAMINANTES TOXICOS DEL AIRE

Como el aire en otras areas urbanas a traves el pais, el aire en nuestra area de 4-condados contiene contaminantes que pueden causar cancer. El AQMD mide los niveles de estos contaminantes en varios locales. Basado en estos medidos, el riesgo de adquirir cancer debido a toda una vida de exposocion a los niveles medidos de contaminacion han sido estimados y mostradas en este mapa. Estos numeros representan el riesgo generelamente en las areas mostradas, no solamente en los puntos especificos en donde las muestras fueron colectadas.

1998/99 Data from MATES-II

APPENDIX D

Guidelines for Optional Facility Public Notice Letter

GUIDELINES FOR OPTIONAL FACILITY PUBLIC NOTICE LETTER

Facilities have the option of including a letter of their own authorship with the AQMD public notice letter. The following are guidelines for preparing the letter.

Time Period for Submittal

If a facility chooses to include its own letter with the AQMD public notice materials, a draft of the facility letter must be submitted to the AQMD within two weeks of receiving the AQMD letter informing the facility of its public notice obligation.

Content

The facility operator may choose to prepare a brief letter that simply refers to the enclosed AQMD materials, or a longer letter communicating additional information. In either case, the letter should consist of brief paragraphs in non-technical language. Some acceptable information includes:

- A description of the facility and its products or services;
- An explanation of why the facility emits toxic air contaminants;
- Steps the facility has taken or will take to reduce emissions;
- An invitation to the public meeting;
- Identification of the facility contact person with a phone number;
- Other information relating to facility emissions or the HRA.

Certain content will not be accepted in the facility letter. Statements that undermine the risk assessment process or trivialize the risk associated with air toxics are not considered appropriate to include in a public notice and will be disapproved by the AQMD. For example, the facility letter should not discredit the risk assessment methodology used in the AB 2588 program or imply that it is overly conservative.

Translation

The facility letter must be written in both English and Spanish, and any other languages that the AQMD deems appropriate for the area receiving the notice. Translation can be arranged by the AQMD and the cost charged to the facility.

APPENDIX E

Sample AQMD Cover Letter for Libraries

South Coast
AIR QUALITY MANAGEMENT DISTRICT
21865 E. Copley Drive, Diamond Bar, CA 91765-4182 (909) 396-2000

[date]

[Librarian's Name]
[Library Address]

Dear [Librarian's Name]:

Enclosed is a copy of [facility name]'s Health Risk Assessment report to be made available to the public in your library.

Under the state law known as the Air Toxics "Hot Spots" Information and Assessment Act, certain facilities are required to inform their neighbors about potential health risks due to pollutants that they routinely emit into the air in the course of doing business. The South Coast Air Quality Management District (AQMD) has required [facility name], a company in your neighborhood, to provide a copy of this report to your library pursuant to this law. The AQMD is the agency that monitors facilities to ensure that they comply with the requirements of air pollution laws.

The enclosed Health Risk Assessment report evaluates the air toxic emissions from the facility and the potential health risks associated with these emissions.

If you have any questions concerning this report, please call the AQMD at (909) 396-2393.

Very truly yours,

Benjamin W. Shaw
Senior Manager, Air Toxics Team
Stationary Source Compliance

(H:NOTPRO\LIBLETTR.DOC)

PUBLIC NOTIFICATION CHECKLIST

- ☐ Schedule date for distributing the public notice.
- ☐ Date and time of public meeting. (Tuesday through Thursday evening is recommended.)
- ☐ Location of public meeting.
- ☐ Optional facility letter.
- ☐ Assessment if public notices need to be translated into any other languages other than English or Spanish.
- ☐ Mailing list, including address of affected residences, businesses, and sensitive receptors. (Include the SCAQMD on the list.)
- ☐ Address of library that will display the HRA.
- ☐ List of facility representatives (including name, title, and organization) that will participate in the public meeting.
- ☐ Copy of prepared facility comments to be made during the public meeting.
- ☐ Proposed public meeting agenda.

MODEL AGENDA

PUBLIC MEETING TO DISCUSS HEALTH RISKS POSED BY AIR TOXIC EMISSIONS FROM (INSERT FACILITY NAME)

(INSERT DATE, TIME, AND LOCATION)

GOAL: *TO DISCUSS ANY CONCERNS THE COMMUNITY MAY HAVE REGARDING TOXIC EMISSIONS FROM THIS FACILITY.*

5 min.	Welcome	SCAQMD Staff
10 min.	Purpose of Meeting Overview of AB 2588 Program Public Process Meeting Goal	SCAQMD Staff
10 min.	Facility Overview Type of Operation Place in Community Types and Amounts of Toxic Emissions	Facility Representative
10 min.	Health Risks from the Facility Risks Compared to Thresholds Facility Risk Map	SCAQMD Staff
10 min	Risk Reduction (if relevant) Steps Taken to Reduce Emissions Future Planned Activities (if any) Future Community Interaction	Facility Representative
Open	Questions and Answers	Facility Representative SCAQMD Staff

/(Adopted April 8, 1994)(Amended March 17, 2000)
(Amended March 4, 2005)

RULE 1402. CONTROL OF TOXIC AIR CONTAMINANTS FROM EXISTING SOURCES

(a) Purpose

The purpose of this rule is to reduce the health risk associated with emissions of toxic air contaminants from existing sources by specifying limits for maximum individual cancer risk (MICR), cancer burden, and noncancer acute and chronic hazard index (HI) applicable to total facility emissions and by requiring facilities to implement risk reduction plans to achieve specified risk limits, as required by the Hot Spots Act and this rule. The rule also specifies public notification and inventory requirements.

(b) Applicability

This rule shall apply to any facility subject to the Hot Spots Act and to any facility for which the impact of total facility emissions exceeds any significant or action risk level as indicated in one of the following:

(1) A health risk assessment required pursuant to the Hot Spots Act and approved by the District;

(2) A health risk assessment prepared by the District for the purpose of this rule for a facility or category of facilities, including but not limited to facilities for which the District has prepared an industrywide emissions inventory pursuant to the Hot Spots Act; or

(3) A health risk assessment required pursuant to subdivision (d) of this rule and approved by the District.

Except for facilities subject to the rule pursuant to paragraph (b)(2), the risk reduction requirements of this rule shall not apply to facilities which have not been notified by the District to prepare a health risk assessment pursuant to this rule or the Hot Spots Act.

(c) Definitions

(1) ACCEPTABLE STACK HEIGHT for a permit unit is defined as a stack height that does not exceed two and one half times the height of the permit unit or two and one half times the height of the building housing the permit unit, and shall not be greater than 65 meters (213 feet), unless the operator demonstrates to the satisfaction of the Executive Officer that a greater height is necessary.

(2) ACTION RISK LEVEL for purpose of this rule is a MICR of twenty-five in one million (25×10^{-6}), cancer burden of 0.5, or a total acute or chronic HI of three (3.0) for any target organ system at any receptor location.

(3) CANCER BURDEN means the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1×10^{-6}) resulting from exposure to toxic air contaminants.

(4) FACILITY means any permit unit or grouping of permit units or other air contaminant-emitting activities which are located in one or more contiguous properties within the District, in actual physical contact or separately solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or persons under common control). Such above-described groupings, if remotely located and connected only by land carrying a pipeline, shall not be considered one facility.

(5) HOT SPOTS ACT means the Air Toxics "Hot Spots" Information and Assessment Act of 1987, incorporated at Part 6, Division 26 of the Health and Safety Code, and amendments to this act.

(6) INDIVIDUAL SUBSTANCE ACUTE HAZARD INDEX (HI) is the ratio of the estimated maximum one-hour, or other time period as specified by the Executive Officer, concentration of a toxic air contaminant at a receptor location to its acute reference exposure level.

(7) INDIVIDUAL SUBSTANCE CHRONIC HAZARD INDEX (HI) is the ratio of the long-term level of exposure to a toxic air contaminant for a potential maximally exposed individual to the chronic reference exposure level for the toxic air contaminant.

(8) INITIAL PLAN SUBMITTAL DATE is the date that the initial risk reduction plan is submitted to the District, but no later than 180 days following notification by the Executive Officer that a risk reduction plan is required.

(9) MAXIMUM INDIVIDUAL CANCER RISK (MICR) is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over a period of 70 years for residential receptor locations. The MICR for worker receptor locations shall be calculated pursuant to the Risk Assessment Procedures referenced in subdivision (j). The MICR calculations shall include multi-pathway consideration if applicable.

(10) OPERATOR means the person who owns or operates a facility or part of a facility.

(11) PHASE I FACILITY is any facility that either emitted more than 25 tons per year of any criteria pollutant or was listed in a toxics emitters list, and was required to submit emissions inventory reports pursuant to the Hot Spots Act for the calendar year 1989.

(12) RECEPTOR LOCATION means:

(A) for the purpose of calculating acute HI, any location outside the boundaries of the facility at which a person could experience acute exposure; and

(B) for the purpose of calculating chronic HI, MICR, or cancer burden any location outside the boundaries of the facility at which a person could experience chronic exposure.

The Executive Officer shall consider the possibility of potential exposure at a location in determining whether the location will be considered a receptor location.

(13) RISK REDUCTION MEASURE is a control measure which will reduce or eliminate the health risk associated with emissions of toxic air contaminants, is real, permanent, quantifiable, and enforceable through District permit conditions if applicable, and meets the requirements of the Hot Spots Act. Risk reduction measures may include, but are not limited to feedstock modification; product reformulations; production system modifications; system enclosure, emissions control, capture or conversion; operational standards or practices modifications; emissions collection and exhaust; source control; or alternative technologies.

(14) SIGNIFICANT RISK LEVEL for purpose of this rule is a MICR of one hundred in one million (1.0×10^{-4}), or a total acute or chronic HI of five (5.0) for any target organ system at any receptor location.

(15) TOTAL ACUTE HAZARD INDEX (HI) is the sum of the individual substance acute HIs for all toxic air contaminants identified in the risk assessment guidelines as affecting the same target organ system.

(16) TOTAL CHRONIC HAZARD INDEX (HI) is the sum of the individual substance chronic HIs for all toxic air contaminants identified in the risk assessment guidelines as affecting the same target organ system.

(17) TOXIC AIR CONTAMINANT is an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health.

(d) Risk Assessment Requirements

Notwithstanding the requirements of subdivision (n), within 150 days of the date of notification by the Executive Officer, an operator shall submit to the District a health risk assessment for total facility emissions. The Executive Officer may require a health risk assessment or an emissions inventory from a facility when, based upon investigation, the Executive Officer determines that emission levels from the facility could potentially cause exceedance of the action risk levels.

(e) Risk Reduction Requirements

The following requirements shall apply to the operator of any facility whose emissions cause an exceedance of any significant or action risk level as indicated in a health risk assessment approved or prepared by the District:

(1) Any operator whose facility-wide risk is greater than or equal to the action risk level shall implement the risk reduction measures specified in a risk reduction plan approved by the Executive Officer to reduce the impact of total facility emissions below the action risk level as quickly as feasible but by no later than three (3) years from the initial plan submittal date.

(2) For any operator whose facility-wide risk is less than the significant risk level, the Executive Officer may approve time extensions to comply with paragraph (e)(1) in increments of up to two (2) additional years to implement risk reduction measures and achieve required risk reductions, provided the operator demonstrates one or more of the following criteria:

(A) there is no known technology or risk reduction measure that is commercially available or can achieve required risk reductions within the required time period; or

(B) the only known technology or risk reduction measure that can be implemented within the facility that will meet the facility-wide risk reduction requirements within the required time period will result in a cost impact that exceeds both of the following:

(i) $4,000,000 per cancer case avoided; and

(ii) $18,000 per ton of pollutant reduced if the TAC is also a criteria pollutant.

(C) Any extension beyond the first two year extension for each facility must be approved by the Governing Board in a public hearing before going into effect.

(3) The operator shall implement risk reduction measures in an approved plan by the dates specified in the plan for each risk reduction measure.

(f) Submittal of Risk Reduction Plans

(1) The Executive Officer will publish procedures for preparing risk reduction plans under this rule. The procedures will include self-conducted audits and checklists which may be used by certain categories of facilities in lieu of preparing a risk reduction plan.

(2) An operator shall submit a risk reduction plan to the Executive Officer as specified in Table A.

Table A

Risk Reduction Plan Submittal Dates

Applicability	Health Risk Assessment (HRA) Approval Date	Plan Submittal Date
Any Facility ≥ Action Risk Level	Before March 17, 2000	180 Days After March 17, 2000
	On and After March 17, 2000	180 Days After HRA Approval Date
Notification by Executive Officer	Not Applicable	180 Days from date of notification from Executive Officer

(3) The operator shall submit to the Executive Officer for approval a risk reduction plan which includes at a minimum all of the following:

(A) The name, address, SCAQMD identification number and SIC code of the facility;

(B) A facility risk characterization which includes an updated air toxics emission inventory and health risk assessment, if the risk due to total facility emissions has increased above or decreased below the levels indicated in the previously approved health risk assessment;

(C) Identification of each source from which risk needs to be reduced in order to achieve a risk below the action risk level.

(D) For each source identified in subparagraph (f)(3)(C), an evaluation of the risk reduction measures available to the operator, including emission and risk reduction potential, estimated costs, and time necessary for implementation;

(E) Specification of the risk reduction measures that shall be implemented by the operator to comply with the requirements of subdivision (e) to achieve the action risk level or the lowest achievable level;

(F) A schedule for implementing the specified risk reduction measures as quickly as feasible. The schedule shall include the submittal of all necessary applications for permits to construct or modify within 180 days of approval of the plan, or in accordance with another schedule subject to approval of the Executive Officer, and specify the dates for other increments of progress associated with implementation of the risk reduction measures;

(G) If requesting a time extension, information required to demonstrate that the request meets the required criteria specified under paragraph (e)(2) and the length of time up to two years requested;

(H) An estimation of the residual health risk after implementation of the specified risk reduction measures;

(I) Proof of certification of the risk reduction plan as meeting all requirements by an individual who is officially responsible for the processes and operations of the facility.

(g) Approval of Risk Reduction Plans

(1) The Executive Officer shall approve or reject the plan within three (3) months of submittal based on the complete information contained in paragraph (f)(3). The operator may appeal the rejection of a plan or the failure of the Executive Officer to act on a plan submittal to the Hearing Board under Rule 216 - Appeals. If the Hearing Board denies the appeal, plans shall be revised and resubmitted within 90 days after the decision. The revised plan shall correct all deficiencies identified by the Executive Officer. The approved plan shall be subject to Rule 221 - Plans.

(2) If the risk reduction plan contains a facility risk characterization demonstrating to the satisfaction of the Executive Officer that the facility does not exceed the action risk level, the plan may be approved without the inclusion of the plan components specified in subparagraphs (f)(3)(C) through (H).

(3) Measures to achieve risk reductions required by the approved plan shall be incorporated by the Executive Officer through enforceable permit conditions or compliance plans.

(h) Progress Reports

The operator shall submit to the Executive Officer for review annual progress report(s), starting no later than 12 months after approval of the plan pursuant to subdivision (g), on the emissions and risk reduction achieved by the plan which include at a minimum all of the following:

(1) The increments of progress achieved in implementing the risk reduction measures specified in the plan;

(2) A schedule indicating dates for future increments of progress;

(3) Identification of any increments of progress that have been or will be achieved later than specified in the plan and the reason for achieving the increments late;

(4) A description of any increases or decreases in emissions of toxic air contaminants that have occurred at the facility, including a description of any associated permits that were subject to Rule 1401, since approval of the plan.

(i) Updating and Modification of Risk Reduction Plans

(1) If information becomes known to the Executive Officer after the last submitted plan that would substantially impact risks to exposed persons, implementation, or effectiveness of the risk reduction plan, the Executive Officer may require the plan to be updated and resubmitted.

(2) Prior to a change in the risk reduction measures or schedule specified in the currently approved plan, the operator shall submit to the Executive Officer for approval an application for plan modification. The application shall include a demonstration that the change in the risk reduction measures is necessary and will result in compliance with this rule to achieve the risk level as specified in the approved plan. Any request for a time extension shall be made at least 180 days before the end of the applicable deadline to achieve the required facility-wide risk level that is specified in the approved risk reduction plan.

(j) Risk Assessment Procedures

(1) The Executive Officer shall periodically publish or designate procedures for determining health risks under this rule. To the extent possible, the procedures shall be consistent with the policies and procedures of the Office of Environmental Health Hazard Assessment (OEHHA). Such procedures shall specify:

(A) Acute and chronic reference exposure levels and upper bound estimates of carcinogenic potency that shall be used in evaluating risks;

(B) Compounds that must be subject to a multiple pathway risk assessment. A compound is subject to multiple pathway analysis if the Executive Officer determines that it may reasonably be expected to cause health risk through ingestion exposure, if it is expected to deposit and persist in the environment after emission, and if a quantitative oral cancer potency estimate or reference exposure level has been derived for the compound;

(C) Health protective assumptions that shall be used in evaluating exposure to compounds from inhalation and other routes of exposure. This will include an assumption of a 70 year period of operation for the sources of toxic air contaminants;

(D) Risk for the potential maximally exposed individual shall be based upon continuous exposure for 70 years in residential areas and health protective estimates of exposure duration in nonresidential areas;

(E) Estimates of pollutant dispersion and risk from a source shall not be based upon stack height in excess of acceptable stack height as defined in (c)(1).

(2) Within 120 days of publication of risk assessment guidelines required to be published by the OEHHA pursuant to the Air Toxics "Hot Spots" Information and Assessment Act of 1987, the Executive Officer shall report to the District Governing Board if there are any material differences between the OEHHA guidelines and the criteria specified in this rule and recommend for Board approval whether to proceed with amendments to this rule in order to make the rule consistent with the OEHHA guidelines before their designation as the risk assessment guidelines under this rule.

(3) Promptly after OEHHA finalizes the identification of a new TAC or revises a risk value for an existing TAC, staff will provide notice to the Governing Board and affected industries. Use of any new TAC or a more stringent risk value in health risk assessments for this rule shall be 12 months after the Governing Board receives and files the report containing such notification, unless the Governing Board approves another implementation schedule through an official Board action.

(4) Also, within 150 days of new chemicals being identified or changes in risk values being finalized by OEHHA, staff will report to the District's Governing Board regarding preliminary estimates of Rule 1402 program impacts that are associated with the new values.

(5) The Executive Officer will publish procedures for determining the emissions estimates to be used in risk assessments in cases in which a compound has not been detected in analyses which have been conducted according to District-approved methods, including procedures for excluding such compounds from risk assessments. The procedures shall provide methods for estimating the most likely emission levels of non-detected compounds based on consideration of the likelihood of presence and the method detection limits of compounds.

(k) Alternate Hazard Index Levels

An alternate hazard index level may be used as the action risk level for a particular total acute or chronic HI if the Executive Officer, in consultation with the Office of Environmental Health Hazard Assessment, determines that such alternate hazard index level is protective against adverse health effects. The alternate HI level shall not in any case exceed 10. The facility operator shall attain the alternate HI level for the action risk level.

(l) Compliance with this rule does not authorize the emission of a toxic air contaminant in violation of any federal, state, local or District law or regulation or exempt the operator from any law or regulation.

(m) Risk reduction measures implemented in order to comply with other regulatory requirements are acceptable risk reduction measures for the purposes of this rule, provided they are consistent with the requirements of this rule.

(n) Emissions Inventory Requirements

(1) These emission inventory requirements are applicable to the operator of any facility that has not yet submitted a total facility toxic emissions inventory under the Hot Spots Program, where:

(A) the facility emits one or more toxic air contaminants on Table I and its annual emissions exceed one or more of the threshold(s) identified in Table I; or

(B) the primary business operation of the facility is listed in Table II and its annual emissions exceed one or more of the threshold(s) identified in Table II.

(2) The operator of any facility subject to subparagraph (n)(1)(A) shall submit an emissions inventory within 60 days of notification from the Executive Officer.

(3) The operator of any facility subject to subparagraph (n)(1)(B) shall submit an inventory within 60 days of notification from the Executive Officer, unless the AQMD Governing Board adopts a source-specific rule prior to three years after March 17, 2000 that specifically exempts the industry, of which the facility is a member, from the inventory provisions of this rule.

(4) The operator of any facility that is required to submit an emissions inventory pursuant to subparagraph (n)(1)(A) shall submit an inventory that includes the toxic air contaminant(s) identified in Table I applicable to the facility. The operator of any facility that is required to submit an emissions inventory pursuant to subparagraph (n)(1)(B) shall submit an inventory that includes: (1) the toxic air contaminant(s) listed in Table II within the industry category that is applicable to the facility; and (2) the toxic air contaminants listed in Table I applicable to the facility, if applicable. The emissions inventory shall be prepared consistent with the emissions inventory methodology specified by "ARB's Emissions Inventory Criteria and Guidelines" (July 1997) and/or any subset of these Guidelines as specified by the Executive Officer.

(o) Phase I Facility Health Risk Assessment Revision Requirements

(1) Any operator of a Phase I facility that was required to submit a Hot Spots health risk assessment and has not received District approval on the health risk assessment, due to a request by the operator to update the inventory, shall submit to the District by July 1, 2000 or earlier, as requested by the

Executive Officer, a revised total facility inventory for the year 1995 or later which meets the requirements of the Hot Spots Act.

(2) Phase I facilities requested to provide a revised facility inventory pursuant to paragraph (o)(1), that fail to do so, shall be subject to public notification requirements on the most recent inventory data and OEHHA reviewed risk assessment that is subject to District approval that the facility submitted to the District pursuant to the Hot Spots Act.

(p) Public Notification Requirements

(1) The operator of any facility for which total facility risk, as determined through a District approved HRA or progress report, exceeds the action risk level shall provide the following public notification 12 months after the Executive Officer approves the risk reduction plan and every 12 months thereafter, until the total facility risk is below the action risk level:

(A) written public notification to report the progress of risk reductions pursuant to the most recent Board approved "Public Notification Procedures for Phase I and II Facilities Under the Air Toxics Hot Spots Information and Assessment Act" Section III.C.2. Public Notice Materials, which requires notice materials written in both English and Spanish, and additional languages as deemed appropriate by the Executive Officer; Section III.C.3. Area of Distribution (Area of Impact); Section III.C.4. Method of Distribution; and Section III.C.5. Verification of Distribution.; and

(B) public meetings if the total facility risk, as determined through a District approved HRA or the progress report, exceeds a MICR of one hundred in one million (100×10^{-6}), pursuant to the "Public Notification Procedures for Phase I and II Facilities Under the Air Toxics Hot Spots Information and Assessment Act" Section III.D. Public Meetings.

(2) Any operator with a facility-wide risk that exceeds an MICR of 10 in one million or a Hazard Index of 1.0 (0.5 for lead) as determined through a District approved HRA, shall notice the public in accordance with California Health and Safety Code Section 44362 and the most recently District approved "Public Notification Procedures for Phase I and II Facilities Under the Air Toxics Hot Spots Information and Assessment Act".

TABLE I
EMISSIONS REPORTING THRESHOLDS FOR SPECIFIC TACs

TAC	THRESHOLD
1,3 Butadiene	5 lb/yr
Benzene	25 lb/yr
Cadmium	0.2 lb/yr
Formaldehyde	150 lb/yr
Hexavalent Chromium	0.005 lb/yr
Methylene Chloride	825 lb/yr
Nickel	3.3 lb/yr
Perchloroethylene	140 lb/yr

TABLE II
EMISSIONS REPORTING THRESHOLDS FOR SPECIFIC INDUSTRIES

INDUSTRY	TAC	THRESHOLD
Biomedical Sterilizing Operations	Ethylene Oxide	10 lb/yr
Dry Cleaning	Perchloroethylene	140 lb/yr
	Methylene Chloride	825 lb/yr
Gasoline Stations	Benzene in Gasoline	25 lb/yr
Metal Finishing	Hexavalent Chromium	0.005 lb/yr
	Cadmium	0.2 lb/yr
	Nickel	3.3 lb/yr
	Copper	500 lb/yr
Motion Picture Film Processing	Perchloroethylene	140 lb/yr
Rubber	Chlorinated Dibenzofurans, Benzene, Xylenes, Toluene, Phenol, and Methylene Chloride	1,000 lb of rubber product cured/ processed per year
Wood Stripping/Refinishing,	Methylene Chloride	825 lb/yr
	DEHP	350 lb/yr
	Glycol ethers and their acetates, Ethylene Glycol (Mono)Methyl Ether, and Ethylene Glycol (Mono)Ethyl Ether Acetate	500 lb/yr
	Ethylene Glycol (Mono)Butyl Ether and Ethylene Glycol (Mono)Ethyl Ether	2,000 lb/yr
	Ethylene Glycol (Mono)Methyl Ether Acetate and Ethylene Glycol (Mono)Methyl Ether	15,000 lb/yr

ATTACHMENT 5
ELEMENTS OF A RISK REDUCTION PLAN

A. Facility Name

B. Facility Address

C. SCAQMD I.D. No.

D. Standard Industrial Classification (SIC) Code.

E. A source characterization which includes:
   a. Summary data from the applicable district-approved air toxic emission inventory.
   b. Summary data from the related health risk assessment.
   c. Identification of each source from which risk must be reduced in order to achieve the significant risk levels.

F. An evaluation of the risk reduction measures to be implemented including:
   a. Identification of risk reduction measure(s).
   b. Emission reduction potential.
   c. Risk reduction potential.
   d. Estimated costs.

G. A schedule for implementing the risk reduction measures as quickly as feasible, including:
   a. Dates for filing applications for permit to construct.
   b. Dates of installing equipment (if applicable).
   c. Dates of completing the changes of process.
   d. Dates for demonstrating the effectiveness of risk reduction measures.

H. An estimate of residual risk following implementation of the risk reduction measure(s) specified in the plan. If the significant risk level cannot be reached within the time period allowed by the district, the plan must also include the following:
   a. A request to the district for an extension of time to comply.
   b. An evaluation of all risk reduction measures available.
   c. A demonstration of technical infeasibility or unreasonable economic burden for risk reduction options that are not implemented.
   d. Identification of activities to identify or develop additional risk reduction measures to enable the operator to comply by the specified date.

I. A certification that the risk reduction plan meets all requirements. The person who makes this certification must be one of the following:
   a. An engineer who is registered as a professional engineer pursuant to Business and Professional Code section 6762.
   b. An individual who is responsible for the operations and processes of the facility.
   c. An environmental assessor registered pursuant to Health and Safety Code section 25570.3.