



May 6, 2021

Nora Vargas, Chair  
San Diego Air Pollution Control District Governing Board  
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**RE: Item #3 -- Air Toxics Hot Spots Report; EHC Recommends Approval Deferral and Improvements to Report**

Dear Chair Vargas:

Thank you for the opportunity to comment on the San Diego Air Pollution Control District (SDAPCD) 2019/2020 Air Toxics Hot Spots (ATHS) Annual Report. **Environmental Health Coalition (EHC) has reviewed the report and recommends that the SDAPCD Governing Board defer approval of the report in order to ensure compliance with state regulations and to provide complete and understandable information to the San Diego public.**

EHC would like to first commend the APCD staff on the enormous amount of work they have put into the report and into the ATHS program. The program has been largely disregarded in previous years with little new work occurring. The 2019/20 report provides significantly more information, as evidenced by its 167 pages versus the 2018 report which was only 17 pages and almost identical to the previous years. The report volume is indicative of the increased work staff has dedicated to the program as demonstrated by the number of inventories and health risk assessments requested and approved, even between 2019 and 2020. The report provides much more detail than ever before with complete lists of the facilities and the status of their submissions.

EHC also appreciates and commends the report for its focus on public health risks from **toxic air contaminants emitted by permitted facilities**. Toxic air contaminants can cause minor illnesses such as eye or throat irritation or headaches and chronic life-threatening illnesses like cancer, birth defects, and heart disease. Some have criticized the report for the exclusive focus on toxic air contaminants instead of presenting a discussion of all sources of air pollution. The law requires that the public be informed about toxic air contaminants in this report and the district has appropriately followed that guidance. In the future, the district should prepare a region-wide Air Quality report that covers all sources of air pollution. This report is not that.

As described in the report, the State of California's Office of Environmental Health Hazard Assessment developed a new methodology in 2015 to evaluate the health impacts of toxic air contaminants. Science has evolved and this methodology is better and more informative. It is more sensitive to risks experienced by vulnerable people, especially children. Some have expressed alarm that similar emission volumes from previous years are now represented as presenting more risks. EHC welcomes the

evolution of the methodology by the most knowledgeable scientists in the state and we encourage your board to as well.

While the report is substantially improved from previous years, it is deficient in several areas and **EHC recommends that the Board direct staff to revise the report in the following ways and bring it back for consideration at a future date:**

- California Health & Safety Code [Section 44363\(a\)](#) requires an **ANNUAL report**. This report covers 2019 & 2020 with no explanation of why the 2019 report was not issued. An explanation should be included.
- **Facility Status and Timeline to District Compliance is lacking.**
  - There is a backlog of facilities that have not submitted the required HRAs. As reflected on Appendix A-2 Health Risk Assessments Requested in 2019 and 2020 – 51 were requested and 24 have been submitted. What is the status of the 27 that have not been submitted?
  - What is the timeline for review and approval of HRAs that have been submitted but not evaluated?
- **Risk Reduction Strategies must be included in the report**, per the requirements in the California Health & Safety Code. The report provides little information on the regional and facility specific strategies being employed:
  - Ongoing section, page 8, lists federal, state and local programs but there is no reference to AB617 program and CERP goals that aim for emission reductions
  - There are no specific strategies for risk reduction for each facility or type of facility that is required to disclose
  - Incentives program is included as a strategy. More specifics are necessary to determine if these incentives were these focused on diesel emission reductions for non-mobile sources, as appropriate. If incentives provided to facilities subject to AHS, how much were risks reduced?
- **The data and health risk information is not provided in a publicly accessible and understandable manner**
  - Cancer risk levels are set by the local districts and SDAPCD's are the highest in the state. The report references that but only as a footnote implying that cancer risks below the SDAPCD threshold are not harmful. EHC looks forward to the proposal that will be presented to the board in October for a new Rule 1210.
  - Information is not expressed in language and manner that is helpful to the general public
  - Visualization would be very helpful including mapping of facilities and the associated health risks
  - A discussion of cumulative health risks from multiple facilities would be helpful, especially in highly impacted areas
  - Information should be searchable. Residents should be able to readily identify facilities near their home or work; latitude/longitude coordinates should be provided
  - Facilities should be provided on maps with map layers as part of the publicly downloadable information ([CalEnviroScreen](#) is a good model of this)
  - Facility historical data should be provided back to the initial AHS disclosures to provide complete public health information and potential exposure
  - Community information workshops should be held in each neighborhood with facilities required to report.

**Recommended Board Action:** EHC recommends that the SDAPCD Governing Board defer approval of the report until improvements are made to more fully comply with regulations and the information is provided in a publicly accessible and understandable manner.

Sincerely,

A handwritten signature in black ink that reads "Diane Takvorian". The signature is written in a cursive style with a large, prominent initial "D".

Diane Takvorian  
Executive Director