

**Air Pollution Control District Governing Board**  
San Diego County Air Pollution Control District  
**AGENDA ITEM # 03**

**DATE:** May 7, 2021

**TO:** Air Pollution Control District Governing Board

**SUBJECT:**

**2019 AND 2020 AIR TOXICS “HOT SPOTS” PROGRAM REPORT FOR SAN DIEGO COUNTY**

**REQUESTED ACTION:**

Consider the 2019 and 2020 Air Toxics “Hot Spots” Program report for San Diego County and authorize public distribution of the report in accordance with California Health and Safety Code, section 44363.

**OVERVIEW:**

In 1987, the California legislature adopted the Air Toxics “Hot Spots” Information and Assessment Act (Hot Spots Act). It established requirements for stationary industrial sources to estimate their emissions of toxic air contaminants; evaluate the potential public health risks of exposure to those emissions; notify impacted communities when health risks exceed specified thresholds; and implement measures as necessary to reduce significant health risks.

The San Diego County Air Pollution Control District (District) is responsible for implementing these requirements in San Diego County. The California Air Resources Board (CARB) and Office of Environmental Health Hazard Assessment (OEHHA) provide statewide implementation guidance. In general, the guidance establishes health-protective assumptions and methodologies to ensure that potential health risks are not underestimated. Moreover, in 2015, OEHHA adopted changes to its guidance and methodologies that generally result in an increase in calculated health risk compared to previously estimated risk.

Under State law, the District is required to prepare an annual report of activities and outcomes related to this program. The District prepared the 2019 and 2020 Air Toxics Hot Spots Program Report for San Diego County (Attachment A), which addresses two consecutive years of activities. The District released a draft report for public review on April 1, 2021, and hosted a virtual public meeting on April 22, 2021, to discuss the report, answer questions, and receive public input.

The report describes in more detail the District’s ongoing efforts to regulate and reduce air toxic emissions from stationary industrial sources and includes the following information:

- The type and quantity of toxic air contaminant emissions from each facility that was inventoried. Approximately 2,600 facilities were inventoried in 2019 and 2020.

- A list of facilities that were required to conduct a Health Risk Assessment, which quantifies the potential health risks attributable to their emissions. Approximately 50 facilities were required to conduct a health risk assessment in 2019 and 2020.
- A list of facilities that were required to implement public notification and/or risk reduction requirements under District Rule 1210,<sup>1</sup> which establishes the public notification and risk reduction thresholds and procedures for our region. Currently three facilities are subject to public notification and risk reduction requirements and six facilities are subject solely to public notification requirements.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this recommendation.

#### **ENVIRONMENTAL STATEMENT:**

Pursuant to Section 15060(c)(2) of the California Environmental Quality Act (CEQA) Guidelines, CEQA applies only to government actions that will result in a direct or reasonably foreseeable indirect physical change in the environment. The consideration and approval for dissemination of the Air Toxics “Hot Spots” Program report for San Diego County is not a project subject to CEQA; CEQA does not apply to this action.

#### **PREVIOUS RELEVANT BOARD ACTIONS:**

In October 2019, the Air Pollution Control District Governing Board approved public distribution of the 2018 Air Toxics “Hot Spots” Program Report, as recommended by staff.

#### **PUBLIC ENGAGEMENT AND OUTREACH:**

On April 22, 2021, the District conducted a virtual public meeting to discuss the draft 2019 and 2020 Air Toxics “Hot Spots” Program report.

Public meeting outreach was conducted by posting the meeting notice and draft report on the District’s website (in English and Spanish) and by reaching out to: (1) multiple organizations and committees, such as Environmental Health Coalition, Industrial Environmental Association, Casa Familiar, and the Portside Environmental Justice Steering Committee; (2) District permit holders; (3) approximately 80 individuals who have expressed interest in updates related to the Program; (4) about 15,000 e-mail addresses via the District’s GovDelivery email subscription service; and (5) other stakeholders and members of the public via social media (Facebook and Twitter).

Approximately 50 participants attended the public meeting including representatives of community organizations, regulated sources, and members of the public. Spanish interpretation services were provided during the meeting. Additionally, the meeting was recorded and is available on the District’s YouTube Channel.<sup>2</sup>

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<sup>1</sup>[https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Rules\\_and\\_Regulations/Toxic\\_Air\\_Cotaminants/APCD\\_R1210.pdf](https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Rules_and_Regulations/Toxic_Air_Cotaminants/APCD_R1210.pdf)

<sup>2</sup> [Draft 2019 & 2020 Air Toxics "Hot Spots" Program Report - YouTube](#)

In general, the comments received during the meeting were mostly raised by the regulated community and are summarized below:

- It was noted that the report has a new format when compared to previous reports by (1) including more data for risk values for various stationary sources; and (2) not including information about mobile sources, which contribute to public health risk but are not addressed in this program.
- A suggestion was made to inform the public regarding: (1) the progress that has been made to reduce overall toxic emissions and public health impacts from all sources, including mobile and area sources; and (2) the latest methodologies to calculate health risks which may show higher risk levels even when the air toxic emissions have not increased.
- Some attendees expressed concerns that public comments were requested by April 26, 2021, two business days after the meeting.

The District acknowledged that this annual report differs from previous reports as it focuses solely on stationary sources (consistent with applicable State requirements) and includes more data. While mobile and area sources contribute significantly to total health risks, this report must describe the District's implementation of the Air Toxics Hot Spots Program, which specifically pertains to stationary sources in accordance with State law; therefore, this report is focused on stationary sources and is designed to meet the content requirements of State law.<sup>3</sup>

As it relates to the current methodologies to calculate health risks, an OEHHA representative attended the public meeting to discuss the latest methodology changes that OEHHA adopted in 2015. OEHHA is the scientific branch of the California Environmental Protection Agency (CalEPA) which evaluates the effects of toxic compounds, develops health-protective exposure thresholds, and develops guidelines on how to evaluate health risks from toxic air contaminants. In 2015, OEHHA enhanced its health risk assessment guidelines to reflect scientific advances in the fields of toxic exposures, health effects and risk assessment, and to provide increased health protection of the younger population, including infants and children below the age of two. Under the enhanced guidelines, it is possible that the health risks from some facilities are higher than previously calculated, even where toxic emissions have not increased.

The District clarified that it released the draft report for public review and comment on April 1, 2021. The District stated that while it always welcomes public input and is always available to answer any questions related to this program or the annual reports, any comments to be considered for this report were needed by April 26, 2021.

**ATTACHMENT(S):**

Attachment A – 2019 and 2020 Air Toxics “Hot Spots” Program Report for San Diego County

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<sup>3</sup> California Health and Safety Code, section 44363

**SUBMITTED BY:**

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