

COMPARATIVE ANALYSIS

PROPOSED AMENDED RULE 19.3 – EMISSION INFORMATION

Introduction

Prior to adopting, amending, or repealing a rule or regulation, California Health and Safety Code Section 40727 requires findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined therein. Furthermore, as part of the consistency finding and to ensure proposed rule requirements do not conflict with or contradict other Air Pollution Control District (District) or federal regulations, Health and Safety Code Section 40727.2(a) requires the District to perform a written analysis identifying and comparing the air pollution control standards and other provisions of proposed amended Rule 19.3 with other existing or proposed District rules and guidelines, and with existing federal and State rules, requirements, and guidelines applying to the same categories of emission sources.

Analysis

The federal Clean Air Act Section 182(a)(3)(B) specifies the information required to be included in an emissions statement. The AB 2588 Air Toxics "Hot Spots" Emission Inventory Criteria and Guidelines Regulation (Guidelines, or EICG Regulation) provides direction and criteria to facilities on how to compile and submit air toxics emission data required by the "Hot Spots" Program. In addition, the California Air Resources Board developed the "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants" (also known as Criteria Toxics Reporting or CTR) to implement statewide annual reporting of criteria air pollutant and toxic air contaminant emissions data from facilities.

The proposed amendments to Rule 19.3 will include phase-in requirements for electronic submittal of annual emissions inventory reporting. Beginning in 2022, electronic reporting will replace the current mode of emissions inventory reporting submitted via hardcopy. In 2023 and later, facilities must input emissions data directly into the Emissions Inventory System (EIS). Also, the proposed definition of "Emissions Inventory Report Form" has been revised for clarification to align with existing federal and State requirements. This proposed revision specifies the information that the form currently requires and does not include new reporting requirements.

Proposed amended Rule 19.3 contains provisions equivalent to the requirements of the federal Clean Air Act Section 182(a)(3)(B), the State EICG Regulation, and CTR. Therefore, there are no conflicts or contradictions between proposed amended Rule 19.3 and the federal and State regulations for emissions reporting.