

Background of Proposed Amended Rule 19.3 – Emission Information

The San Diego County Air Pollution Control District (District) is required by federal and State law to adopt and implement Rule 19.3 – Emission Information. Rule 19.3 requires facilities in the San Diego region to provide the District with emission information. The purpose of this rule is to allow the District to quantify and inventory air pollutant emissions throughout the San Diego region by requiring permitted sources to submit emission information. This information is necessary for compliance with various federal and State regulations as well as for carrying out air quality and health risk modeling and simulation operations.

The Clean Air Act (CAA) requires local air districts to conduct emission inventories. CAA 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. Since these guidelines change periodically, District rules pertaining to emission inventories must be sufficiently flexible to address changes in existing guidelines and accommodate future federal and State requirements associated with rule development activities and toxic air contaminant programs.

The California Air Resources Board (CARB) 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. Criteria pollutants are six of the most common air pollutants (carbon monoxide, lead, ground-level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide) for which the U.S. Environmental Protection Agency (EPA) has established the national ambient air quality standards to protect public health. Toxic air contaminants are air pollutants which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. CTR supports the mandates of AB 617 – Nonvehicular Air Pollution: Criteria Air Pollutants and Toxic Air Contaminants, AB 197 – State Air Resources Board: Greenhouse Gases: Regulations, and AB 2588 – Air Toxics “Hot Spots” Information and Assessment Act, and also continues California's environmental leadership by establishing innovative new policies to improve many aspects of air quality including emission inventory. Emissions inventory data is critical to understanding the sources of emissions that may contribute to adverse health risks or other impacts at the local, regional, and statewide level.

Existing Rule 19.3 applies to any source emitting air pollutant emissions, and the sale or supply of any material which may cause the emission of air pollutants, including toxic air contaminants. The rule requires the completion and submission of Emissions Inventory Report Forms, and if applicable, Emissions Statement Forms.

Rule 19.3 is outdated and is being amended to comply with recent changes in State reporting regulations, specifically the CTR, which implements statewide annual reporting of criteria air pollutant and toxic air contaminant emissions data from facilities. The proposed amendments will also 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). Electronic submittal is intended to facilitate the submittal of emission information for subject facilities, and to expedite the District's review and approval process. Additionally, the proposed amendments will address comments received from EPA, to allow for federal approval of the rule. At EPA's request, language was added to clarify that facilities emitting 25 tons or more per year of oxides of nitrogen or volatile organic compounds are required to submit a signed Emissions Statement Form certifying that the information contained in the form is accurate to the best knowledge of the individual certifying it.

Rule Comparisons

State law requires the District to identify all federal, State and District requirements that apply to the same equipment or sources as do the proposed amended rules, except in specified circumstances. This Comparative Analysis is provided in Attachment C.

Environmental Review of New District Rules and Regulations

Section 15187 of the CEQA Guidelines requires the District, when adopting a rule requiring the installation of pollution control equipment or establishing a performance standard, to perform an environmental analysis of the reasonably foreseeable methods by which compliance with that rule or regulations will be achieved. The amendments to Rule 19.3 proposed today do not change local control requirements for affected equipment; therefore, this provision of the CEQA Guidelines is not applicable.

Socioeconomic Impact Assessment

State law requires the District to perform an assessment of the socioeconomic impacts when adopting, amending, or repealing a rule that will significantly affect air quality or emission limitations. A review conducted by District staff found that proposed amendments to Rule 19.3 are procedural in nature and will not affect air quality or emission limitations. The proposed amendments also implement existing federal and State requirements. Accordingly, a socioeconomic impact assessment is not required.

Submittal to EPA

If adopted, the proposed amendments to Rule 19.3 will become effective on the date of adoption. The amended rule will be resubmitted through CARB to the EPA for approval and inclusion in the San Diego County portion of the State Implementation Plan for attaining and maintaining air quality standards.