



## Air Pollution Control District Governing Board

San Diego County Air Pollution Control District

### AGENDA ITEM #E.1

**DATE:** February 13, 2025

**TO:** SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD

**SUBJECT:**

NOTICED PUBLIC HEARING: ADOPTION OF ADMINISTRATIVE AMENDMENTS TO RULE 1200 (TOXIC AIR CONTAMINANTS-NEW SOURCE REVIEW) AND RULE 1210 (TOXIC AIR CONTAMINANT HEALTH RISKS-PUBLIC NOTIFICATION AND RISK REDUCTION)

**REQUESTED ACTION:**

1. Find that the adoption of the proposed amendments to Rules 1200 and 1210 is exempt from the California Environmental Quality Act pursuant to Sections 15378(b)(5) and 15061(b)(3) of Title 14 of the California Code of Regulations.
2. Adopt the Resolution entitled: RESOLUTION ADOPTING AMENDMENTS TO RULE 1200 (TOXIC AIR CONTAMINANTS-NEW SOURCE REVIEW) AND RULE 1210 (TOXIC AIR CONTAMINANT HEALTH RISKS-PUBLIC NOTIFICATION AND RISK REDUCTION) OF REGULATION XII OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT.
3. Direct the Air Pollution Control Officer to forward a copy of this Resolution and amended Rules 1200 and 1210 to the California Air Resources Board (CARB) for approval.

**OVERVIEW:**

Initially adopted in 1996, Rules 1200 and 1210 of the San Diego County Air Pollution Control District (District) address the public health risks of exposure to toxic air contaminants (TACs) emitted by stationary sources in the region. Implementation involves a coordinated multi-agency effort consistent with State law, with the California Air Resources Board (CARB) identifying all known TACs, and the California Office of Environmental Health Hazard Assessment (OEHHA) identifying their potential cancer and noncancer health risks and adopting corresponding health risk values. This information is used locally to implement District Rules 1200 and 1210. Specifically, Rule 1200 applies to new or modified stationary sources, requiring a health risk assessment (HRA) during the permitting process and installation of emission controls as necessary to meet health risk limits. Rule 1210 applies to existing facilities, requiring an HRA of emissions of concern, public notice of significant health risks, and implementation of risk reduction measures as necessary to meet health risk limits.

Currently, both Rules 1200 and 1210 include Tables I-III identifying the TACs requiring assessment for potential cancer (Table I), chronic (long-term) noncancer (Table II), and acute (short-term) noncancer

(Table III) impacts. Consequently, whenever the State approves a new pollutant with health risk values for use in HRAs, the District is obligated to amend Rules 1200 and 1210 to update Tables I-III accordingly. This is a common occurrence, as Tables I-III have required updating at least 15 times since the rules were initially adopted, including most recently on June 5, 2024. Since then, OEHHA has adopted a Cancer Inhalation Unit Risk Factor (IUR) for Isoprene, a chemical compound used in industrial processes; consequently, Tables I-III are noncurrent once again.

To help manage the workload of frequent rule amendments, both Rules 1200 and 1210 currently include a streamlined process for updating Tables I-III, whereby the Air Pollution Control Officer amends the tables directly upon the State's approval of new or revised health risk values and following the District's publication of a 30-day public notice. However, CARB recently completed an audit of the District's air quality program, including Rules 1200 and 1210. CARB found that the streamlined process for updating Tables I-III is not fully consistent with the procedural requirements of State law, as it changes the text of the rules without Governing Board approval and should be removed from the rules.

If approved by the Governing Board, today's proposed amendments to Rules 1200 and 1210 will implement CARB's recommendation by removing the streamlined process for updating Tables I-III. Additionally, the tables themselves will be fully removed and "incorporated by reference" instead, i.e., replaced with statutory references to the State's official lists of TACs and health risk values established under State law. This will create efficiencies in District administration of these rules by preventing the time and need for rule updates whenever the State adopts new health risk values.

To ensure stakeholders are adequately informed of additional health risk values being added if Tables I-III are removed, District staff have developed a communication plan that will be enacted if the proposed amendments are adopted. This includes the development of a new District webpage dedicated to TACs that will include but is not limited to: links to State websites for the list of approved chemicals and health values, OEHHA Air Toxics Hot Spots information, and links for users to receive updates directly from OEHHA. The webpage will announce whenever a new pollutant has been added to the State consolidated table to bring attention to any new pollutants, as well as high level information about the pollutants being added. The webpage will also include general information on how and when the proposed amendments will become effective in relation to permit applications, "Hot Spots" inventories/prioritization scores/HRAs, and Risk Reduction Plan applications.

**FISCAL IMPACT:**

There is no fiscal impact associated with today's recommendation to amend Rules 1200 and 1210.

Staffing costs associated with preparing and implementing this recommendation are included in the Fiscal Year 2024-25 adopted budget.

**ENVIRONMENTAL STATEMENT:**

The California Environmental Quality Act (CEQA) requires environmental review of certain actions.

District staff conducted a review of whether CEQA applies to the adoption of the proposed

amendments to Rules 1200 and 1210. The proposed amendments are exempt from CEQA under Section 15378(b)(5) of the State CEQA Guidelines because the amendments do not constitute a “project” as defined by CEQA. Incorporating by reference the State’s official lists of TACs requiring health risk assessment (as per the proposed amendments) instead of listing that information in the rules (as is the current practice) is an administrative action that will cause no direct or indirect foreseeable change to the physical environment. Further, the proposed amendments to Rules 1200 and 1210 are exempt from CEQA under State CEQA Guidelines Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**PREVIOUS RELEVANT BOARD ACTIONS:**

November 4, 2021 (Item #4), Adoption of Proposed Amendments to Rule 1210; June 12, 1996 (APCB #1), Adoption of Proposed Rules 1200 and 1210.

**PUBLIC ENGAGEMENT AND OUTREACH:**

A bilingual (English and Spanish) fact sheet regarding the proposed amendments to Rules 1200 and 1210 was posted on the District’s website and a virtual public workshop was conducted on September 25, 2024, to gather feedback from the public, environmental community, regulated community, and other stakeholders. The District also notified and invited attendees of the Assembly Bill 617 Portside and International Border Community Steering Committee meetings in September 2024, of the public workshop. The public workshop was attended by 61 people (including 9 District staff). No significant concerns with the proposed amendments were raised, and all comments were addressed within the Workshop Report (Attachment D). Additionally, a public notice regarding today’s hearing was posted in a local newspaper, on the District’s website, and sent to subscribers of the District’s email notification service, local chambers of commerce, the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (EPA).

As mentioned above, additional local outreach is planned via a communication plan if the proposed amendments are adopted. This will enhance awareness of the rule amendments and ensure stakeholders retain access to the State’s most-current health risk values, as that information will no longer be provided within the local rules themselves. If the rules are amended, staff will create and maintain a District webpage highlighting pertinent State information including web links to the official lists of TACs and health risk values, State workshop notices for health risk values under development, and how to sign-up for the State’s email notification service.

**EQUITY IMPACT STATEMENT**

Today’s hearing and recommended actions support the District’s vision of “Clean Air for All” by promoting meaningful public engagement and information access through local rule amendments that incorporate the State’s supporting information by reference in a more streamlined, transparent process.

**RECOMMENDED BY:**

Mike Watt, Air Pollution Control Deputy Director

**CONTACT PERSON(S):**

**Name:** Nick Cormier, Supervising Air Resources Specialist

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**ATTACHMENTS:**

[Item E1\\_AttA\\_Rules 1200 & R1210 Resolution.pdf](#)

[Item E1\\_AttB\\_Rule 1200 Change Copy.pdf](#)

[Item E1\\_AttC\\_Rule 1210 Change Copy.pdf](#)

[Item E1\\_AttD\\_Rules 1200 & 1210 Workshop Report.pdf](#)

[Item E1\\_AttE\\_Rules 1200 & 1210 Staff Report.pdf](#)

Resolution No: 25-001  
Meeting Date: 02/13/2025 (E.1)

**RESOLUTION ADOPTING AMENDMENTS TO  
RULE 1200 (TOXIC AIR CONTAMINANTS-NEW SOURCE REVIEW) AND  
RULE 1210 (TOXIC AIR CONTAMINANT HEALTH RISKS-PUBLIC  
NOTIFICATION AND RISK REDUCTION) OF REGULATION XII OF  
THE RULES AND REGULATIONS OF THE  
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

On motion of Member Koval, seconded by Member Bush, the following resolution is adopted:

**WHEREAS**, the San Diego County Air Pollution Control District Governing Board (Governing Board), pursuant to Section 40702 of the California Health and Safety Code, adopted Rules and Regulations of the San Diego County Air Pollution Control District (District); and

**WHEREAS**, said Governing Board now desires to amend said Rules and Regulations; and

**WHEREAS**, notice has been given and a public hearing has been held relating to the amendments of said Rules and Regulations pursuant to Section 40725 of the California Health and Safety Code; and

**WHEREAS**, pursuant to Section 40727 of the California Health and Safety Code, the Governing Board makes the following findings:

- (1) (Necessity) Adoption of the proposed amendments to Rules 1200 and 1210 is necessary to strengthen their consistency with State law, and;
- (2) (Authority) Adoption of the proposed amendments to Rules 1200 and 1210 is authorized by Sections 39002, 39656, 40000, 40001, and 40702 of the California Health and Safety Code;
- (3) (Clarity) The proposed amendments to Rules 1200 and 1210 can be easily understood by persons directly affected by them;
- (4) (Consistency) The proposed amendments to Rules 1200 and 1210 are in harmony with, and not in conflict with or contrary to, existing statutes, court decisions, and State and federal regulations;

- (5) (Non-duplication) The proposed amendments to Rules 1200 and 1210 do not duplicate existing District, State, or federal requirements but merely incorporate, by statutory reference, the State's official lists of toxic air contaminants and corresponding health risk values established under State law;
- (6) (Reference) Adoption of the proposed amendments to Rules 1200 and 1210 is necessary to comply with California Health and Safety Code Section 40725 et seq. which establish procedures to adopt, amend, or repeal District Rules and Regulations, and Section 39656 et seq. which establish requirements to implement a program to regulate toxic air contaminants; and

**WHEREAS**, the Governing Board further finds that a written analysis comparing proposed amended Rules 1200 and 1210 with other applicable requirements is not required pursuant to Section 40727.2 of the California Health and Safety Code because the proposed rule amendments are administrative in nature and do not impose new or more stringent requirements; and

**WHEREAS**, the Governing Board further finds that an incremental cost-effectiveness analysis of the proposed amendments to Rules 1200 and 1210 is not required pursuant to Section 40920.6(a) of the California Health and Safety Code because the proposed rule amendments do not impose new or additional pollution controls or costs;

**WHEREAS**, the Governing Board further finds that an assessment of the socioeconomic impacts of the proposed amendments to Rules 1200 and 1210 is not required pursuant to Section 40728.5 of the California Health and Safety Code because the proposed rule amendments will not significantly affect air quality or emissions limitations; and

**WHEREAS**, following their adoption, amended Rules 1200 and 1210 will be submitted to the California Air Resources Board (CARB).

**NOW THEREFORE IT IS RESOLVED AND ORDERED** by the San Diego County Air Pollution Control District Governing Board that the Rules and Regulations of the San Diego County Air Pollution Control District be, and hereby are, amended as follows:

1. Proposed amended Rule 1200 is to read as follows:

## **REGULATION XII. TOXIC AIR CONTAMINANT**

### **RULE 1200. TOXIC AIR CONTAMINANTS - NEW SOURCE REVIEW** (Rev. Adopted & Effective *(date of adoption)*)

#### **(a) APPLICABILITY**

Except as provided in Section (b) of this rule, this rule applies to any new, relocated, or modified emission unit which may increase emissions of one or more toxic air contaminant(s) and for which an Authority to Construct or Permit to Operate is required pursuant to Rule 10, or for which a Notice of Intention or Application for Certification has been accepted by the California Energy Commission. An Application for Certification shall be considered equivalent to an application for an Authority to Construct. Compliance with this rule does not relieve a person from having to comply with other applicable requirements in these rules and regulations, or state and federal law.

#### **(b) EXEMPTIONS**

(1) The standards of Section (d) shall not apply to:

(i) The modification of an emission unit made exclusively to comply with the Maximum Achievable Control Technology (MACT) requirements adopted pursuant to either Section 111 or 112 of the Federal Clean Air Act or to comply with requirements of these rules and regulations adopted to implement federal MACT requirements.

(ii) The modification of an emission unit made exclusively to comply with a state Air Toxic Control Measure (ATCM) required by Division 26, Part 2, Chapter 3.5 of the California Health and Safety Code (AB 1807 program) or to comply with a requirement of these rules and regulations adopted to implement state ATCM requirements.

(iii) An existing emission unit requiring a permit solely because of changes to Rule 11 of these rules and regulations provided the application for permit is submitted within one-year after the applicable change to Rule 11 is adopted.

(iv) The modification of an emission unit made exclusively to implement a District approved risk reduction plan required by Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 program) or to comply with a requirement of these rules and regulations adopted to implement state SB 1731 program requirements.

(v) The following emission units provided the resulting increase in maximum incremental cancer risk at every receptor location is less than 100 in one million, the total acute noncancer health hazard index is less than 10 and the total chronic noncancer health hazard index is less than 10:

(A) Dry cleaning emission units, provided that Toxics Best Available Control Technology (T-BACT) will be installed.

(B) Gasoline service station emission units, provided that T-BACT will be installed.

(C) Asphalt roofing kettles and tanks.

(D) Automotive refinishing operations not using chrome or lead pigmented coatings.

(E) Emission units used for wood product stripping operations, provided that T-BACT will be installed.

(2) The standards of Subsections (d)(1) and (d)(3) shall not apply to the modification of an emission unit made exclusively to comply with a requirement of these rules and regulations, but not including Rule 1200. The Air Pollution Control Officer may determine for good cause, on a case-by-case basis, that this exemption does not apply to a modified emission unit. In the event such a determination is made, written notice shall be provided by the Air Pollution Control Officer to the project applicant as soon as possible and before the application is deemed complete pursuant to Rule 18. This notice shall state the specific reason why the Air Pollution Control Officer has determined that this exemption does not apply and shall specify what additional requirements the project applicant must meet.

(c) **DEFINITIONS**

(1) “**Air Toxic Control Measure (ATCM)**” means a requirement to reduce emissions of one or more toxic air contaminants developed pursuant to Division 26, Part 2, Chapter 3.5 of the California Health and Safety Code (AB 1807 program).

(2) “**Cancer Burden**” means the estimated potential increase in the occurrence of cancer cases in a population subject to an incremental cancer risk of greater than one in one million resulting from exposure to toxic air contaminants. It shall be calculated pursuant to Section (e).

(3) “**Concurrent Emission Reductions**” means permanent, quantifiable, enforceable, and surplus emission reductions occurring at the same stationary source and within the six months prior to or at the same time as the commencement of operations of new or modified emission units constituting a project. Emission reductions resulting from the shutdown of an emission unit are eligible to be concurrent emission reductions. Concurrent emission reductions shall be calculated pursuant to Section (e).



Notwithstanding the definition of “Surplus,” emission reductions required by Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code may be used as concurrent emission reductions if they occur before they are required by the applicable MACT or ATCM. However, their use as concurrent emission reductions shall expire on the date the reductions required by the applicable MACT or ATCM are actually required to take place. The Permit to Operate for any emission unit which has used such an emission reduction to satisfy in whole or in part the requirements of this rule, shall expire and become null and void on the date that the reductions required by the applicable MACT or ATCM are actually required to take place, unless additional concurrent emission reductions are provided in an amount necessary to satisfy the requirements of this rule.

(4) “**Contiguous Property**” means the same as defined in Rule 2 of these Rules and Regulations.

(5) “**Emission Unit**” means any article, machine, equipment, contrivance, process or process line which emits or may emit one or more toxic air contaminants.

(6) “**Enforceable**” means can be enforced by the District through inclusion of conditions on a valid and current permit.

(7) “**Future Potentially Feasible Cancer Risk Reduction Measure**” means control measures and techniques that are in excess of T-BACT and are expected to be technologically feasible and economically practicable in the future. They include, but are not limited to, pollution prevention measures such as product substitution or modification, process modification, feedstock modification, operational and maintenance improvements; changes in basic control equipment; and enclosing systems or processes to reduce emissions. Future potentially feasible cancer risk reduction measures are different from T-BACT in that they apply to existing permit units. Future potentially feasible cancer risk reduction measures are determined on a case-by-case basis.

(8) “**Maximum Achievable Control Technology (MACT)**” means emission controls or limitations included in any Section 112 requirement of the federal Clean Air Act, including any implementing regulations of the U.S. Environmental Protection Agency, for any source class or category.

(9) “**Maximum Incremental Cancer Risk**” (MICR) means the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminant(s). It shall be calculated pursuant to Section (e) and using net emission increases from the project or emission unit.

(10) “**Modified Emission Unit**” means an emission unit which undergoes any physical or operational change which results or may result in an increase in an emission unit’s toxic air contaminant potential to emit, including toxic air contaminants not previously emitted. An emission unit which undergoes the following shall not be considered a modified emission unit, provided such change is not contrary to any permit

condition, and the change does not result in an increase in the toxic air contaminant potential to emit of any toxic air contaminant:

- (i) The movement of a portable emission unit from one stationary source to another.
- (ii) Repair or routine maintenance.
- (iii) An increase in the hours of operation.
- (iv) Use of alternate fuel or raw material.

(11) “**Permanent**” means enforceable and which will exist for the life of the project or emission unit, as may be limited by enforceable permit conditions.

(12) “**Post-Project Potential To Emit**” means a project’s or emission unit’s potential to emit after issuance of an Authority to Construct for the proposed project or emission unit, calculated pursuant to Section (e).

(13) “**Potential to Emit**” means the maximum quantity of toxic air contaminant emissions, including fugitive emissions, that a project or emission unit is capable of emitting considering emission control equipment and calculated pursuant to Section (e).

(14) “**Pre-Project Potential To Emit**” means a project’s or emission unit’s potential to emit prior to issuance of an Authority to Construct for the proposed project or emission unit, calculated pursuant to Section (e).

(15) “**Project**” means an emission unit or aggregation of emission units located at a stationary source for which an application or combination of applications for Authority to Construct or modified Permit to Operate are under District review. It includes any emission unit(s) modified to provide concurrent emission reductions.

(16) “**Quantifiable**” means that a reliable basis for calculating the amount, rate, nature and characteristics of an emission change can be established, as determined by the Air Pollution Control Officer.

(17) “**Receptor Location**” means any location beyond the project’s or emission unit’s stationary source boundaries where the Air Pollution Control Officer has determined exposure to the project’s or emission unit’s (not including any emission unit modified to provide concurrent emission reductions) emissions could reasonably occur.

(18) “**Relocated**” means moved within San Diego County from one stationary source to another stationary source.

(19) “**Stationary Source**” means the same as defined in Rule 2 of these Rules and Regulations.

(20) “**Surplus**” means in excess of any emission reductions which are required by this rule, or which are required by or which the Air Pollution Control Officer reasonably expects will be required by Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code.

Emission reductions used as concurrent emission reductions as part of a project or emission unit subject to the requirements of this rule which occur before the Air Pollution Control Officer reasonably expects they will be required by Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code shall be deemed to be permanently surplus. Emission reductions occurring before December 12, 1995 are not surplus.

Emission reductions associated with Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code and which have been publicly noticed to be required by the federal Environmental Protection Agency (EPA) or the California Air Resources Board (ARB), as applicable, may be deemed to be reasonably expected to occur by the Air Pollution Control Officer. If subsequent public notice is given by such agency that such emission reductions will not be required, such emission reductions shall be deemed to be surplus.

(21) “**Total Acute Noncancer Health Hazard Index**” means the estimated potential risk of acute public health effects and is the sum of the individual substance acute health hazard indexes affecting the same target organ system for a potential maximally exposed individual for all toxic air contaminants for which OEHHA has established acute noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code. It shall be calculated using net emission increases from the project or emission unit. It shall be calculated pursuant to Section (e).

(22) “**Total Chronic Noncancer Health Hazard Index**” means the estimated potential risk of chronic public health effects and is the sum of the individual substance chronic health hazard indexes affecting the same target organ system for a potential maximally exposed individual for all toxic air contaminants for which OEHHA has established chronic noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code. It shall be calculated using net emission increases from the project or emission unit. It shall be calculated pursuant to Section (e).

(23) “**Toxic Air Contaminant (TAC)**” means a substance which:

(i) Is required to be included on the list of toxic substances compiled and maintained by ARB pursuant to Section 44321 of the California Health and Safety Code; and

(ii) Has cancer and/or noncancer (chronic and/or acute) health effect values established by OEHHA pursuant to Section 44360 of the California Health and Safety Code.

(24) “**Toxics Best Available Control Technology (T-BACT)**” means the most effective emission limitation or emission control device or control technique which:

(i) has been achieved in practice for that source or category of source; or

(ii) is any other emissions limitation or control technique, including process and equipment changes of basic and control equipment and implementation of pollution prevention measures, found by the Air Pollution Control Officer to be technologically feasible for that source or category of source, or for a specific source. If there is an applicable MACT standard, the Air Pollution Control Officer shall evaluate it for equivalency with T-BACT.

(d) **STANDARDS**

The Air Pollution Control Officer shall deny an Authority to Construct or Permit to Operate for any new, relocated, or modified emission unit increasing emissions of one or more toxic air contaminants as defined herein unless all of the following requirements are met:

(1) **Cancer Risk**

(i) T-BACT Not Applied. The increase in maximum incremental cancer risk at every receptor location is equal to or less than one in one million for any project for which new, relocated, or modified emission units that increases maximum incremental cancer risk are not equipped with T-BACT; and

(ii) T-BACT Applied. Except as provided in (d)(1)(iii), the increase in maximum incremental cancer risk at every receptor location is equal to or less than 10 in one million for any project for which all new, relocated, or modified emission units that increases maximum incremental cancer risk are equipped with T-BACT.

(iii) Maximum Incremental Cancer Risk Greater Than 10 in One Million. The Air Pollution Control Officer may grant an Authority to Construct and/or Permit to Operate for a new, relocated, or modified emission unit with an increase in maximum incremental cancer risk at any receptor location of greater than 10 in one million but less than 100 in one million provided all of the following conditions are met:

(A) All new, relocated, or modified emission unit(s) associated with the project that increase maximum incremental cancer risk by more than one in one million are equipped with T-BACT.

(B) The Air Pollution Control Officer prepares a report in support of approving an Authority to Construct for the project. The following information shall be included in the report and shall be provided by the project applicant in report format to the satisfaction of the Air Pollution Control Officer:

(1) Identification of the toxic air contaminants that would be emitted.

(2) Identification of the cancer and noncancer (chronic and acute) health impacts of the toxic air contaminants that would be emitted.

(3) A discussion of any uncertainty associated with the risk assessment that the applicant believes is noteworthy.

(4) A discussion of the benefits associated with the new or modified project (any emission unit modified to provide concurrent emission reductions need not be included).

(5) A discussion of any local, state or federal mandates requiring the new or modified project (any emission unit modified to provide concurrent emission reductions need not be included).

(6) Identification of project impacts on environmental media other than air.

(7) Identification of all sensitive receptors impacted by the new or modified project (any emission unit modified to provide concurrent emission reductions need not be included).

(8) A discussion of how the stationary source will comply with all applicable MACT and ATCM requirements at the time of Authority to Construct issuance.

(9) A demonstration that the cancer burden as a result of the project will not exceed 1.0.

(10) A cancer risk reduction plan for the project (any emission unit modified to provide concurrent emission reductions need not be included) to include the following information:

(i) Identification of the processes and activities causing the toxic air contaminant emissions from the project and what portion of the total project risk is due to each.

(ii) Identification of all future potentially feasible cancer risk reduction measures for the project type.

(iii) An estimate of the risk reduction potential of all future potentially feasible cancer risk reduction measures.

(iv) An estimate of how long it would take to implement all future potentially feasible cancer risk reduction measures.

(v) A determination of the technical feasibility and cost-effectiveness to implement all future potentially feasible cancer risk reduction measures.

(vi) Identification of and a commitment to implement future potentially feasible cancer risk reduction measures for the project to reduce the maximum incremental cancer risk increase from the project to 10 in one million or less, and a detailed schedule for implementation.

(11) A discussion of how each requirement of Subsections (d)(1)(iii), (d)(2), and (d)(3) will be met.

The report required by this Subsection shall be available in draft form for public review at the Air Pollution Control District and at a minimum of one public library (to be determined by the Air Pollution Control Officer) near affected persons for the 30 days required by Subsection (d)(1)(iii)(J) before it is finalized.

(C) The Air Pollution Control Officer will include in any Authority to Construct that is issued for the project a condition(s) requiring implementation of the future potentially feasible cancer risk reduction measures the project applicant committed to implement pursuant to the requirement of Subsection (d)(1)(iii) (B)(10)(vi).

(D) If the project is a modification of an existing stationary source emitting one or more toxic air contaminant(s), T-BACT shall be installed on all permitted emission units at the stationary source that have a maximum incremental cancer risk impact of greater than 10 in one million at any receptor location where the increase in maximum incremental cancer risk as a result of the project is greater than 10 in one million. The Air Pollution Control Officer shall not consider emission units modified to comply with this requirement as part of the project unless specifically requested to do so by the project applicant. Emissions and risk impact data to be used for such impact determinations from non-project emission units shall be from the District program to implement Section 44362 of Division 26 (AB 2588) of the California Health and Safety Code, as such data exists on the date a complete permit application for the project is filed with the District, unless the Air Pollution Control Officer approves the use of other emissions and risk impact data as being more representative.

(E) If the increase in maximum incremental cancer risk as a result of the project is greater than 50 in one million at any receptor location,

(1) all available cancer risk reductions shall be provided from permitted emission units:

(i) located at stationary sources other than the stationary source where the project is located or will be located (e.g. off-site emission reductions), and

(ii) which have a maximum incremental cancer risk impact of greater than 10 in one million at any receptor location where the maximum incremental cancer risk impact as a result of the project is greater than 10 in one million;

or,

(2) cancer risk reductions shall be provided until the increase in maximum incremental cancer risk from the project at all receptor locations is equal to or less than 10 in one million.

Emissions and risk impact data to be used for such impact determinations shall be from the District program to implement Section 44362 of Division 26 (AB 2588) of the California Health and Safety Code, as such data exists on the date a complete permit application for the project is filed with the District, unless the Air Pollution Control Officer approves the use of other emissions and risk impact data as being more representative.

Cancer risk reductions from any single emission unit required by this Subsection (d)(1)(iii)(E) shall not be required if the project applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the annualized cost of such cancer risk reduction (from such single emission unit) per unit of maximum incremental cancer risk reduced is greater than 1.25 times the annualized cost per unit of maximum incremental cancer risk reduced by T-BACT for the project (not including any emission unit modified to provide concurrent emission reductions).

All emission reductions provided pursuant to this subsection shall be enforceable, permanent, and quantifiable. The stationary source operator shall demonstrate to the satisfaction of the Air Pollution Control Officer that the requirements of this subsection have been met. If emission reductions from permitted units are provided such that the resulting maximum incremental cancer risk from the project at all receptor locations within the project impact area is equal to or less than 10 in one million, the requirements of Subsections (d)(1)(iii)(B), (D), (F), (I), and (J) shall not apply.

(F) The stationary source operator will prepare an annual report on risk reduction methods, including pollution prevention, available for reducing the resulting project (not including any emission unit modified to provide concurrent emission reductions) maximum incremental cancer risk for affected emission units to less than or equal to 10 in one million. Such report shall meet the same requirements as established for the District's program to implement Division 26, Part 6, Chapter 6 (SB 1731 risk

reduction program) of the California Health and Safety Code. The stationary source operator shall implement the approved risk reduction methods within one year from the date of approval by the District.

(G) The stationary source is in compliance with all applicable MACT and ATCM requirements at the time of Authority to Construct issuance.

(H) The cancer burden as a result of the project is equal to or less than 1.0.

(I) The stationary source operator will notify affected persons of the project and, after providing a minimum 30 day notice, hold a public meeting (in the area affected by the project) to discuss the project. Notification shall be in writing and shall meet the same requirements as established for District notification procedures to implement Section 44362 of Division 26 (AB 2588 Air Toxics Hot Spots notification program) of the California Health and Safety Code.

(J) After written notice is provided to affected persons, the Air Pollution Control Officer has provided a 30 day period for the public to submit written comments on the following as they relate to the project:

(1) Does the project meet all applicable federal, state and Air Pollution Control District requirements;

(2) Are there any special considerations in the affected community that warrant disapproval of the project;

(3) Are there alternative processes or control technologies that should be considered;

(4) Are the applicable terms and conditions of the proposed permit enforceable by the Air Pollution Control Officer; and,

(5) Was proper public notice provided regarding the project?

Written notice of the proposed project and comment period shall be prepared by the Air Pollution Control Officer and shall include notice that the draft report required by Subsection (d)(1)(iii)(B) and the Air Pollution Control Officer's analysis of the project are available for public review at the Air Pollution Control District and at a minimum of one specified public library (to be determined by the Air Pollution Control Officer) near the affected persons. The notice shall be provided to affected persons by the stationary source operator at the same time as the notice required by Subsection (d)(1)(iii)(I) is provided to affected persons.



(2) Total Acute Noncancer Health Risk

The increase in the total acute noncancer health hazard index at every receptor location as a result of the project is equal to or less than one unless the Air Pollution Control Officer, after consulting with the state OEHHA, determines that an alternate total acute noncancer health hazard index is sufficiently health protective. In such case, the increase in total acute noncancer health hazard index shall be limited to the alternative total acute noncancer health hazard index at every receptor location.

(3) Total Chronic Noncancer Health Risk

The increase in the total chronic noncancer health hazard index at every receptor location as a result of the project is equal to or less than one unless the Air Pollution Control Officer, after consulting with the state OEHHA, determines that an alternate total chronic noncancer health hazard index is sufficiently health protective. In such case, the increase in total chronic noncancer health hazard index shall be limited to the alternative total chronic noncancer health hazard index at every receptor location.

(e) **PROCEDURES**

(1) Health risk estimates shall be performed for toxic air contaminants as defined herein using corresponding state OEHHA health risk values in effect on the date action on the application(s) is taken. In the event health risk values are added or revised by OEHHA after the application is deemed complete pursuant to Rule 18, the Air Pollution Control Officer shall advise the project applicant in writing as soon as possible thereafter. The project applicant shall make the necessary changes to the health risk estimates to incorporate the new or revised health risk values and submit them to the Air Pollution Control Officer. However, if requested to do so by the project applicant, the Air Pollution Control Officer (in lieu of the project applicant) shall make the necessary changes to the health risk estimates to incorporate the new or revised health risk values.

(2) The Air Pollution Control Officer shall estimate health risk (cancer and non-cancer) and cancer burden in accordance with health risk assessment guidelines adopted by the state OEHHA, pursuant to Section 44360 Division 26, Part 6, Chapter 4 of the California Health and Safety Code and in effect on the date action on the application(s) is taken.

(3) Exposure Periods of Concern

Total chronic noncancer health risk and maximum incremental cancer risk estimates shall be calculated based on the project's or emission unit's emission increase in annual toxic air contaminant potential to emit. Total acute noncancer health risk estimates shall be based on the project's or emission unit's emission increase in toxic air contaminant potential to emit for the exposure period of concern.

(4) Calculation of Emission Increases

Emission increases from a new or relocated project or emission unit shall be calculated as the new project's or emission unit's post project potential to emit. Emission increases from a modified project or emission unit shall be calculated as the project's or emission unit's post project potential to emit minus its pre-project potential to emit.

(5) Calculation of Potential to Emit

Except as provided in (i) and (ii) below, the potential to emit shall be calculated based on the maximum design capacity or other operating conditions which reflect the maximum potential emissions, including fugitive emissions.

(i) Permit Limitations Shall Be Used: If specific limiting conditions contained in an Authority to Construct or Permit to Operate restrict or will restrict emissions to a lower level, these limitations shall be used to calculate the potential to emit.

(ii) Potential to Emit Shall Not Exceed Maximum Potential: If specific conditions limiting a project's or emission unit's pre-project potential to emit are not contained in an Authority to Construct or a Permit to Operate, the pre-project potential to emit shall be limited to the project's or emission unit's actual emissions only to the extent that such emissions do not violate any District, state or federal law, rule, regulation, order or permit condition.

For purposes of this requirement, the Air Pollution Control Officer may allow the pre-project potential to emit to be based on the highest level of actual emissions occurring during a consecutive one-year period within the five-year period preceding the receipt date of the application to the extent that the emission level was not in excess of any District, state or federal law, rule, regulation, order or permit condition.

(6) Calculation of Actual Emissions for Determining Emission Reductions

(i) Actual emissions of an existing emission unit shall be averaged over the most representative two consecutive years within the five years preceding the receipt date of an application, as determined by the Air Pollution Control Officer. Such actual emissions shall not include emissions in excess of any District, state or federal law, rule, regulation, order or permit condition.

(ii) For emission units that have not been operated for a consecutive two-year period, which is representative of actual operations within the five years preceding the receipt date of the application, the calculation of actual emissions shall be based on the average of any two one-year operating periods determined by the Air Pollution Control Officer to be representative within that five-year period. If a representative two-year time period or two one-year time period does not exist, the calculation of actual emissions shall be based on the average of the total operational time period within that five-year period.

(iii) Actual emissions for emission units operated for a period of less than six months shall be based on an average over the longest operating time period determined by the Air Pollution Control Officer to be most representative of actual operations.

(7) When concurrent emission reductions are provided, the resulting reduction in health risk at each evaluated receptor location shall be subtracted from the health risk increase at the same receptor location to provide a net health risk as a result of the project at each such receptor location.

Total chronic noncancer health risk and maximum incremental cancer risk reduction estimates shall be calculated based on the project's or emission unit's annual emission reduction in toxic air contaminants. Total acute noncancer health risk reduction estimates shall be based on the project's or emission unit's emission reduction in toxic air contaminants for the exposure period of concern.

In order for an emission reduction to qualify as a concurrent emission reduction when determining the net acute noncancer health risk as a result of a project or emission unit, the applicant shall demonstrate that there will be a resulting health risk reduction to mitigate emission increases from the project or emission unit for each and every acute time period of concern.

(8) Calculation of Emission Reductions

(i) An actual emission reduction may only be used as a concurrent emission reduction. Actual emissions calculated pursuant to Subsection (e)(6) shall be used for purposes of determining an actual emission reduction in accordance with this Subsection (e)(8). An actual emission reduction must be quantifiable, enforceable and surplus and may be temporary or permanent in duration. A temporary actual emission reduction shall be identified as temporary and shall include a specific date beyond which the reductions are no longer valid.

(A) Actual emission reductions from the shutdown or relocation of an emission unit shall be calculated based on the emission unit's pre-project actual emissions.

(B) Actual emission reductions from a modified project or emission unit shall be calculated as the project's or emission unit's pre-project actual emissions minus the project's or emission unit's post-project potential to emit.

(ii) Adjustment for Determining Actual Emission Reduction: If an emission unit has been permitted and operated for a period of less than two years, the emission unit's actual emissions, for purposes of determining decreases in cancer risk or noncancer chronic risk, shall be calculated as the unit's actual emissions over the actual operating time period times the actual operating time period in days divided by 1460.

(iii) If an emission unit was operated in violation of any District, state or federal law, rule, regulation, order, or permit condition during the period used to determine actual emissions, the actual emissions shall be adjusted to reflect the level of emissions which would have occurred if the emission unit had not been in violation.

(9) When concurrent emission reductions are provided, the project applicant shall apply for and the Air Pollution Control Officer shall approve or deny, as appropriate, an Authority to Construct and a new or modified Permit to Operate with appropriate conditions for the emission unit(s) providing the concurrent emission reductions, or retire a Permit to Operate for the emission unit(s) in the event of a shutdown.

(10) Toxic air contaminant exposure scenarios used to estimate health risk shall be consistent with land use designations at the time the application is deemed complete, except where the project owner has direct control over discretionary uses.

(11) To the extent possible, the Air Pollution Control Officer shall develop screening risk assessment procedures for common equipment and toxic air contaminants to expedite and standardize review for compliance with Section (d). The procedures shall be maintained in writing and available upon request. The Air Pollution Control Officer shall propose additional exemptions to Section (b) that the Air Pollution Control Officer deems appropriate, based on the results of these screening procedures.

2. Proposed amended Rule 1210 is to read as follows:

**RULE 1210. TOXIC AIR CONTAMINANT HEALTH RISKS –  
PUBLIC NOTIFICATION AND RISK REDUCTION**  
(Rev. Adopted & Effective *(date of adoption)*)

(a) **APPLICABILITY**

This rule is applicable to each existing stationary source required to prepare a health risk assessment, as determined by the Air Pollution Control Officer pursuant to the priority system and procedures set out in Section 44360 of the California Health and Safety Code.

(b) **EXEMPTIONS**

The provisions of Section (d) Public Notification and Public Meeting Requirements and Section (e) Risk Reduction Audits and Plans shall not apply to stationary sources for which industry-wide health risk assessments are prepared by the Air Pollution Control Officer pursuant to Section 44323 of the California Health and Safety Code.

(c) **DEFINITIONS**

(1) **"Airborne Toxic Risk Reduction Measure(s)"** means physical or operational changes or control measures implemented at a stationary source that reduce or eliminate toxic air contaminant emissions and associated health risks, whose reductions are real, permanent, quantifiable, and enforceable through District permits or permit conditions. Airborne toxic risk reduction measures may include changes in production processes, feed stock modifications, product reformulations, production system modifications, system enclosures or relocations within the facility, removal from service, emissions capture, emissions control, emissions conversion, or modifications to operational standards or practices. Airborne toxic risk reduction measures do not include measures which will result in an increased health risk to the public from exposures to the toxic chemical in another media.

(2) **"Best Available Retrofit Control Technology for Toxics (T-BARCT)"** means the most effective emission limitation, or retrofit emission control device or control technique, which:

(i) has been achieved in practice for that source or category of source; or

(ii) is any other emissions limitation or retrofit control technique found by the Air Pollution Control Officer to be technically feasible for that source or category of source, or for a specific source, while taking into consideration the cost of achieving health risk reductions, any non-air quality health and environmental impacts, and energy requirements.

(3) **"Cancer Burden"** means the estimated increase in the occurrence of cancer cases in a population subject to an individual cancer risk of equal to or greater than one in one million resulting from exposure to toxic air contaminants.

(4) **"Emissions Inventory Report"** means a document that identifies and describes sources of toxic air contaminant emissions at a stationary source, characterizes the nature of the discharge of such contaminants, and quantifies the types and amounts of toxic air contaminants emitted from each source.

(5) **"Emissions Inventory Year"** means the year in which the emissions occurred and for which an emissions inventory is required pursuant to California Health and Safety Code Section 44340 et seq.

(6) **"Emission Unit"** means the same as defined in Rule 2 – Definitions.

(7) **"Health Risk Assessment"** means a detailed comprehensive analysis prepared pursuant to Section 44361 of the California Health and Safety Code to evaluate and predict the dispersion of hazardous substances in the environment and the potential for exposure of human populations and to assess and quantify both the individual and population wide health risks associated with those levels of exposure.

(8) **"Individual Substance Acute Health Hazard Index"** means, for each air contaminant, the ratio of the maximum estimated concentration of that contaminant in the ambient air for the specified averaging time for a given acute health effect to the applicable reference exposure level for that contaminant for the same averaging time.

(9) **"Individual Substance Chronic Health Hazard Index"** means, for each air contaminant, the ratio of the maximum estimated concentration of that contaminant in the ambient air for the specified averaging time for a given chronic health effect to the applicable reference exposure level for that contaminant for the same averaging time.

(10) **"Industry-Wide Health Risk Assessment"** means a study to identify, characterize, and quantify the health risks that may result from emissions of toxic air contaminants from a class of stationary sources which the Air Pollution Control Officer finds meets all of the following:

(i) All stationary sources within the class fall within one four-digit Standard Industrial Classification (SIC) Code.

(ii) Individual preparation of emission inventory reports and health risk assessments would impose severe economic hardships on the majority of stationary sources within the class.

(iii) The majority of the class is composed of small businesses.

(iv) Releases of toxic air contaminants from individual stationary sources in the class can easily and generically be characterized and calculated.

(11) **"Isopleth"** means the boundaries of the area that is exposed to health risks at or above the significant risk threshold(s).

(12) **"Maximum Individual Cancer Risk"** means the estimated probability of a maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants emitted from a stationary source.

(13) **"Prioritization Score"** means a value indicative of a stationary source's toxic air contaminant emissions strength, arrived at by utilizing emissions data contained in an approved emission inventory report, air contaminant toxicity data recommended by the state Office of Environmental Health Hazard Assessment, and a calculation methodology established by the Air Pollution Control Officer. Separate prioritization scores are determined for toxic air contaminants with the potential for causing carcinogenic effects, noncarcinogenic acute effects, and noncarcinogenic chronic effects.

(14) **"Risk Reduction Audit and Plan"** means a study prepared by the owner or operator, or representative, of a stationary source which identifies sources and emissions of toxic air contaminants at the stationary source that contribute to the exceedance of the significant risk threshold(s) and which proposes airborne toxic risk reduction measures that are sufficient to reduce health risks from such emissions to below the significant risk threshold(s).

(15) **"School"** means any public or private school used for the education of more than 12 children in one or more grades from preschool through grade 12, but does not include any school in which education is primarily conducted in a private home.

(16) **"Sensitive Receptors"** include hospitals, healthcare facilities (e.g., community clinics) schools, day care facilities, elderly housing and convalescent facilities, libraries, and other facilities where the occupants are more susceptible to the adverse effects of exposure to toxic air contaminants, as determined by the Air Pollution Control Officer.

(17) **"Significant Risk Threshold"** means any of the following health risk levels:

(i) Except as provided in Subsection (e)(1)(ii), maximum individual cancer risks equal to or greater than 10 in one million, or

(ii) Cancer burden equal to or greater than 1.0, or

(iii) Total acute noncancer health hazard index equal to or greater than 1.0,  
or

(iv) Total chronic noncancer health hazard index equal to or greater than 1.0.

(18) **"Small Business"** means the same as defined in California Government Code Section 11342.610.

(19) **"Stationary Source"** means the same as defined in Rule 2 – Definitions.

(20) **“Technically Feasible”** means a control technology or technique that has been achieved in practice, as determined by the Air Pollution Control Officer.

(21) **“Total Acute Noncancer Health Hazard Index”** means the estimated risk of acute health effects and is the sum of the individual substance acute health hazard indexes affecting the same target organ system for a maximally exposed individual for all toxic air contaminants emitted from a stationary source for which OEHHA has established acute noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code.

(22) **“Total Chronic Noncancer Health Hazard Index”** means the estimated risk of chronic health effects and is the sum of the individual substance chronic health hazard indexes affecting the same target organ system for a maximally exposed individual for all toxic air contaminants emitted from a stationary source for which OEHHA has established chronic noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code.

(23) **“Toxic Air Contaminant”** means a substance which:

(i) Is required to be included on the list of toxic substances compiled and maintained by the California Air Resources Board (ARB) pursuant to Section 44321 of the California Health and Safety Code; and

(ii) Has cancer and/or noncancer (chronic and/or acute) health effect values established by OEHHA pursuant to Section 44360 of the California Health and Safety Code.

(d) **PUBLIC NOTIFICATION AND PUBLIC MEETING REQUIREMENTS**

(1) The owner or operator of each stationary source for which a health risk assessment has been approved by the Air Pollution Control Officer and which risk assessment indicates health risks at or above the significant risk threshold(s), shall provide written public notice of such risks and conduct a public meeting in accordance with the provisions of Subsections (d)(2) through (d)(11).

Public notice shall be by direct mailing, to each resident, business, parent or guardian of each student, and administrators of each school, hospital, day care center, convalescent home and any other sensitive receptor within the isopleth exposed to health risks at or above the significant risk threshold(s).

(2) Within 45 days of the date of written notice from the Air Pollution Control Officer that public notification is required, the owner or operator of a stationary source shall prepare and submit to the Air Pollution Control Officer, for approval, a public notification plan. The plan shall include all of the following:

(i) A proposed public notification letter to be signed by the Air Pollution Control Officer. The proposed notification letter shall be identical in form and text to the model notification letter provided by the Air Pollution Control Officer



and shall include the additional stationary source-specific information required by the model notification letter. When applicable, the proposed public notification letter shall also include information about the required public meeting, such as date and location of the meeting and/or how the public can participate in the meeting if the meeting is virtual.

(ii) Any proposed optional stationary source informational letter to accompany the public notification letter which shall comply with the requirements of Subsection (d)(3)(iv).

(iii) Clear and readable maps with isopleths.

(iv) The name, e-mail address, and phone number of the person(s) responsible for coordinating public notification and the public meeting for the stationary source.

(v) A description of the proposed methodology, such as the use of a mailing service, for obtaining the addresses of residents and persons to be notified and for carrying out the notification process.

(vi) A list of all addresses to be included in the notification area.

(vii) A list of all schools, hospitals, day care centers, convalescent homes and other sensitive receptors to be notified and a proposal on how the owner or operator will notify businesses and/or sensitive receptors pursuant to Subsections (d)(3)(v) and (vi).

(viii) A list of the primary languages spoken by non-English speaking persons in the area to receive notification where such language is the primary language of 5% or more of the total persons to be notified in any census tract in the area to receive notification.

(ix) A proposed method, including a timeline and due date, for responding to public comments and requests.

The Air Pollution Control Officer shall approve, or revise and approve, the public notification plan within 30 days of receipt of the plan.

(3) Within 30 days of the date of written notice from the Air Pollution Control Officer of the approval of the public notification plan, the owner or operator of a stationary source shall implement the approved public notification plan. Each written public notice shall contain only:

(i) The approved public notification letter signed by the Air Pollution Control Officer.

(ii) An “Air Toxics Hot Spots Fact Sheet” and a “Public Response Survey Card” reproduced from originals provided by the Air Pollution Control Officer.

(iii) A copy of the maps, with the isopleths, that was submitted with the notification plan pursuant to Subsection (d)(2)(iii).

(iv) An optional stationary source informational letter that has been approved by the Air Pollution Control Officer and shall enhance and not undermine the health risk notification process. The content of the optional stationary source informational letter shall be limited to the following:

(A) A discussion of toxic air contaminants emitted, emission rates, and the reasons why the emissions occur.

(B) A discussion of steps taken by the stationary source to reduce emissions or health risks to the public.

(C) A brief and factual discussion of the health risk assessment results and the health protective assumptions of the health risk assessment.

(D) The name, e-mail address, and phone number of the stationary source contact(s) regarding the public notification, the public meeting, and the health risk assessment.

(v) For each public notification directed to a business, that the business post or circulate the District public notification letter for review by all on-site employees of the business.

(vi) For each public notification directed to a school, a request that the administrator of the school, or an assignee of the administrator, distribute notices provided by the owner or operator of a stationary source to the parents or guardians of students attending the school. The cost of such distribution shall be paid by the owner or operator.

(vii) At the option of the owner or operator, a notice to carry out the warning requirements of Section 25249.6 of the California Health and Safety Code provided such notice has been determined by the Air Pollution Control Officer not to conflict with the intent or content of the public notifications required by this rule.

(4) Multilingual notifications shall be provided by the owner or operator of a stationary source if 5% or more of the recipients within any census tract in the area to receive notification are non-English speaking. In such case, the notifications shall be provided in those languages which are the primary language of 5% or more of the total persons to be notified in that census tract.

(5) Distribution of the public notice must be conducted by the U.S. Postal Service or other postage provider. The cost of distribution of the public notice shall be paid by the owner or operator of the stationary source.

(6) Each public notification shall be mailed in an envelope supplied by the Air Pollution Control Officer and addressed to “Current Resident” of private residences, businesses, or sensitive receptors.

(7) If the owner or operator of a stationary source fails to carry out the public notification requirements, the Air Pollution Control Officer shall carry out such notification at the earliest possible date. All District costs of such notification shall be paid by the owner or operator.

(8) The owner or operator of a stationary source shall provide subsequent public notification annually, in accordance with the procedures of this rule and shall include the status of the risk reduction plan, when applicable, in the notification. The owner or operator may cease annual public notification upon demonstrating, to the satisfaction of the Air Pollution Control Officer, that health risks have been reduced to below the significant risk threshold(s) or the owner or operator is not required by the Air Pollution Control Officer to prepare a health risk assessment based on the most recent prioritization score.

(9) Within 15 days of the date of distribution of public notification materials, the owner or operator of a stationary source shall submit to the Air Pollution Control Officer proof of distribution which shall include:

- (i) the addresses included in the mailing and receipts from the U.S. Postal Service or other postage provider, and
- (ii) a copy of all information provided by the owner or operator to the public pursuant to the notification requirements of this rule, and
- (iii) a description of how the owner or operator notified businesses and/or sensitive receptors pursuant to Subsections (d)(3)(v) and (vi).

(10) Within 30 days of the initial public notification, or the annual public notification if applicable as determined by the Air Pollution Control Officer, the owner or operator of a stationary source shall conduct a public meeting, in coordination with the Air Pollution Control Officer, and shall:

- (i) Reserve a venue for the public meeting at a time that facilitates public attendance. The venue shall be located within, or if not feasible, nearby the notification area. A virtual public meeting may be conducted with approval from the Air Pollution Control Officer.
- (ii) Make all necessary arrangements for the meeting including, but not limited to, providing for audio visual equipment and personnel. Interpreters shall be present if a multilingual public notification is required pursuant to Subsection (d)(4).
- (iii) Attend the meeting to answer any questions related to the stationary source operations.

- (iv) Bear the costs, including District costs, of holding the meeting.

(11) The Air Pollution Control Officer, or designee, shall establish the agenda of the meeting, in collaboration with the owner or operator of the stationary source, and attend each public meeting to provide information regarding the Air Toxics Hot Spots Program and the results of the health risk assessment.

**(e) RISK REDUCTION AUDITS AND PLANS**

(1) Within 180 days of receipt of written notice from the Air Pollution Control Officer that a stationary source's most recent approved health risk assessment indicates health risks at or above the significant risk threshold(s), the owner or operator shall submit to the Air Pollution Control Officer, for completeness review and approval, a risk reduction audit and plan. For the purpose of this section, the significant risk threshold for maximum individual cancer risk shall be:

- (i) equal to or greater than 10 in one million for emissions inventory years 2018 and later, or
- (ii) equal to or greater than 100 in one million for emissions inventory years prior to 2018.

The risk reduction audit and plan shall comply with the requirements of Subsection (e)(2). Such risk reductions shall be accomplished within five years of the date the plan is approved by the Air Pollution Control Officer, unless an extension has been granted pursuant to Subsections (e)(4) or (e)(5).

(2) The risk reduction audit and plan submitted by the owner or operator shall be accompanied by appropriate application(s) to implement the plan and contain all of the following:

- (i) The name and location of the stationary source.
- (ii) A facility risk characterization which includes an updated emissions inventory report and health risk assessment, if the risk due to total facility emissions has increased to above or decreased to below the levels indicated in the previously approved health risk assessment.
- (iii) The identification of all the emission unit(s) for which the owner or operator proposes to reduce toxic air contaminant emissions and the identification of the airborne toxic risk reduction measures proposed for implementation to reduce such emissions, and the anticipated emission and health risk reductions.
- (iv) A schedule for implementing the proposed airborne toxic risk reduction measures within five years. The schedule shall include specific increments of progress towards implementing the airborne toxic risk reduction measures.

(v) A demonstration, including supporting documentation such as emission calculations, that the proposed airborne toxic risk reduction measures will reduce or eliminate toxic air contaminant emissions from the stationary source. The demonstration shall be made through analogy with the approved health risk assessment for the stationary source or by submission of a revised forecast risk assessment. The demonstration also shall include any foreseeable new or increased emissions of toxic air contaminants from the stationary source and the estimated health risks resulting from such new or increased emissions during the period approved for implementation of the risk reduction audit and plan.

(vi) A schedule for providing progress reports on reductions in emissions of toxic air contaminants and estimated health risks achieved under the implemented plan. Progress reports shall include a technology review, as applicable, that provides an update on new emissions reducing technologies, and shall be provided not less frequently than within 12 months from when the plan is approved, and annually thereafter, and may be incorporated into emission inventory report updates required pursuant to Section 44344 of the California Health and Safety Code.

(3) Within 30 days of receipt of a risk reduction audit and plan submitted pursuant to Subsection (e)(2), the Air Pollution Control Officer shall provide public notice of such plan receipt and make the risk reduction audit and plan available for public review and provide for a 30-day comment period.

(4) The Air Pollution Control Officer may, upon a request pursuant to Subsection (e)(6), allow a 3-year extension for an owner or operator of a stationary source to reduce risks to below the significant risk threshold(s) provided the owner or operator has installed T-BARCT on all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(5) The Air Pollution Control Officer may, upon a request pursuant to Subsection (e)(6), allow subsequent 3-year extensions for an owner or operator of a stationary source to reduce risks to below the significant risk threshold(s) provided the owner or operator has implemented all technically feasible measures on all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(6) The owner or operator of a stationary source requesting an extension to reduce risks to below the significant risk threshold(s) shall submit the extension request to the Air Pollution Control Officer, in the manner and form prescribed by the Air Pollution Control Officer. The extension request shall include all of the following:

(i) Demonstration that T-BARCT and/or all technically feasible control measures, as applicable, have been installed or implemented on all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(ii) Quantification of the risk reduction that has been achieved by the implementation of T-BARCT and/or all technically feasible control measures, as applicable, from all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(iii) An implementation schedule which shall include dates for installation and/or implementation of all technically feasible control measures, as applicable.

The Air Pollution Control Officer may impose conditions on the approval of additional time, as necessary, to ensure that airborne toxic risk reduction measures that are technically feasible are implemented as expeditiously as possible.

(7) Within 30 days of receipt of an extension request, pursuant to Subsections (e)(4) or (e)(5), the Air Pollution Control Officer shall provide public notice of such extension request and make the extension request available for public review and provide for a 30-day comment period.

(8) At least 30 days prior to the approval of any extension request, the Air Pollution Control Officer shall conduct a public meeting to discuss the proposed extension and obtain input from the public.

(9) If the Air Pollution Control Officer finds that the risk reduction audit and plan is not approvable, the Air Pollution Control Officer shall notify the owner or operator in writing and may remand the plan to the owner or operator for further revision. An approvable plan shall be submitted by the owner or operator within 60 days of such notification. If an approvable plan is not submitted, the Air Pollution Control Officer may disapprove the plan and find the owner or operator to be in violation of this rule.

(10) The Air Pollution Control Officer may require that a risk reduction audit and plan be revised and resubmitted if the Air Pollution Control Officer receives new information regarding toxic air contaminant emissions from the stationary source or alternative airborne toxic risk reduction measures that would significantly impact or reduce risks to exposed persons. A revised plan shall be submitted by the owner or operator within 60 days of such notification.

**(f) PROGRAM FEES**

All costs incurred by the Air Pollution Control Officer associated with the public notification, public meeting, and risk reduction audit and plan requirements of this rule in conjunction with an affected stationary source shall be paid by the owner or operator of that stationary source in accordance with Subsection (f)(6) Toxic Hot Spots, of Rule 40 – Permit and Other Fees.

**IT IS FURTHER RESOLVED AND ORDERED** that proposed amended Rule 1200 of Regulation XII shall take effect (*date of adoption*) and be submitted to the California Air Resources Board; and

**IT IS FURTHER RESOLVED AND ORDERED** that proposed amended Rule 1210 of Regulation XII shall take effect (*date of adoption*) and be submitted to the California Air Resources Board.

**PASSED AND ADOPTED** by the Air Pollution Control District Governing Board of the San Diego County Air Pollution Control District, this 13<sup>th</sup> day of February, 2025, by the following votes:

**AYES:** Bush, Campbell, Fitzgerald, Gomez, Koval, Lawson-Remer, Martinez, Medina

**ABSENT:** Birkbeck-Garcia, Gloria

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY: Heidi Gabriel-Pack, Senior Deputy

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STATE OF CALIFORNIA)

County of San Diego)<sup>SS</sup>

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the San Diego County Air Pollution Control District Governing Board.



MARVICE MAZYCK

Clerk of the San Diego County Air Pollution Control District Governing Board

**REGULATION XII. TOXIC AIR CONTAMINANTS****RULE 1200. TOXIC AIR CONTAMINANTS - NEW SOURCE REVIEW**

*(Rev. Adopted & Effective (date of adoption))*

~~(Adopted & Effective 06/12/96)~~

~~(Tables II, III—Toxic Air Contaminants: Rev. Effective 06/05/24)~~

**(a) APPLICABILITY**

Except as provided in Section (b) of this rule, this rule applies to any new, relocated, or modified emission unit which may increase emissions of one or more toxic air contaminant(s) and for which an Authority to Construct or Permit to Operate is required pursuant to Rule 10, or for which a Notice of Intention or Application for Certification has been accepted by the California Energy Commission. An Application for Certification shall be considered equivalent to an application for an Authority to Construct. Compliance with this rule does not relieve a person from having to comply with other applicable requirements in these rules and regulations, or state and federal law.

**(b) EXEMPTIONS**

(1) The standards of Section (d) shall not apply to:

(i) The modification of an emission unit made exclusively to comply with the Maximum Achievable Control Technology (MACT) requirements adopted pursuant to either Section 111 or 112 of the Federal Clean Air Act or to comply with requirements of these rules and regulations adopted to implement federal MACT requirements.

(ii) The modification of an emission unit made exclusively to comply with a state Air Toxic Control Measure (ATCM) required by Division 26, Part 2, Chapter 3.5 of the California Health and Safety Code (AB 1807 program) or to comply with a requirement of these rules and regulations adopted to implement state ATCM requirements.

(iii) An existing emission unit requiring a permit solely because of changes to Rule 11 of these rules and regulations provided the application for permit is submitted within one-year after the applicable change to Rule 11 is adopted.

(iv) The modification of an emission unit made exclusively to implement a District approved risk reduction plan required by Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 program) or to comply with a requirement of these rules and regulations adopted to implement state SB 1731 program requirements.



(v) The following emission units provided the resulting increase in maximum incremental cancer risk at every receptor location is less than 100 in one million, the total acute noncancer health hazard index is less than 10 and the total chronic noncancer health hazard index is less than 10:

(A) Dry cleaning emission units, provided that Toxics Best Available Control Technology (T-BACT) will be installed.

(B) Gasoline service station emission units, provided that T-BACT will be installed.

(C) Asphalt roofing kettles and tanks.

(D) Automotive refinishing operations not using chrome or lead pigmented coatings.

(E) Emission units used for wood product stripping operations, provided that T-BACT will be installed.

(2) The standards of Subsections (d)(1) and (d)(3) shall not apply to the modification of an emission unit made exclusively to comply with a requirement of these rules and regulations, but not including Rule 1200. The Air Pollution Control Officer may determine for good cause, on a case-by-case basis, that this exemption does not apply to a modified emission unit. In the event such a determination is made, written notice shall be provided by the Air Pollution Control Officer to the project applicant as soon as possible and before the application is deemed complete pursuant to Rule 18. This notice shall state the specific reason why the Air Pollution Control Officer has determined that this exemption does not apply and shall specify what additional requirements the project applicant must meet.

(c) **DEFINITIONS**

(1) “**Air Toxic Control Measure (ATCM)**” means a requirement to reduce emissions of one or more toxic air contaminants developed pursuant to Division 26, Part 2, Chapter 3.5 of the California Health and Safety Code (AB 1807 program).

(2) “**Cancer Burden**” means the estimated potential increase in the occurrence of cancer cases in a population subject to an incremental cancer risk of greater than one in one million resulting from exposure to toxic air contaminants. It shall be calculated pursuant to Section (e).

(3) “**Concurrent Emission Reductions**” means permanent, quantifiable, enforceable, and surplus emission reductions occurring at the same stationary source and within the six months prior to or at the same time as the commencement of operations of new or modified emission units constituting a project. Emission reductions resulting from the shutdown of an emission unit are eligible to be concurrent emission reductions. Concurrent emission reductions shall be calculated pursuant to Section (e).

Notwithstanding the definition of “Surplus,” emission reductions required by Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code may be used as concurrent emission reductions if they occur before they are required by the applicable MACT or ATCM. However, their use as concurrent emission reductions shall expire on the date the reductions required by the applicable MACT or ATCM are actually required to take place. The Permit to Operate for any emission unit which has used such an emission reduction to satisfy in whole or in part the requirements of this rule, shall expire and become null and void on the date that the reductions required by the applicable MACT or ATCM are actually required to take place, unless additional concurrent emission reductions are provided in an amount necessary to satisfy the requirements of this rule.

(4) “**Contiguous Property**” means the same as defined in Rule 2 of these Rules and Regulations.

(5) “**Emission Unit**” means any article, machine, equipment, contrivance, process or process line which emits or may emit one or more toxic air contaminants.

(6) “**Enforceable**” means can be enforced by the District through inclusion of conditions on a valid and current permit.

(7) “**Future Potentially Feasible Cancer Risk Reduction Measure**” means control measures and techniques that are in excess of T-BACT and are expected to be technologically feasible and economically practicable in the future. They include, but are not limited to, pollution prevention measures such as product substitution or modification, process modification, feedstock modification, operational and maintenance improvements; changes in basic control equipment; and enclosing systems or processes to reduce emissions. Future potentially feasible cancer risk reduction measures are different from T-BACT in that they apply to existing permit units. Future potentially feasible cancer risk reduction measures are determined on a case-by-case basis.

(8) “**Maximum Achievable Control Technology (MACT)**” means emission controls or limitations included in any Section 112 requirement of the federal Clean Air Act, including any implementing regulations of the U.S. Environmental Protection Agency, for any source class or category.

(9) “**Maximum Incremental Cancer Risk (MICR)**” means the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminant(s). It shall be calculated pursuant to Section (e) and using net emission increases from the project or emission unit.

(10) “**Modified Emission Unit**” means an emission unit which undergoes any physical or operational change which results or may result in an increase in an emission unit’s toxic air contaminant potential to emit, including toxic air contaminants not previously emitted. An emission unit which undergoes the following shall not be considered a modified emission unit, provided such change is not contrary to any permit condition, and the change does not result in an increase in the toxic air contaminant potential to emit of any toxic air contaminant:

- (i) The movement of a portable emission unit from one stationary source to another.
- (ii) Repair or routine maintenance.
- (iii) An increase in the hours of operation.
- (iv) Use of alternate fuel or raw material.

(11) “**Permanent**” means enforceable and which will exist for the life of the project or emission unit, as may be limited by enforceable permit conditions.

(12) “**Post-Project Potential To Emit**” means a project’s or emission unit’s potential to emit after issuance of an Authority to Construct for the proposed project or emission unit, calculated pursuant to Section (e).

(13) “**Potential to Emit**” means the maximum quantity of toxic air contaminant emissions, including fugitive emissions, that a project or emission unit is capable of emitting considering emission control equipment and calculated pursuant to Section (e).

(14) “**Pre-Project Potential To Emit**” means a project’s or emission unit’s potential to emit prior to issuance of an Authority to Construct for the proposed project or emission unit, calculated pursuant to Section (e).

(15) “**Project**” means an emission unit or aggregation of emission units located at a stationary source for which an application or combination of applications for Authority to Construct or modified Permit to Operate are under District review. It includes any emission unit(s) modified to provide concurrent emission reductions.

(16) “**Quantifiable**” means that a reliable basis for calculating the amount, rate, nature and characteristics of an emission change can be established, as determined by the Air Pollution Control Officer.

(17) “**Receptor Location**” means any location beyond the project’s or emission unit’s stationary source boundaries where the Air Pollution Control Officer has determined exposure to the project’s or emission unit’s (not including any emission unit modified to provide concurrent emission reductions) emissions could reasonably occur.

(18) “**Relocated**” means moved within San Diego County from one stationary source to another stationary source.

(19) “**Stationary Source**” means the same as defined in Rule 2 of these Rules and Regulations.

(20) “**Surplus**” means in excess of any emission reductions which are required by this rule, or which are required by or which the Air Pollution Control Officer reasonably expects will be required by Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code.

Emission reductions used as concurrent emission reductions as part of a project or emission unit subject to the requirements of this rule which occur before the Air Pollution Control Officer reasonably expects they will be required by Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code shall be deemed to be permanently surplus. Emission reductions occurring before December 12, 1995 are not surplus.

Emission reductions associated with Section 111 or 112 (MACT) of the federal Clean Air Act, or Division 26, Part 2, Chapter 3.5 (ATCM) of the California Health and Safety Code and which have been publicly noticed to be required by the federal Environmental Protection Agency (EPA) or the California Air Resources Board (ARB), as applicable, may be deemed to be reasonably expected to occur by the Air Pollution Control Officer. If subsequent public notice is given by such agency that such emission reductions will not be required, such emission reductions shall be deemed to be surplus.

(21) **“Total Acute Noncancer Health Hazard Index”** means the estimated potential risk of acute public health effects and is the sum of the individual substance acute health hazard indexes affecting the same target organ system for a potential maximally exposed individual for all toxic air contaminants ~~identified in Table III~~ for which OEHHA has established acute noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code. It shall be calculated using net emission increases from the project or emission unit. It shall be calculated pursuant to Section (e).

(22) **“Total Chronic Noncancer Health Hazard Index”** means the estimated potential risk of chronic public health effects and is the sum of the individual substance chronic health hazard indexes affecting the same target organ system for a potential maximally exposed individual for all toxic air contaminants ~~identified in Table II~~ for which OEHHA has established chronic noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code. It shall be calculated using net emission increases from the project or emission unit. It shall be calculated pursuant to Section (e).

(23) **“Toxic Air Contaminant (TAC)”** means a substance which: ~~the air contaminants listed in Table I (carcinogenic), Table II (noncarcinogenic—chronic) or Table III (noncarcinogenic—acute) which have a health standard, approved by the state Office of Environmental Health Hazard Assessment (OEHHA) and listed in the California Air Pollution Control Officers Association (CAPCOA) Air Toxics Hot Spots Program Risk Assessment Guidelines, October, 1993 or listed in any health risk assessment guidelines adopted by OEHHA, pursuant to Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 procedures), that replaces all or part of such CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October, 1993.~~

~~The Air Pollution Control Officer may revise Tables I, II, or III upon OEHHA adoption of revised CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines or upon OEHHA adoption of any health risk assessment guidelines or revisions pursuant to Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 procedures), that replace all or part of such CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October, 1993, or with the concurrence of OEHHA and 30 days after public notice of the proposed changes is published in a newspaper of general~~

~~circulation. A member of the public may petition the Air Pollution Control Officer to add air contaminants to these tables.~~

(i) Is required to be included on the list of toxic substances compiled and maintained by ARB pursuant to Section 44321 of the California Health and Safety Code; and

(ii) Has cancer and/or noncancer (chronic and/or acute) health effect values established by OEHHA pursuant to Section 44360 of the California Health and Safety Code.

(24) “**Toxics Best Available Control Technology (T-BACT)**” means the most effective emission limitation or emission control device or control technique which:

(i) has been achieved in practice for that source or category of source; or

(ii) is any other emissions limitation or control technique, including process and equipment changes of basic and control equipment and implementation of pollution prevention measures, found by the Air Pollution Control Officer to be technologically feasible for that source or category of source, or for a specific source. If there is an applicable MACT standard, the Air Pollution Control Officer shall evaluate it for equivalency with T-BACT.

(d) **STANDARDS**

The Air Pollution Control Officer shall deny an Authority to Construct or Permit to Operate for any new, relocated, or modified emission unit increasing emissions of one or more toxic air contaminants ~~listed in Tables I, II, or III as defined herein~~ unless all of the following requirements are met:

(1) **Cancer Risk**

(i) T-BACT Not Applied. The increase in maximum incremental cancer risk at every receptor location is equal to or less than one in one million for any project for which new, relocated, or modified emission units that increases maximum incremental cancer risk are not equipped with T-BACT; and

(ii) T-BACT Applied. Except as provided in (d)(1)(iii), the increase in maximum incremental cancer risk at every receptor location is equal to or less than 10 in one million for any project for which all new, relocated, or modified emission units that increases maximum incremental cancer risk are equipped with T-BACT.

(iii) Maximum Incremental Cancer Risk Greater Than 10 in One Million. The Air Pollution Control Officer may grant an Authority to Construct and/or Permit to Operate for a new, relocated, or modified emission unit with an increase in maximum incremental cancer risk at any receptor location of greater than 10 in one million but less than 100 in one million provided all of the following conditions are met:

(A) All new, relocated, or modified emission unit(s) associated with the project that increase maximum incremental cancer risk by more than one in one million are equipped with T-BACT.

(B) The Air Pollution Control Officer prepares a report in support of approving an Authority to Construct for the project. The following information shall be included in the report and shall be provided by the project applicant in report format to the satisfaction of the Air Pollution Control Officer:

(1) Identification of the toxic air contaminants that would be emitted.

(2) Identification of the cancer and noncancer (chronic and acute) health impacts of the toxic air contaminants that would be emitted.

(3) A discussion of any uncertainty associated with the risk assessment that the applicant believes is noteworthy.

(4) A discussion of the benefits associated with the new or modified project (any emission unit modified to provide concurrent emission reductions need not be included).

(5) A discussion of any local, state or federal mandates requiring the new or modified project (any emission unit modified to provide concurrent emission reductions need not be included).

(6) Identification of project impacts on environmental media other than air.

(7) Identification of all sensitive receptors impacted by the new or modified project (any emission unit modified to provide concurrent emission reductions need not be included).

(8) A discussion of how the stationary source will comply with all applicable MACT and ATCM requirements at the time of Authority to Construct issuance.

(9) A demonstration that the cancer burden as a result of the project will not exceed 1.0.

(10) A cancer risk reduction plan for the project (any emission unit modified to provide concurrent emission reductions need not be included) to include the following information:

(i) Identification of the processes and activities causing the toxic air contaminant emissions from the project and what portion of the total project risk is due to each.

(ii) Identification of all future potentially feasible cancer risk reduction measures for the project type.

(iii) An estimate of the risk reduction potential of all future potentially feasible cancer risk reduction measures.

(iv) An estimate of how long it would take to implement all future potentially feasible cancer risk reduction measures.

(v) A determination of the technical feasibility and cost-effectiveness to implement all future potentially feasible cancer risk reduction measures.

(vi) Identification of and a commitment to implement future potentially feasible cancer risk reduction measures for the project to reduce the maximum incremental cancer risk increase from the project to 10 in one million or less, and a detailed schedule for implementation.

(11) A discussion of how each requirement of Subsections (d)(1)(iii), (d)(2), and (d)(3) will be met.

The report required by this Subsection shall be available in draft form for public review at the Air Pollution Control District and at a minimum of one public library (to be determined by the Air Pollution Control Officer) near affected persons for the 30 days required by Subsection (d)(1)(iii)(J) before it is finalized.

(C) The Air Pollution Control Officer will include in any Authority to Construct that is issued for the project a condition(s) requiring implementation of the future potentially feasible cancer risk reduction measures the project applicant committed to implement pursuant to the requirement of Subsection (d)(1)(iii) (B)(10)(vi).

(D) If the project is a modification of an existing stationary source emitting one or more toxic air contaminant(s), T-BACT shall be installed on all permitted emission units at the stationary source that have a maximum incremental cancer risk impact of greater than 10 in one million at any receptor location where the increase in maximum incremental cancer risk as a result of the project is greater than 10 in one million. The Air Pollution Control Officer shall not consider emission units modified to comply with this requirement as part of the project unless specifically requested to do so by the project applicant. Emissions and risk impact data to be used for such impact determinations from non-project emission units shall be from the District program to implement Section 44362 of Division 26 (AB 2588) of the California Health and Safety Code, as such data exists on the date a complete permit application for the project is filed with the District, unless the Air

Pollution Control Officer approves the use of other emissions and risk impact data as being more representative.

(E) If the increase in maximum incremental cancer risk as a result of the project is greater than 50 in one million at any receptor location,

(1) all available cancer risk reductions shall be provided from permitted emission units:

(i) located at stationary sources other than the stationary source where the project is located or will be located (e.g. off-site emission reductions), and

(ii) which have a maximum incremental cancer risk impact of greater than 10 in one million at any receptor location where the maximum incremental cancer risk impact as a result of the project is greater than 10 in one million;

or,

(2) cancer risk reductions shall be provided until the increase in maximum incremental cancer risk from the project at all receptor locations is equal to or less than 10 in one million.

Emissions and risk impact data to be used for such impact determinations shall be from the District program to implement Section 44362 of Division 26 (AB 2588) of the California Health and Safety Code, as such data exists on the date a complete permit application for the project is filed with the District, unless the Air Pollution Control Officer approves the use of other emissions and risk impact data as being more representative.

Cancer risk reductions from any single emission unit required by this Subsection (d)(1)(iii)(E) shall not be required if the project applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the annualized cost of such cancer risk reduction (from such single emission unit) per unit of maximum incremental cancer risk reduced is greater than 1.25 times the annualized cost per unit of maximum incremental cancer risk reduced by T-BACT for the project (not including any emission unit modified to provide concurrent emission reductions).

All emission reductions provided pursuant to this subsection shall be enforceable, permanent, and quantifiable. The stationary source operator shall demonstrate to the satisfaction of the Air Pollution Control Officer that the requirements of this subsection have been met. If emission reductions from permitted units are provided such that the resulting maximum incremental cancer risk from the project at all receptor locations within the project impact area is equal to or less than 10 in one million, the requirements of Subsections (d)(1)(iii)(B), (D), (F), (I), and (J) shall not apply.



(F) The stationary source operator will prepare an annual report on risk reduction methods, including pollution prevention, available for reducing the resulting project (not including any emission unit modified to provide concurrent emission reductions) maximum incremental cancer risk for affected emission units to less than or equal to 10 in one million. Such report shall meet the same requirements as established for the District's program to implement Division 26, Part 6, Chapter 6 (SB 1731 risk reduction program) of the California Health and Safety Code. The stationary source operator shall implement the approved risk reduction methods within one year from the date of approval by the District.

(G) The stationary source is in compliance with all applicable MACT and ATCM requirements at the time of Authority to Construct issuance.

(H) The cancer burden as a result of the project is equal to or less than 1.0.

(I) The stationary source operator will notify affected persons of the project and, after providing a minimum 30 day notice, hold a public meeting (in the area affected by the project) to discuss the project. Notification shall be in writing and shall meet the same requirements as established for District notification procedures to implement Section 44362 of Division 26 (AB 2588 Air Toxics Hot Spots notification program) of the California Health and Safety Code.

(J) After written notice is provided to affected persons, the Air Pollution Control Officer has provided a 30 day period for the public to submit written comments on the following as they relate to the project:

(1) Does the project meet all applicable federal, state and Air Pollution Control District requirements;

(2) Are there any special considerations in the affected community that warrant disapproval of the project;

(3) Are there alternative processes or control technologies that should be considered;

(4) Are the applicable terms and conditions of the proposed permit enforceable by the Air Pollution Control Officer; and,

(5) Was proper public notice provided regarding the project?

Written notice of the proposed project and comment period shall be prepared by the Air Pollution Control Officer and shall include notice that the draft report required by Subsection (d)(1)(iii)(B) and the Air Pollution Control Officer's analysis of the project are available for public review at the Air Pollution Control District and at a minimum of one specified public library (to

be determined by the Air Pollution Control Officer) near the affected persons. The notice shall be provided to affected persons by the stationary source operator at the same time as the notice required by Subsection (d)(1)(iii)(I) is provided to affected persons.

(2) Total Acute Noncancer Health Risk

The increase in the total acute noncancer health hazard index at every receptor location as a result of the project is equal to or less than one unless the Air Pollution Control Officer, after consulting with the state OEHHA, determines that an alternate total acute noncancer health hazard index is sufficiently health protective. In such case, the increase in total acute noncancer health hazard index shall be limited to the alternative total acute noncancer health hazard index at every receptor location.

(3) Total Chronic Noncancer Health Risk

The increase in the total chronic noncancer health hazard index at every receptor location as a result of the project is equal to or less than one unless the Air Pollution Control Officer, after consulting with the state OEHHA, determines that an alternate total chronic noncancer health hazard index is sufficiently health protective. In such case, the increase in total chronic noncancer health hazard index shall be limited to the alternative total chronic noncancer health hazard index at every receptor location.

(e) **PROCEDURES**

(1) Health risk estimates shall be performed for toxic air contaminants ~~listed in Tables I, II, III as defined herein~~ using corresponding state OEHHA health risk values in effect on the date action on the application(s) is taken. In the event health risk values are added or revised by OEHHA after the application is deemed complete pursuant to Rule 18, the Air Pollution Control Officer shall advise the project applicant in writing as soon as possible thereafter. The project applicant shall make the necessary changes to the health risk estimates to incorporate the new or revised health risk values and submit them to the Air Pollution Control Officer. However, if requested to do so by the project applicant, the Air Pollution Control Officer (in lieu of the project applicant) shall make the necessary changes to the health risk estimates to incorporate the new or revised health risk values.

(2) The Air Pollution Control Officer shall estimate health risk (cancer and non-cancer) and cancer burden in accordance with ~~procedures specified in the CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October, 1993 or specified in any health risk assessment guidelines adopted by the state OEHHA, pursuant to Section 44360 Division 26, Part 6, Chapter 6-4 of the California Health and Safety Code (SB 1731 program), that replace all or part of such CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October, 1993 and in effect on the date action on the application(s) is taken.~~

(3) Exposure Periods of Concern

Total chronic noncancer health risk and maximum incremental cancer risk estimates shall be calculated based on the project's or emission unit's emission increase in annual toxic air contaminant potential to emit. Total acute noncancer health risk estimates shall be based on the project's or emission unit's emission increase in toxic air contaminant potential to emit for the exposure period of concern.

(4) Calculation of Emission Increases

Emission increases from a new or relocated project or emission unit shall be calculated as the new project's or emission unit's post project potential to emit. Emission increases from a modified project or emission unit shall be calculated as the project's or emission unit's post project potential to emit minus its pre-project potential to emit.

(5) Calculation of Potential to Emit

Except as provided in (i) and (ii) below, the potential to emit shall be calculated based on the maximum design capacity or other operating conditions which reflect the maximum potential emissions, including fugitive emissions.

(i) Permit Limitations Shall Be Used: If specific limiting conditions contained in an Authority to Construct or Permit to Operate restrict or will restrict emissions to a lower level, these limitations shall be used to calculate the potential to emit.

(ii) Potential to Emit Shall Not Exceed Maximum Potential: If specific conditions limiting a project's or emission unit's pre-project potential to emit are not contained in an Authority to Construct or a Permit to Operate, the pre-project potential to emit shall be limited to the project's or emission unit's actual emissions only to the extent that such emissions do not violate any District, state or federal law, rule, regulation, order or permit condition.

For purposes of this requirement, the Air Pollution Control Officer may allow the pre-project potential to emit to be based on the highest level of actual emissions occurring during a consecutive one-year period within the five-year period preceding the receipt date of the application to the extent that the emission level was not in excess of any District, state or federal law, rule, regulation, order or permit condition.

(6) Calculation of Actual Emissions for Determining Emission Reductions

(i) Actual emissions of an existing emission unit shall be averaged over the most representative two consecutive years within the five years preceding the receipt date of an application, as determined by the Air Pollution Control Officer. Such actual emissions shall not include emissions in excess of any District, state or federal law, rule, regulation, order or permit condition.

(ii) For emission units that have not been operated for a consecutive two-year period, which is representative of actual operations within the five years preceding the receipt date of the application, the calculation of actual emissions shall be based on the average of any two one-year operating periods determined by the Air Pollution Control Officer to be representative within that five-year period. If a representative two-year time period or two one-year time period does not exist, the calculation of actual emissions shall be based on the average of the total operational time period within that five-year period.

(iii) Actual emissions for emission units operated for a period of less than six months shall be based on an average over the longest operating time period determined by the Air Pollution Control Officer to be most representative of actual operations.

(7) When concurrent emission reductions are provided, the resulting reduction in health risk at each evaluated receptor location shall be subtracted from the health risk increase at the same receptor location to provide a net health risk as a result of the project at each such receptor location.

Total chronic noncancer health risk and maximum incremental cancer risk reduction estimates shall be calculated based on the project's or emission unit's annual emission reduction in toxic air contaminants. Total acute noncancer health risk reduction estimates shall be based on the project's or emission unit's emission reduction in toxic air contaminants for the exposure period of concern.

In order for an emission reduction to qualify as a concurrent emission reduction when determining the net acute noncancer health risk as a result of a project or emission unit, the applicant shall demonstrate that there will be a resulting health risk reduction to mitigate emission increases from the project or emission unit for each and every acute time period of concern.

#### (8) Calculation of Emission Reductions

(i) An actual emission reduction may only be used as a concurrent emission reduction. Actual emissions calculated pursuant to Subsection (e)(6) shall be used for purposes of determining an actual emission reduction in accordance with this Subsection (e)(8). An actual emission reduction must be quantifiable, enforceable and surplus and may be temporary or permanent in duration. A temporary actual emission reduction shall be identified as temporary and shall include a specific date beyond which the reductions are no longer valid.

(A) Actual emission reductions from the shutdown or relocation of an emission unit shall be calculated based on the emission unit's pre-project actual emissions.

(B) Actual emission reductions from a modified project or emission unit shall be calculated as the project's or emission unit's pre-project actual emissions minus the project's or emission unit's post-project potential to emit.

(ii) Adjustment for Determining Actual Emission Reduction: If an emission unit has been permitted and operated for a period of less than two years, the emission unit's actual emissions, for purposes of determining decreases in cancer risk or noncancer chronic risk, shall be calculated as the unit's actual emissions over the actual operating time period times the actual operating time period in days divided by 1460.

(iii) If an emission unit was operated in violation of any District, state or federal law, rule, regulation, order, or permit condition during the period used to determine actual emissions, the actual emissions shall be adjusted to reflect the level of emissions which would have occurred if the emission unit had not been in violation.

(9) When concurrent emission reductions are provided, the project applicant shall apply for and the Air Pollution Control Officer shall approve or deny, as appropriate, an Authority to Construct and a new or modified Permit to Operate with appropriate conditions for the emission unit(s) providing the concurrent emission reductions, or retire a Permit to Operate for the emission unit(s) in the event of a shutdown.

(10) Toxic air contaminant exposure scenarios used to estimate health risk shall be consistent with land use designations at the time the application is deemed complete, except where the project owner has direct control over discretionary uses.

(11) To the extent possible, the Air Pollution Control Officer shall develop screening risk assessment procedures for common equipment and toxic air contaminants to expedite and standardize review for compliance with Section (d). The procedures shall be maintained in writing and available upon request. The Air Pollution Control Officer shall propose additional exemptions to Section (b) that the Air Pollution Control Officer deems appropriate, based on the results of these screening procedures.

Table I

Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>

COMPOUND	CAS # <sup>b</sup>	Date Added
Acetaldehyde	75-07-0	6/12/1996
Acetamide	60-35-5	1/11/2001
Acrylamide	79-06-1	6/12/1996
Acrylonitrile	107-13-1	6/12/1996
Allyl chloride	107-05-1	1/11/2001
2-Aminoanthraquinone	117-79-3	1/11/2001
Aniline	62-53-3	1/11/2001
— Aniline hydrochloride	142-04-1	9/19/2023
Arsenic and compounds (inorganic)	7440-38-2, 1015-1016	6/12/1996
— Arsenic acid	7778-39-4	9/19/2023
— Arsenic pentoxide	1303-28-2	9/19/2023
— Arsenic trioxide	1327-53-3	9/19/2023
— Calcium arsenate	7778-44-1	9/19/2023
— Gallium arsenide	1303-00-0	9/19/2023
Asbestos	1332-21-4	6/12/1996
— Actinolite	77536-66-4	9/19/2023
— Amosite	12172-73-5	9/19/2023
— Anthophyllite	77536-67-5	9/19/2023
— Chrysotile	12001-29-5	9/19/2023
— Crocidolite	12001-28-4	9/19/2023
— Tremolite	77536-68-6	9/19/2023
Benzene	71-43-2	6/12/1996
Benzidine (and its salts) as follows:	92-87-5	6/12/1996
— Benzidine based dyes	1020	6/12/1996
— C.I. Direct Blue 218 [PAH Derivative/Related, POM]	28407-37-6	9/19/2023
— 3,3'-Dimethylbenzidine dihydrochloride	612-82-8	9/19/2023
— Direct Black 38	1937-37-7	6/12/1996
— Direct Blue 6	2602-46-2	6/12/1996
— Direct Brown 95 (technical grade)	16071-86-6	6/12/1996
Benzyl chloride	100-44-7	1/11/2001
Beryllium and compounds	7440-41-7, 1021	6/12/1996
— Beryllium sulfate	13510-49-1	9/19/2023
— Beryllium sulfate (tetrahydrate)	7787-56-6	9/19/2023
— Beryllium oxide	1304-56-9	9/19/2023
Bis (2-chloroethyl) ether (dichloroethyl ether)	111-44-4	1/11/2001
Bis (chloromethyl) ether	542-88-1	1/11/2001
Bromate	15541-45-4	9/19/2023
Potassium bromate	7758-01-2	1/11/2001
1-Bromopropane	106-94-5	9/19/2023
1,3-Butadiene	106-99-0	6/12/1996
Cadmium and compounds	7440-43-9, 1045	6/12/1996
— Cadmium chloride	10108-64-2	9/19/2023
— Cadmium succinate	141-00-4	9/19/2023

**Table I—continued**

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Carbon tetrachloride (tetrachloromethane)	56-23-5	6/12/1996
Chlorinated paraffins	108171-26-2	1/11/2001
4-Chloro-o-phenylenediamine	95-83-0	1/11/2001
Chloroform	67-66-3	6/12/1996
Chlorophenols as follows:	N/A	6/12/1996
— Pentachlorophenol	87-86-5	6/12/1996
— 2,4,6-Trichlorophenol	88-06-2	6/12/1996
p-Chloro-o-toluidine	95-69-2	1/11/2001
1-Chloro-4-(trifluoromethyl)benzene {PCBTF}	98-56-6	9/19/2023
Chromium (hexavalent) and compounds including, but not limited to:	18540-29-9	6/12/1996
— Barium chromate	10294-40-3	6/12/1996
— t-Butyl chromate (VI)	1189-85-1	9/19/2023
— Calcium chromate	13765-19-0	6/12/1996
— Lead chromate	7758-97-6	6/12/1996
— Sodium dichromate	10588-01-9	6/12/1996
— Strontium chromate	7789-06-2	6/12/1996
— Chromium trioxide (as chromic acid mist)	1333-82-0	6/12/1996
Cobalt	7440-48-4	2/26/2021
Cobalt compounds, insoluble, including but not limited to:	1216	9/19/2023
— Cobalt carbonate	513-79-1	9/19/2023
— Cobalt carbonyl	10210-68-1	9/19/2023
— Cobalt hydroxide	21041-93-0	9/19/2023
— Cobalt oxalate	814-89-1	9/19/2023
— Cobalt [II] oxide	1307-96-6	9/19/2023
— Cobalt [III] oxide	1308-06-1	9/19/2023
— Cobalt sulfide	1317-42-6	9/19/2023
Cobalt sulfate and other soluble cobalt compounds, including but not limited to:	1217	
— Cobalt acetate (tetrahydrate)	71-48-7	9/19/2023
— Cobalt chloride (hexahydrate)	7646-79-9	9/19/2023
— Cobalt hydrocarbonyl	16842-03-8	9/19/2023
— Cobalt nitrate (hexahydrate)	10141-05-6	9/19/2023
— Cobalt octoate	136-52-7	9/19/2023
— Cobalt sulfate	10124-43-3	9/19/2023
— Cobalt sulfate (heptahydrate)	10026-24-1	9/19/2023
p-Cresidine	120-71-8	1/11/2001
Cupferron	135-20-6	1/11/2001
2,4-Diaminoanisole	615-05-4	1/11/2001
2,4-Diaminotoluene	95-80-7	1/11/2001
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	6/12/1996
p-Dichlorobenzene	106-46-7	6/12/1996
3,3-Dichlorobenzidine	91-94-1	6/12/1996
1,1-Dichloroethane (ethyldene dichloride)	75-34-3	1/11/2001

**Table I—continued**

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Di(2-ethylhexyl)phthalate (DEHP)	117-81-7	6/12/1996
p-Dimethylaminoazobenzene	60-11-7	1/11/2001
2,4-Dinitrotoluene	121-14-2	1/11/2001
— 2,4-Dinitrotoluene, sulfurized	1326-41-6	9/19/2023
1,4-Dioxane (1,4-diethylene dioxide)	123-91-1	6/12/1996
Epichlorohydrin (1-chloro-2,3-epoxypropane)	106-89-8	6/12/1996
Ethyl benzene	100-41-4	11/14/2007
Ethylene dibromide (1,2-dibromoethane)	106-93-4	6/12/1996
Ethylene dichloride (1,2-dichloroethane)	107-06-2	6/12/1996
Ethylene oxide (1,2-epoxyethane)	75-21-8	6/12/1996
Ethylene thiourea	96-45-7	1/11/2001
Formaldehyde	50-00-0	6/12/1996
Hexachlorobenzene	118-74-1	6/12/1996
Hexachlorocyclohexanes (mixed or technical grade)	608-73-1	6/12/1996
— Alpha-hexachlorocyclohexane	319-84-6	6/12/1996
— Beta-hexachlorocyclohexane	319-85-7	6/12/1996
— Gamma-hexachlorocyclohexane (Lindane)	58-89-9	6/12/1996
Hydrazine	302-01-2	6/12/1996
Lead (inorganic) and compounds including, but not limited to:	7439-92-1, 1128-1130	1/11/2001
— Lead acetate	301-04-2	1/11/2001
— Lead phosphate	7446-27-7	1/11/2001
— Lead subacetate	1335-32-6	1/11/2001
Methyl tertiary-butyl ether	1634-04-4	1/11/2001
4,4'-Methylene bis(2-chloroaniline) (MOCA)	101-14-4	1/11/2001
Methylene chloride (dichloromethane)	75-09-2	6/12/1996
4,4'-Methylene dianiline (and its dichloride)	101-77-9	1/11/2001
Michler's Ketone (4,4'-bis(dimethylamino) benzophenone)	90-94-8	1/11/2001
n-Nitrosodi-n-butylamine	924-16-3	6/12/1996
n-Nitrosodi-n-propylamine	621-64-7	6/12/1996
n-Nitrosodiethylamine	55-18-5	6/12/1996
n-Nitrosodimethylamine	62-75-9	6/12/1996
n-Nitrosodiphenylamine	86-30-6	1/11/2001
n-Nitroso-n-methylethylamine	10595-95-6	6/12/1996
n-Nitrosomorpholine	59-89-2	6/12/1996
n-Nitrosopiperidine	100-75-4	6/12/1996
n-Nitrosopyrrolidine	930-55-2	6/12/1996
Nickel and compounds including, but not limited to:	7440-02-0, 1145	6/12/1996
— Nickel acetate	373-02-4	6/12/1996
— Nickel carbonate	3333-67-3	6/12/1996
— Nickel carbonyl	13463-39-3	6/12/1996
— Nickel chloride	7718-54-9	9/19/2023
— Nickel nitrate {Nickel (II) nitrate}	13138-45-9	9/19/2023
— Nickel hydroxide	12054-48-7	6/12/1996



**Table I**—continued

Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
— Nickelocene	1271-28-9	6/12/1996
— Nickel oxide	1313-99-1	6/12/1996
— Nickel refinery dust from the pyrometallurgical process	1146	6/12/1996
— Nickel subsulfide	12035-72-2	6/12/1996
— Nickel sulfate	7786-81-4	9/19/2023
p-Nitrosodiphenylamine	156-10-5	6/12/1996
Particulate emissions from diesel-fueled engines	9901	9/15/2000
Perchloroethylene (tetrachloroethylene)	127-18-4	6/12/1996
Polychlorinated biphenyls (PCBs) unspciated mixtures	1336-36-3	6/12/1996
Polychlorinated biphenyls (PCBs) spciated as follows:	N/A	
— 3,3',4,4' Tetrachlorobiphenyl	32598-13-3	8/29/2003
— 3,4,4',5' Tetrachlorobiphenyl	70362-50-4	8/29/2003
— 2,3,3',4,4' Pentachlorobiphenyl	32598-14-4	8/29/2003
— 2,3,4,4',5' Pentachlorobiphenyl	74472-37-0	8/29/2003
— 2,3',4,4',5' Pentachlorobiphenyl	31508-00-6	8/29/2003
— 2,3',4,4',5' Pentachlorobiphenyl	65510-44-3	8/29/2003
— 3,3',4,4',5' Pentachlorobiphenyl	57465-28-8	8/29/2003
— 2,3,3',4,4',5' Hexachlorobiphenyl	38380-08-4	8/29/2003
— 2,3,3',4,4',5' Hexachlorobiphenyl	69782-90-7	8/29/2003
— 2,3',4,4',5,5' Hexachlorobiphenyl	52663-72-6	8/29/2003
— 3,3',4,4',5,5' Hexachlorobiphenyl	32774-16-6	8/29/2003
— 2,3,3',4,4',5,5' Heptachlorobiphenyl	39635-31-9	8/29/2003
Polychlorinated dibenzo-p-dioxins (PCDD) as follows:	1085, 1086	6/12/1996
— 2,3,7,8 Tetrachlorodibenzo-p-dioxin	1746-01-6	6/12/1996
— 1,2,3,7,8 Pentachlorodibenzo-p-dioxin	40321-76-4	6/12/1996
— 1,2,3,4,7,8 Hexachlorodibenzo-p-dioxin	39227-28-6	6/12/1996
— 1,2,3,6,7,8 Hexachlorodibenzo-p-dioxin	57653-85-7	6/12/1996
— 1,2,3,7,8,9 Hexachlorodibenzo-p-dioxin	19408-74-3	6/12/1996
— 1,2,3,4,6,7,8 Heptachlorodibenzo-p-dioxin	35822-46-9	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzo-p-dioxin	3268-87-9	6/12/1996
Polychlorinated dibenzofurans (PCDF) as follows:	1080	6/12/1996
— 2,3,7,8 Tetrachlorodibenzofuran	5120-73-19	6/12/1996
— 1,2,3,7,8 Pentachlorodibenzofuran	57117-41-6	6/12/1996
— 2,3,4,7,8 Pentachlorodibenzofuran	57117-31-4	6/12/1996
— 1,2,3,4,7,8 Hexachlorodibenzofuran	70648-26-9	6/12/1996
— 1,2,3,6,7,8 Hexachlorodibenzofuran	57117-44-9	6/12/1996
— 1,2,3,7,8,9 Hexachlorodibenzofuran	72918-21-9	6/12/1996
— 2,3,4,6,7,8 Hexachlorodibenzofuran	60851-34-5	6/12/1996
— 1,2,3,4,6,7,8 Heptachlorodibenzofuran	67562-39-4	6/12/1996
— 1,2,3,4,7,8,9 Heptachlorodibenzofuran	55673-89-7	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzofuran	39001-02-0	6/12/1996
Polycyclic aromatic hydrocarbon (PAH) as follows:	1150, 1151	6/12/1996
— Benz[a]anthracene	56-55-3	6/12/1996
— Benzo[a]pyrene	50-32-8	6/12/1996
— Benzo[b]fluoranthene	205-99-2	6/12/1996

**Table I—continued**

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
— Benzo[j]fluoranthene	205-82-3	6/12/1996
— Benzo[k]fluoranthene	207-08-9	6/12/1996
— Chrysene	218-01-9	6/12/1996
— Dibenz[a,h]acridine	226-36-8	6/12/1996
— Dibenz[a,j]acridine	224-42-0	6/12/1996
— Dibenz[a,h]anthracene	53-70-3	6/12/1996
— Dibenzo[a,e]pyrene	192-65-4	6/12/1996
— Dibenzo[a,h]pyrene	189-64-0	6/12/1996
— Dibenzo[a,i]pyrene	189-55-9	6/12/1996
— Dibenzo[a,l]pyrene	191-30-0	6/12/1996
— 7h-Dibenzo[e,g]carbazole	194-59-2	6/12/1996
— 7,12-Dimethylbenz[a]anthracene	57-97-6	6/12/1996
— 1,6-Dinitropyrene	42397-64-8	6/12/1996
— 1,8-Dinitropyrene	42397-65-9	6/12/1996
— Indeno[1,2,3-c,d]pyrene	193-39-5	6/12/1996
— 3-Methylcholanthrene	56-49-5	6/12/1996
— 5-Methylchrysene	3697-24-3	6/12/1996
— Naphthalene	91-20-3	8/03/2004
— 5-Nitroacenaphthene	602-87-9	6/12/1996
— 6-Nitrochrysene	7496-02-8	6/12/1996
— 2-Nitrofluorene	607-57-8	6/12/1996
— 1-Nitropyrene	5522-43-0	6/12/1996
— 4-Nitropyrene	57835-92-4	6/12/1996
1,3-Propane sultone	1120-71-4	1/11/2001
Propylene oxide	75-56-9	6/12/1996
Tertiary butyl acetate (TBAc)	540-88-5	5/29/2019
1,1,2-Tetrachloroethane	79-34-5	1/11/2001
Thioacetamide	62-55-5	6/12/1996
Toluene diisocyanates including, but not limited to:	26471-62-5	1/11/2001
— Toluene 2,4-diisocyanate	584-84-9	1/11/2001
— Toluene 2,6-diisocyanate	91-08-7	1/11/2001
1,1,2-Trichloroethane (vinyl trichloride)	79-00-5	1/11/2001
Trichlorethylene	79-01-6	6/12/1996
Urethane (ethyl carbamate)	51-79-6	6/12/1996
Vinyl chloride (chloroethylene)	75-01-4	6/12/1996

- a. Unit Risk Values shall be obtained from the CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October 1993 or any health risk assessment guidelines adopted by the state Office of Environmental Health Hazard Assessment (OEHHHA), pursuant to Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 program), that replace all or part of such CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October 1993. Table I was last revised pursuant to Rule 1200(e)(23) and Rule 1210(e)(23) on September 19, 2023.
- b. Chemical Abstract Service Number (CAS): For chemical groupings and mixtures where a CAS number is not applicable, the 4 digit code used in the Air Toxics “Hot Spots” Emission Inventory Criteria and Guidelines (EICG) Report is listed. For information on the origin and use of the 4 digit code, see the EICG report.

**Table II****Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Acetaldehyde	75-07-0	6/12/1996
Acrolein	107-02-8	1/11/2001
Acrylonitrile	107-13-1	6/12/1996
Ammonia	7664-41-7	6/12/1996
Arsenic (inorganic) and compounds including, but not limited to:	7440-38-2, 1015-1016	6/12/1996
— Arsenic acid	7778-39-4	9/19/2023
— Arsenic pentoxide	1303-28-2	9/19/2023
— Arsenic trioxide	1327-53-3	9/19/2023
— Arsine	7784-42-1	6/12/1996
— Calcium arsenate	7778-44-1	9/19/2023
— Gallium arsenide	1303-00-0	9/19/2023
Benzene	71-43-2	6/12/1996
Beryllium and compounds	7440-41-7, 1021	6/12/1996
— Beryllium sulfate	13510-49-1	9/19/2023
— Beryllium sulfate (tetrahydrate)	7787-56-6	9/19/2023
— Beryllium oxide	1304-56-9	9/19/2023
1-Bromopropane	106-94-5	9/19/2023
1,3-Butadiene	106-99-0	1/11/2001
Cadmium and compounds	7440-43-9, 1045	6/12/1996
— Cadmium chloride	10108-64-2	9/19/2023
— Cadmium succinate	141-00-4	9/19/2023
Caprolactam	105-60-2	6/16/2014
Carbon disulfide	75-15-0	1/11/2001
Carbon tetrachloride (tetrachloromethane)	56-23-5	6/12/1996
Carbonyl sulfide	463-58-1	7/11/2017
Chlorine	7782-50-5	6/12/1996
Chlorine dioxide	10049-04-4	1/11/2001
Chlorobenzene	108-90-7	6/12/1996
Chloroform	67-66-3	6/12/1996
Chloropicrin	76-06-2	6/12/1996
Chromium (III)	16065-83-1	9/19/2023
Chromium (hexavalent) and compounds including, but not limited to:	18540-29-9	6/12/1996
— Barium chromate	10294-40-3	6/12/1996
— t-Butyl chromate (VI)	1189-85-1	9/19/2023
— Calcium chromate	13765-19-0	6/12/1996
— Lead chromate	7758-97-6	6/12/1996
— Sodium dichromate	10588-01-9	6/12/1996
— Strontium chromate	7789-06-2	6/12/1996
— Chromium trioxide (as chromic acid mist)	1333-82-0	3/12/2001
Cresols (mixtures of)	1319-77-3	6/12/1996
— m-cresol	108-39-4	6/12/1996
— o-cresol	95-48-7	6/12/1996
— p-cresol	106-44-5	6/12/1996

**Table II**—continued

**Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Cyanide (inorganic)	57-12-5	1/11/2001
— Calcium cyanide	592-01-8	9/19/2023
— Hydrogen cyanide (hydrocyanic acid)	74-90-8, 191234-22-7, 341972-31-4	6/12/1996
— Potassium cyanide	151-50-8	9/19/2023
— Sodium cyanide	143-33-9	9/19/2023
p-Dichlorobenzene (1,4-dichlorobenzene)	106-46-7	6/12/1996
Diethanolamine	111-42-2	1/14/2002
n,n-Dimethyl formamide	68-12-2	1/11/2001
1,4-Dioxane	123-91-1	6/12/1996
Epichlorohydrin (1-chloro-2,3-epoxypropane)	106-89-8	6/12/1996
1,2-Epoxybutane	106-88-7	1/11/2001
Ethyl benzene	100-41-4	1/11/2001
Ethyl chloride	75-00-3	6/12/1996
Ethylene dibromide (1,2-dibromoethane)	106-93-4	6/12/1996
Ethylene dichloride (1,2-dichloroethane)	107-06-2	6/12/1996
Ethylene glycol	107-21-1	6/12/1996
Ethylene oxide	75-21-8	6/12/1996
Fluorides and compounds	1101	1/11/2001
— Hydrogen fluoride (hydrofluoric acid)	7664-39-3	6/12/1996
— Modified hydrogen fluoride {MHF}	1141	9/19/2023
— Selenium hexafluoride	7783-79-1	9/19/2023
— Sodium aluminum fluoride	15096-52-3	9/19/2023
— Sodium fluoride	7681-49-4	9/19/2023
Formaldehyde	50-00-0	6/12/1996
Glutaraldehyde	111-30-8	6/12/1996
Glycol Ethers as follows:	N/A	6/12/1996
— Ethylene glycol butyl ether—EGBE	111-76-2	7/19/2018
— Ethylene glycol ethyl ether—EGEE	110-80-5	6/12/1996
— Ethylene glycol ethyl ether acetate—EGEEA	111-15-9	6/12/1996
— Ethylene glycol methyl ether—EGME	109-86-4	6/12/1996
— Ethylene glycol methyl ether acetate—EGMEA	110-49-6	6/12/1996
1,6-Hexamethylene diisocyanate (monomer)	822-06-0	9/29/2020
n-Hexane	110-54-3	1/11/2001
Hydrazine	302-01-2	6/12/1996
Hydrochloric acid	7647-01-0	6/12/1996
Hydrogen sulfide	7783-06-4	6/12/1996
Isophorone	78-59-1	1/14/2002
Isopropyl alcohol (isopropanol)	67-63-0	1/11/2001
Maleic anhydride	108-31-6	6/12/1996
Manganese and compounds	7439-96-5, 1132	6/12/1996
— Manganese cyclopentadienyl tricarbonyl	12079-65-1	9/19/2023
— 2-Methylcyclopentadienyl manganese tricarbonyl	12108-13-3	9/19/2023
Mercury (inorganic) and compounds including, but not limited to:	7439-97-6, 1131	6/12/1996
— Mercuric chloride	7487-94-7	6/12/1996

**Table II**—continued

Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Methanol	67-56-1	6/12/1996
Methyl bromide (bromomethane)	74-83-9	6/12/1996
Methyl tert-butyl ether	1634-04-4	1/11/2001
Methyl chloroform (1,1,1-TCA)	71-55-6	6/12/1996
Methyl isocyanate	624-83-9	6/12/1996
Methylene chloride (dichloromethane)	75-09-2	6/12/1996
4,4'-Methylene dianiline (and its dichloride)	101-77-9	6/12/1996
Methylene diphenyl diisocyanate (polymeric)	101-68-8	6/12/1996
Nickel and compounds including, but not limited to:	7440-02-0	6/12/1996
Nickel acetate	373-02-4	6/12/1996
Nickel carbonate	3333-67-3	6/12/1996
Nickel carbonyl	13463-39-3	6/12/1996
Nickel chloride	7718-54-9	9/19/2023
Nickel hydroxide	12054-48-7	6/12/1996
Nickel nitrate {Nickel (II) nitrate}	13138-45-9	9/19/2023
Nickelocene	1271-28-9	6/12/1996
Nickel oxide	1313-99-1	6/12/1996
Nickel refinery dust from the pyrometallurgical process	1146	6/12/1996
Nickel subsulfide	12035-72-2	6/12/1996
Nickel sulfate	7786-81-4	9/19/2023
Particulate emissions from diesel-fueled engines	9901	9/15/2000
Perchloroethylene (tetrachloroethylene)	127-18-4	6/12/1996
Phenol	108-95-2	6/12/1996
Phosphine	7803-51-2	6/12/1996
Phosphoric acid	7664-38-2	6/12/1996
Phthalic anhydride	85-44-9	6/12/1996
Polychlorinated biphenyls (PCBs) speciated as follows:	N/A	
— 3,3',4,4'-Tetrachlorobiphenyl	32598-13-3	8/29/2003
— 3,4,4',5-Tetrachlorobiphenyl	70362-50-4	8/29/2003
— 2,3,3',4,4'-Pentachlorobiphenyl	32598-14-4	8/29/2003
— 2,3,4,4',5-Pentachlorobiphenyl	74472-37-0	8/29/2003
— 2,3',4,4',5-Pentachlorobiphenyl	31508-00-6	8/29/2003
— 2,3',4,4',5'-Pentachlorobiphenyl	65510-44-3	8/29/2003
— 3,3',4,4',5-Pentachlorobiphenyl	57465-28-8	8/29/2003
— 2,3,3',4,4',5-Hexachlorobiphenyl	38380-08-4	8/29/2003
— 2,3,3',4,4',5'-Hexachlorobiphenyl	69782-90-7	8/29/2003
— 2,3',4,4',5,5'-Hexachlorobiphenyl	52663-72-6	8/29/2003
— 3,3',4,4',5,5'-Hexachlorobiphenyl	32774-16-6	8/29/2003
— 2,3,3',4,4',5,5'-Heptachlorobiphenyl	39635-31-9	8/29/2003
Polychlorinated dibenzo-p-dioxins (PCDD) as follows:	1085, 1086	6/12/1996
— 2,3,7,8-Tetrachlorodibenzo-p-dioxin	1746-01-6	6/12/1996
— 1,2,3,7,8-Pentachlorodibenzo-p-dioxin	40321-76-4	6/12/1996
— 1,2,3,4,7,8-Hexachlorodibenzo-p-dioxin	39227-28-6	6/12/1996
— 1,2,3,6,7,8-Hexachlorodibenzo-p-dioxin	57653-85-7	6/12/1996
— 1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin	19408-74-3	6/12/1996

**Table II—continued**

Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
— 1,2,3,4,6,7,8 Heptachlorodibenzo p dioxin	35822 46 9	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzo p dioxin	3268 87 9	6/12/1996
Polychlorinated dibenzofurans (PCDF) as follows:	1080	6/12/1996
— 2,3,7,8 Tetrachlorodibenzofuran	5120 73 19	6/12/1996
— 1,2,3,7,8 Pentachlorodibenzofuran	57117 41 6	6/12/1996
— 2,3,4,7,8 Pentachlorodibenzofuran	57117 31 4	6/12/1996
— 1,2,3,4,7,8 Hexachlorodibenzofuran	70648 26 9	6/12/1996
— 1,2,3,6,7,8 Hexachlorodibenzofuran	57117 44 9	6/12/1996
— 1,2,3,7,8,9 Hexachlorodibenzofuran	72918 21 9	6/12/1996
— 2,3,4,6,7,8 Hexachlorodibenzofuran	60851 34 5	6/12/1996
— 1,2,3,4,6,7,8 Heptachlorodibenzofuran	67562 39 4	6/12/1996
— 1,2,3,4,7,8,9 Heptachlorodibenzofuran	55673 89 7	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzofuran	39001 02 0	6/12/1996
Polycyclic aromatic hydrocarbon (PAH) as follows:	1150, 1151	6/12/1996
— Naphthalene	91 20 3	6/12/1996
Polymeric (oligo) hexamethylene 1,6 diisocyanate (HDI)	1221	9/19/2023
— Biuret	108 19 0	9/19/2023
— Diisocyanurate	1226	9/19/2023
— HDI prepolymer	1227	9/19/2023
— Isocyanurate	1228	9/19/2023
— Uretidione (HDI)	23501 81 7	9/19/2023
Propylene (propene)	115 07 1	1/11/2001
Propylene glycol monomethyl ether	107 98 2	6/12/1996
Propylene oxide	75 56 9	6/12/1996
Selenium including, but not limited to:	7782 49 2	6/12/1996
— Selenium sulfide	7446 34 6	6/12/1996
Silica (crystalline, respirable)	1175	10/11/2013
— Silica, crystalline (respirable), in the form of cristobalite	14464 46 1	9/19/2023
— Silica, crystalline (respirable), in the form of quartz	14808 60 7	9/19/2023
Styrene	100 42 5	6/12/1996
Sulfuric acid	7664 93 9	7/11/2017
— Sulfur trioxide	7446 71 9	7/11/2017
Toluene	108 88 3	6/12/1996
Toluene diisocyanates	26471 62 5	6/12/1996
— Toluene 2,4 diisocyanate	584 84 9	6/12/1996
— Toluene 2,6 diisocyanate	91 08 7	6/12/1996
Trichloroethylene	79 01 6	6/12/1996
Triethylamine	121 44 8	1/11/2001
Trimethylbenzenes	25551 13 7	6/5/2024
— 1,3,5 Trimethylbenzene	108 67 8	6/5/2024
— 1,2,4 Trimethylbenzene	95 63 6	6/5/2024
— 1,2,3 Trimethylbenzene	526 73 8	6/5/2024
Vinyl acetate	108 05 4	1/11/2001
Vinylidene chloride	75 35 4	6/12/1996

**Table II—continued**

**Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Xylenes (mixed isomers)	1330-20-7	6/12/1996
— m-Xylene	108-38-3	6/12/1996
— o-Xylene	95-47-6	6/12/1996
— p-Xylene	106-42-3	6/12/1996

- a. Reference Exposure Levels (RELs) and toxic endpoint information shall be obtained from the CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October 1993 or any health risk assessment guidelines adopted by the state Office of Environmental Health Hazard Assessment (OEHHA), pursuant to Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 program), that replace all or part of such CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October 1993. Table II was last revised pursuant to Rule 1200(c)(23) and Rule 1210(c)(23) on June 5, 2024.
- b. Chemical Abstract Service Number (CAS): For chemical groupings and mixtures where a CAS number is not applicable, the 4-digit code used in the Air Toxics “Hot Spots” Emission Inventory Criteria and Guidelines (EICG) Report is listed. For information on the origin and use of the 4-digit code, see the EICG report.

**Table III****Toxic Air Contaminants For Which Potential Acute Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Acetaldehyde	75-07-0	1/28/2009
Aerolein	107-02-8	1/11/2001
Acrylic acid	79-10-7	1/11/2001
Ammonia	7664-41-7	6/12/1996
Arsenic (inorganic) and compounds including, but not limited to:	7440-38-2, 1015, 1016	6/12/1996
Arsenic acid	7778-39-4	9/19/2023
Arsenic pentoxide	1303-28-2	9/19/2023
Arsenic trioxide	1327-53-3	9/19/2023
Arsine	7784-42-1	6/12/1996
Calcium arsenate	7778-44-1	9/19/2023
Gallium arsenide	1303-00-0	9/19/2023
Benzene	71-43-2	6/12/1996
Benzyl chloride	100-44-7	6/12/1996
1-Bromopropane	106-94-5	9/19/2023
1,3-Butadiene	106-99-0	10/11/2013
Caprolactam	105-60-2	6/16/2014
Carbon disulfide	75-15-0	1/11/2001
Carbon monoxide	630-08-0	1/11/2001
Carbon tetrachloride (tetrachloromethane)	56-23-5	6/12/1996
Carbonyl sulfide	463-58-1	7/11/2017
Chlorine	7782-50-5	6/12/1996
Chloroform	67-66-3	6/12/1996
Chloropicrin	76-06-2	1/11/2001
Chromium (III)	16065-83-1	9/19/2023
Copper and compounds	7440-50-8	6/12/1996
Cyanide (inorganic)	57-12-5, 1073	6/12/1996
Calcium cyanide	592-01-8	9/19/2023
Hydrogen cyanide (hydrocyanic acid)	74-90-8, 191234-22-7, 341972-31-4	6/12/1996
Potassium cyanide	151-50-8	9/19/2023
Sodium cyanide	143-33-9	9/19/2023
1,4-Dioxane (1,4-diethylene dioxide)	123-91-1	6/12/1996
Epichlorohydrin (1-chloro-2,3-epoxypropane)	106-89-8	1/11/2001
Fluorides and Compounds	1101	6/12/1996
Hydrogen fluoride (hydrofluoric acid)	7664-39-3	6/12/1996
Modified hydrogen fluoride (MHF)	1141	9/19/2023
Selenium hexafluoride	7783-79-1	9/19/2023
Formaldehyde	50-00-0	6/12/1996
Glycol ethers as follows:	N/A	6/12/1996
Ethylene glycol butyl ether – EGBE	111-76-2	6/12/1996
Ethylene glycol ethyl ether – EGEE	110-80-5	6/12/1996
Ethylene glycol ethyl ether acetate – EGEEA	111-15-9	6/12/1996
Ethylene glycol methyl ether – EGME	109-86-4	6/12/1996



**Table III—continued**

**Toxic Air Contaminants For Which Potential Acute Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
1,6-Hexamethylene diisocyanate (monomer)	822-06-0	9/29/2020
Hydrochloric acid (hydrogen chloride)	7647-01-0	6/12/1996
Hydrogen selenide	7783-07-5	6/12/1996
Hydrogen sulfide	7783-06-4	6/12/1996
Isopropyl alcohol (isopropanol)	67-63-0	1/11/2001
Mercury (inorganic) and compounds including, but not limited to:	7439-97-6, 1133	6/12/1996
Mercuric chloride	7487-94-7	6/12/1996
Methanol	67-56-1	1/11/2001
Methyl bromide (bromomethane)	74-83-9	6/12/1996
Methyl chloroform (1,1,1-trichloroethane)	71-55-6	6/12/1996
Methyl ethyl ketone (2-butanone)	78-93-3	1/11/2001
Methylene chloride (dichloromethane)	75-09-2	6/12/1996
Methylene diphenyl diisocyanate (polymeric)	101-68-8	6/14/2016
Nickel and compounds including, but not limited to:	7440-02-0, 1145	6/12/1996
Nickel acetate	373-02-4	6/12/1996
Nickel carbonate	3333-67-3	6/12/1996
Nickel carbonyl	13463-39-3	6/12/1996
Nickel chloride	7718-54-9	9/19/2023
Nickel nitrate {Nickel (II) nitrate}	13138-45-9	9/19/2023
Nickel hydroxide	12054-48-7	6/12/1996
Nickeloene	1271-28-9	6/12/1996
Nickel oxide	1313-99-1	6/12/1996
Nickel refinery dust from the pyrometallurgical process	1146	6/12/1996
Nickel subsulfide	12035-72-2	6/12/1996
Nickel sulfate	7786-81-4	9/19/2023
Nitric acid	7697-37-2	1/11/2001
Nitrogen dioxide	10102-44-0	6/12/1996
Ozone	10028-15-6	6/12/1996
Perechloroethylene (tetrachloroethylene)	127-18-4	6/12/1996
Phenol	108-95-2	1/11/2001
Phosgene	75-44-5	6/12/1996
Polymeric (oligo) hexamethylene 1,6-diisocyanate (HDI)	1221	9/19/2023
— Biuret	108-19-0	9/19/2023
— Diisocyanurate	1226	9/19/2023
— HDI prepolymer	1227	9/19/2023
— Isocyanurate	1228	9/19/2023
— Uretidione (HDI)	23501-81-7	9/19/2023
Propylene oxide	75-56-9	6/12/1996
Sodium hydroxide	1310-73-2	6/12/1996
Styrene	100-42-5	1/11/2001
Sulfates	9960	6/12/1996

**Table III—continued**

**Toxic Air Contaminants For Which Potential Acute Noncancer Impacts Must Be Calculated<sup>a</sup>**

Sulfur dioxide	7446-09-5	6/12/1996
Sulfuric acid	7664-93-9	6/12/1996
Sulfur trioxide	7446-71-9	6/12/1996
Oleum	8014-95-7	6/12/1996
Toluene	108-88-3	1/11/2001
Toluene diisocyanates	26471-62-5	6/14/2016
Toluene 2,4 diisocyanate	584-84-9	6/14/2016
Toluene 2,6 diisocyanate	91-08-7	6/14/2016
Triethylamine	121-44-8	1/11/2001
Trimethylbenzenes	25551-13-7	6/5/2024
— 1,3,5 Trimethylbenzene	108-67-8	6/5/2024
— 1,2,4 Trimethylbenzene	95-63-6	6/5/2024
— 1,2,3 Trimethylbenzene	526-73-8	6/5/2024
Vanadium (fume or dust)	7440-62-2	1/11/2001
Vanadium pentoxide	1314-62-1	1/11/2001
Vinyl chloride (chloroethylene)	75-01-4	1/11/2001
Xylenes (mixed isomers)	1330-20-7	6/12/1996
m-Xylene	108-38-3	6/12/1996
o-Xylene	95-47-6	6/12/1996
p-Xylene	106-42-3	6/12/1996

- a. Reference Exposure Levels (RELs) and toxic endpoint information shall be obtained from the CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October 1993 or any health risk assessment guidelines adopted by the state Office of Environmental Health Hazard Assessment (OEHHHA), pursuant to Division 26, Part 6, Chapter 6 of the California Health and Safety Code (SB 1731 program), that replace all or part of such CAPCOA Air Toxics Hot Spots Program Risk Assessment Guidelines, October 1993. Table III was last revised pursuant to Rule 1200(e)(23) and Rule 1210(e)(23) on June 5, 2024.
- b. Chemical Abstract Service Number (CAS): For chemical groupings and mixtures where a CAS number is not applicable, the 4 digit code used in the Air Toxics “Hot Spots” Emission Inventory Criteria and Guidelines (EICG) Report is listed. For information on the origin and use of the 4 digit code, see the EICG report.

**RULE 1210. TOXIC AIR CONTAMINANT HEALTH RISKS –  
PUBLIC NOTIFICATION AND RISK REDUCTION**

*(Rev. Adopted & Effective (date of adoption))*

~~(Rev. Adopted & Effective 11/04/21)~~

~~(Tables II, III – Toxic Air Contaminants: Rev. Effective 06/05/24)~~

**(a) APPLICABILITY**

This rule is applicable to each existing stationary source required to prepare a health risk assessment, as determined by the Air Pollution Control Officer pursuant to the priority system and procedures set out in Section 44360 of the California Health and Safety Code.

**(b) EXEMPTIONS**

The provisions of Section (d) Public Notification and Public Meeting Requirements and Section (e) Risk Reduction Audits and Plans shall not apply to stationary sources for which industry-wide health risk assessments are prepared by the Air Pollution Control Officer pursuant to Section 44323 of the California Health and Safety Code.

**(c) DEFINITIONS**

(1) **"Airborne Toxic Risk Reduction Measure(s)"** means physical or operational changes or control measures implemented at a stationary source that reduce or eliminate toxic air contaminant emissions and associated health risks, whose reductions are real, permanent, quantifiable, and enforceable through District permits or permit conditions. Airborne toxic risk reduction measures may include changes in production processes, feed stock modifications, product reformulations, production system modifications, system enclosures or relocations within the facility, removal from service, emissions capture, emissions control, emissions conversion, or modifications to operational standards or practices. Airborne toxic risk reduction measures do not include measures which will result in an increased health risk to the public from exposures to the toxic chemical in another media.

(2) **"Best Available Retrofit Control Technology for Toxics (T-BARCT)"** means the most effective emission limitation, or retrofit emission control device or control technique, which:

(i) has been achieved in practice for that source or category of source; or

(ii) is any other emissions limitation or retrofit control technique found by the Air Pollution Control Officer to be technically feasible for that source or category of source, or for a specific source, while taking into consideration the cost of achieving health risk reductions, any non-air quality health and environmental impacts, and energy requirements.

(3) **"Cancer Burden"** means the estimated increase in the occurrence of cancer cases in a population subject to an individual cancer risk of equal to or greater than one in one million resulting from exposure to toxic air contaminants.

(4) **"Emissions Inventory Report"** means a document that identifies and describes sources of toxic air contaminant emissions at a stationary source, characterizes the nature of the discharge of such contaminants, and quantifies the types and amounts of toxic air contaminants emitted from each source.

(5) **"Emissions Inventory Year"** means the year in which the emissions occurred and for which an emissions inventory is required pursuant to California Health and Safety Code Section 44340 et seq.

(6) **"Emission Unit"** means the same as defined in Rule 2 – Definitions.

(7) **"Health Risk Assessment"** means a detailed comprehensive analysis prepared pursuant to Section 44361 of the California Health and Safety Code to evaluate and predict the dispersion of hazardous substances in the environment and the potential for exposure of human populations and to assess and quantify both the individual and population wide health risks associated with those levels of exposure.

(8) **"Individual Substance Acute Health Hazard Index"** means, for each air contaminant, the ratio of the maximum estimated concentration of that contaminant in the ambient air for the specified averaging time for a given acute health effect to the applicable reference exposure level for that contaminant for the same averaging time.

(9) **"Individual Substance Chronic Health Hazard Index"** means, for each air contaminant, the ratio of the maximum estimated concentration of that contaminant in the ambient air for the specified averaging time for a given chronic health effect to the applicable reference exposure level for that contaminant for the same averaging time.

(10) **"Industry-Wide Health Risk Assessment"** means a study to identify, characterize, and quantify the health risks that may result from emissions of toxic air contaminants from a class of stationary sources which the Air Pollution Control Officer finds meets all of the following:

(i) All stationary sources within the class fall within one four-digit Standard Industrial Classification (SIC) Code.

(ii) Individual preparation of emission inventory reports and health risk assessments would impose severe economic hardships on the majority of stationary sources within the class.

(iii) The majority of the class is composed of small businesses.

(iv) Releases of toxic air contaminants from individual stationary sources in the class can easily and generically be characterized and calculated.

(11) **"Isopleth"** means the boundaries of the area that is exposed to health risks at or above the significant risk threshold(s).

(12) **"Maximum Individual Cancer Risk"** means the estimated probability of a maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants emitted from a stationary source.

(13) **"Prioritization Score"** means a value indicative of a stationary source's toxic air contaminant emissions strength, arrived at by utilizing emissions data contained in an approved emission inventory report, air contaminant toxicity data recommended by the state Office of Environmental Health Hazard Assessment, and a calculation methodology established by the Air Pollution Control Officer. Separate prioritization scores are determined for toxic air contaminants with the potential for causing carcinogenic effects, noncarcinogenic acute effects, and noncarcinogenic chronic effects.

(14) **"Risk Reduction Audit and Plan"** means a study prepared by the owner or operator, or representative, of a stationary source which identifies sources and emissions of toxic air contaminants at the stationary source that contribute to the exceedance of the significant risk threshold(s) and which proposes airborne toxic risk reduction measures that are sufficient to reduce health risks from such emissions to below the significant risk threshold(s).

(15) **"School"** means any public or private school used for the education of more than 12 children in one or more grades from preschool through grade 12, but does not include any school in which education is primarily conducted in a private home.

(16) **"Sensitive Receptors"** include hospitals, healthcare facilities (e.g., community clinics) schools, day care facilities, elderly housing and convalescent facilities, libraries, and other facilities where the occupants are more susceptible to the adverse effects of exposure to toxic air contaminants, as determined by the Air Pollution Control Officer.

(17) **"Significant Risk Threshold"** means any of the following health risk levels:

- (i) Except as provided in Subsection (e)(1)(ii), maximum individual cancer risks equal to or greater than 10 in one million, or
- (ii) Cancer burden equal to or greater than 1.0, or
- (iii) Total acute noncancer health hazard index equal to or greater than 1.0, or
- (iv) Total chronic noncancer health hazard index equal to or greater than 1.0.

(18) **"Small Business"** means the same as defined in California Government Code Section 11342.610.

(19) **"Stationary Source"** means the same as defined in Rule 2 – Definitions.

(20) **"Technically Feasible"** means a control technology or technique that has been achieved in practice, as determined by the Air Pollution Control Officer.

(21) **"Total Acute Noncancer Health Hazard Index"** means the estimated risk of acute health effects and is the sum of the individual substance acute health hazard indexes affecting the same target organ system for a maximally exposed individual for all toxic air contaminants emitted from a stationary source ~~and identified in Table III for which OEHHA has established acute noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code.~~

(22) **"Total Chronic Noncancer Health Hazard Index"** means the estimated risk of chronic health effects and is the sum of the individual substance chronic health hazard indexes affecting the same target organ system for a maximally exposed individual for all toxic air contaminants emitted from a stationary source ~~and identified in Table II for which OEHHA has established chronic noncancer health effect values pursuant to Section 44360 of the California Health and Safety Code.~~

(23) **"Toxic Air Contaminant"** means a substance which: ~~the air contaminants listed in Table I (carcinogenic), Table II (noncarcinogenic chronic) or Table III (noncarcinogenic acute), which have a health standard approved by the state Office of Environmental Health Hazard Assessment (OEHHA).~~

~~The Air Pollution Control Officer may revise Tables I, II or III upon OEHHA adoption of any new or revised health standard and 30 days after public notice of the proposed changes is published in a newspaper of general circulation. A member of the public may petition the Air Pollution Control Officer to add toxic air contaminants to these tables.~~

(i) Is required to be included on the list of toxic substances compiled and maintained by the California Air Resources Board (ARB) pursuant to Section 44321 of the California Health and Safety Code; and

(ii) Has cancer and/or noncancer (chronic and/or acute) health effect values established by OEHHA pursuant to Section 44360 of the California Health and Safety Code.

(d) **PUBLIC NOTIFICATION AND PUBLIC MEETING REQUIREMENTS**

(1) The owner or operator of each stationary source for which a health risk assessment has been approved by the Air Pollution Control Officer and which risk assessment indicates health risks at or above the significant risk threshold(s), shall provide written public notice of such risks and conduct a public meeting in accordance with the provisions of Subsections (d)(2) through (d)(11).

Public notice shall be by direct mailing, to each resident, business, parent or guardian of each student, and administrators of each school, hospital, day care center, convalescent home and any other sensitive receptor within the isopleth exposed to health risks at or above the significant risk threshold(s).

(2) Within 45 days of the date of written notice from the Air Pollution Control Officer that public notification is required, the owner or operator of a stationary source shall prepare and submit to the Air Pollution Control Officer, for approval, a public notification plan. The plan shall include all of the following:

(i) A proposed public notification letter to be signed by the Air Pollution Control Officer. The proposed notification letter shall be identical in form and text to the model notification letter provided by the Air Pollution Control Officer and shall include the additional stationary source-specific information required by the model notification letter. When applicable, the proposed public notification letter shall also include information about the required public meeting, such as date and location of the meeting and/or how the public can participate in the meeting if the meeting is virtual.

(ii) Any proposed optional stationary source informational letter to accompany the public notification letter which shall comply with the requirements of Subsection (d)(3)(iv).

(iii) Clear and readable maps with isopleths.

(iv) The name, e-mail address, and phone number of the person(s) responsible for coordinating public notification and the public meeting for the stationary source.

(v) A description of the proposed methodology, such as the use of a mailing service, for obtaining the addresses of residents and persons to be notified and for carrying out the notification process.

(vi) A list of all addresses to be included in the notification area.

(vii) A list of all schools, hospitals, day care centers, convalescent homes and other sensitive receptors to be notified and a proposal on how the owner or operator will notify businesses and/or sensitive receptors pursuant to Subsections (d)(3)(v) and (vi).

(viii) A list of the primary languages spoken by non-English speaking persons in the area to receive notification where such language is the primary language of 5% or more of the total persons to be notified in any census tract in the area to receive notification.

(ix) A proposed method, including a timeline and due date, for responding to public comments and requests.

The Air Pollution Control Officer shall approve, or revise and approve, the public notification plan within 30 days of receipt of the plan.

(3) Within 30 days of the date of written notice from the Air Pollution Control Officer of the approval of the public notification plan, the owner or operator of a stationary source shall implement the approved public notification plan. Each written public notice shall contain only:

(i) The approved public notification letter signed by the Air Pollution Control Officer.

(ii) An “Air Toxics Hot Spots Fact Sheet” and a “Public Response Survey Card” reproduced from originals provided by the Air Pollution Control Officer.

(iii) A copy of the maps, with the isopleths, that was submitted with the notification plan pursuant to Subsection (d)(2)(iii).

(iv) An optional stationary source informational letter that has been approved by the Air Pollution Control Officer and shall enhance and not undermine the health risk notification process. The content of the optional stationary source informational letter shall be limited to the following:

(A) A discussion of toxic air contaminants emitted, emission rates, and the reasons why the emissions occur.

(B) A discussion of steps taken by the stationary source to reduce emissions or health risks to the public.

(C) A brief and factual discussion of the health risk assessment results and the health protective assumptions of the health risk assessment.

(D) The name, e-mail address, and phone number of the stationary source contact(s) regarding the public notification, the public meeting, and the health risk assessment.

(v) For each public notification directed to a business, that the business post or circulate the District public notification letter for review by all on-site employees of the business.

(vi) For each public notification directed to a school, a request that the administrator of the school, or an assignee of the administrator, distribute notices provided by the owner or operator of a stationary source to the parents or guardians of students attending the school. The cost of such distribution shall be paid by the owner or operator.

(vii) At the option of the owner or operator, a notice to carry out the warning requirements of Section 25249.6 of the California Health and Safety Code provided such notice has been determined by the Air Pollution Control Officer not to conflict with the intent or content of the public notifications required by this rule.



(4) Multilingual notifications shall be provided by the owner or operator of a stationary source if 5% or more of the recipients within any census tract in the area to receive notification are non-English speaking. In such case, the notifications shall be provided in those languages which are the primary language of 5% or more of the total persons to be notified in that census tract.

(5) Distribution of the public notice must be conducted by the U.S. Postal Service or other postage provider. The cost of distribution of the public notice shall be paid by the owner or operator of the stationary source.

(6) Each public notification shall be mailed in an envelope supplied by the Air Pollution Control Officer and addressed to "Current Resident" of private residences, businesses, or sensitive receptors.

(7) If the owner or operator of a stationary source fails to carry out the public notification requirements, the Air Pollution Control Officer shall carry out such notification at the earliest possible date. All District costs of such notification shall be paid by the owner or operator.

(8) The owner or operator of a stationary source shall provide subsequent public notification annually, in accordance with the procedures of this rule and shall include the status of the risk reduction plan, when applicable, in the notification. The owner or operator may cease annual public notification upon demonstrating, to the satisfaction of the Air Pollution Control Officer, that health risks have been reduced to below the significant risk threshold(s) or the owner or operator is not required by the Air Pollution Control Officer to prepare a health risk assessment based on the most recent prioritization score.

(9) Within 15 days of the date of distribution of public notification materials, the owner or operator of a stationary source shall submit to the Air Pollution Control Officer proof of distribution which shall include:

(i) the addresses included in the mailing and receipts from the U.S. Postal Service or other postage provider, and

(ii) a copy of all information provided by the owner or operator to the public pursuant to the notification requirements of this rule, and

(iii) a description of how the owner or operator notified businesses and/or sensitive receptors pursuant to Subsections (d)(3)(v) and (vi).

(10) Within 30 days of the initial public notification, or the annual public notification if applicable as determined by the Air Pollution Control Officer, the owner or operator of a stationary source shall conduct a public meeting, in coordination with the Air Pollution Control Officer, and shall:

(i) Reserve a venue for the public meeting at a time that facilitates public attendance. The venue shall be located within, or if not feasible, nearby the notification area. A virtual public meeting may be conducted with approval from the Air Pollution Control Officer.

(ii) Make all necessary arrangements for the meeting including, but not limited to, providing for audio visual equipment and personnel. Interpreters shall be present if a multilingual public notification is required pursuant to Subsection (d)(4).

(iii) Attend the meeting to answer any questions related to the stationary source operations.

(iv) Bear the costs, including District costs, of holding the meeting.

(11) The Air Pollution Control Officer, or designee, shall establish the agenda of the meeting, in collaboration with the owner or operator of the stationary source, and attend each public meeting to provide information regarding the Air Toxics Hot Spots Program and the results of the health risk assessment.

**(e) RISK REDUCTION AUDITS AND PLANS**

(1) Within 180 days of receipt of written notice from the Air Pollution Control Officer that a stationary source's most recent approved health risk assessment indicates health risks at or above the significant risk threshold(s), the owner or operator shall submit to the Air Pollution Control Officer, for completeness review and approval, a risk reduction audit and plan. For the purpose of this section, the significant risk threshold for maximum individual cancer risk shall be:

(i) equal to or greater than 10 in one million for emissions inventory years 2018 and later, or

(ii) equal to or greater than 100 in one million for emissions inventory years prior to 2018.

The risk reduction audit and plan shall comply with the requirements of Subsection (e)(2). Such risk reductions shall be accomplished within five years of the date the plan is approved by the Air Pollution Control Officer, unless an extension has been granted pursuant to Subsections (e)(4) or (e)(5).

(2) The risk reduction audit and plan submitted by the owner or operator shall be accompanied by appropriate application(s) to implement the plan and contain all of the following:

(i) The name and location of the stationary source.

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

(iii) The identification of all the emission unit(s) for which the owner or operator proposes to reduce toxic air contaminant emissions and the identification of the airborne toxic risk reduction measures proposed for implementation to reduce such emissions, and the anticipated emission and health risk reductions.

(iv) A schedule for implementing the proposed airborne toxic risk reduction measures within five years. The schedule shall include specific increments of progress towards implementing the airborne toxic risk reduction measures.

(v) A demonstration, including supporting documentation such as emission calculations, that the proposed airborne toxic risk reduction measures will reduce or eliminate toxic air contaminant emissions from the stationary source. The demonstration shall be made through analogy with the approved health risk assessment for the stationary source or by submission of a revised forecast risk assessment. The demonstration also shall include any foreseeable new or increased emissions of toxic air contaminants from the stationary source and the estimated health risks resulting from such new or increased emissions during the period approved for implementation of the risk reduction audit and plan.

(vi) A schedule for providing progress reports on reductions in emissions of toxic air contaminants and estimated health risks achieved under the implemented plan. Progress reports shall include a technology review, as applicable, that provides an update on new emissions reducing technologies, and shall be provided not less frequently than within 12 months from when the plan is approved, and annually thereafter, and may be incorporated into emission inventory report updates required pursuant to Section 44344 of the California Health and Safety Code.

(3) Within 30 days of receipt of a risk reduction audit and plan submitted pursuant to Subsection (e)(2), the Air Pollution Control Officer shall provide public notice of such plan receipt and make the risk reduction audit and plan available for public review and provide for a 30-day comment period.

(4) The Air Pollution Control Officer may, upon a request pursuant to Subsection (e)(6), allow a 3-year extension for an owner or operator of a stationary source to reduce risks to below the significant risk threshold(s) provided the owner or operator has installed T-BARCT on all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(5) The Air Pollution Control Officer may, upon a request pursuant to Subsection (e)(6), allow subsequent 3-year extensions for an owner or operator of a stationary source to reduce risks to below the significant risk threshold(s) provided the owner or operator has implemented all technically feasible measures on all emission

units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(6) The owner or operator of a stationary source requesting an extension to reduce risks to below the significant risk threshold(s) shall submit the extension request to the Air Pollution Control Officer, in the manner and form prescribed by the Air Pollution Control Officer. The extension request shall include all of the following:

(i) Demonstration that T-BARCT and/or all technically feasible control measures, as applicable, have been installed or implemented on all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(ii) Quantification of the risk reduction that has been achieved by the implementation of T-BARCT and/or all technically feasible control measures, as applicable, from all emission units within the stationary source contributing to the exceedance of the significant risk threshold(s).

(iii) An implementation schedule which shall include dates for installation and/or implementation of all technically feasible control measures, as applicable.

The Air Pollution Control Officer may impose conditions on the approval of additional time, as necessary, to ensure that airborne toxic risk reduction measures that are technically feasible are implemented as expeditiously as possible.

(7) Within 30 days of receipt of an extension request, pursuant to Subsections (e)(4) or (e)(5), the Air Pollution Control Officer shall provide public notice of such extension request and make the extension request available for public review and provide for a 30-day comment period.

(8) At least 30 days prior to the approval of any extension request, the Air Pollution Control Officer shall conduct a public meeting to discuss the proposed extension and obtain input from the public.

(9) If the Air Pollution Control Officer finds that the risk reduction audit and plan is not approvable, the Air Pollution Control Officer shall notify the owner or operator in writing and may remand the plan to the owner or operator for further revision. An approvable plan shall be submitted by the owner or operator within 60 days of such notification. If an approvable plan is not submitted, the Air Pollution Control Officer may disapprove the plan and find the owner or operator to be in violation of this rule.

(10) The Air Pollution Control Officer may require that a risk reduction audit and plan be revised and resubmitted if the Air Pollution Control Officer receives new information regarding toxic air contaminant emissions from the stationary source or alternative airborne toxic risk reduction measures that would significantly impact or reduce risks to exposed persons. A revised plan shall be submitted by the owner or operator within 60 days of such notification.

**(f) PROGRAM FEES**

All costs incurred by the Air Pollution Control Officer associated with the public notification, public meeting, and risk reduction audit and plan requirements of this rule in conjunction with an affected stationary source shall be paid by the owner or operator of that stationary source in accordance with Subsection (f)(6) Toxic Hot Spots, of Rule 40 – Permit and Other Fees.

**Table I****Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Acetaldehyde	75-07-0	6/12/1996
Acetamide	60-35-5	1/11/2001
Acrylamide	79-06-1	6/12/1996
Acrylonitrile	107-13-1	6/12/1996
Allyl chloride	107-05-1	1/11/2001
2-Aminoanthraquinone	117-79-3	1/11/2001
Aniline	62-53-3	1/11/2001
— Aniline hydrochloride	142-04-1	9/19/2023
Arsenic and compounds (inorganic)	7440-38-2, 1015-1016	6/12/1996
— Arsenic acid	7778-39-4	9/19/2023
— Arsenic pentoxide	1303-28-2	9/19/2023
— Arsenic trioxide	1327-53-3	9/19/2023
— Calcium arsenate	7778-44-1	9/19/2023
— Gallium arsenide	1303-00-0	9/19/2023
Asbestos	1332-21-4	6/12/1996
— Actinolite	77536-66-4	9/19/2023
— Amosite	12172-73-5	9/19/2023
— Anthophyllite	77536-67-5	9/19/2023
— Chrysotile	12001-29-5	9/19/2023
— Crocidolite	12001-28-4	9/19/2023
— Tremolite	77536-68-6	9/19/2023
Benzene	71-43-2	6/12/1996
Benzidine (and its salts) as follows:	92-87-5	6/12/1996
— Benzidine based dyes-	1020	6/12/1996
— C.I. Direct Blue 218 [PAH Derivative/Related, POM]	28407-37-6	9/19/2023
— 3,3'-Dimethylbenzidine dihydrochloride	612-82-8	9/19/2023
— Direct Black 38	1937-37-7	6/12/1996
— Direct Blue 6	2602-46-2	6/12/1996
— Direct Brown 95 (technical grade)	16071-86-6	6/12/1996
Benzyl chloride	100-44-7	1/11/2001
Beryllium and compounds	7440-41-7, 1021	6/12/1996
— Beryllium sulfate	13510-49-1	9/19/2023
— Beryllium sulfate (tetrahydrate)	7787-56-6	9/19/2023
— Beryllium oxide	1304-56-9	9/19/2023
Bis (2-chloroethyl) ether (dichloroethyl ether)	111-44-4	1/11/2001
Bis (chloromethyl) ether-	542-88-1	1/11/2001
Bromate	15541-45-4	9/19/2023
Potassium bromate	7758-01-2	1/11/2001
1-Bromopropane	106-94-5	9/19/2023
1,3-Butadiene	106-99-0	6/12/1996
Cadmium and compounds	7440-43-9, 1045	6/12/1996
— Cadmium chloride	10108-64-2	9/19/2023
— Cadmium succinate	141-00-4	9/19/2023

**Table I—continued**

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Carbon tetrachloride (tetrachloromethane)	56-23-5	6/12/1996
Chlorinated paraffins	108171-26-2	1/11/2001
4-Chloro-o-phenylenediamine	95-83-0	1/11/2001
Chloroform	67-66-3	6/12/1996
Chlorophenols as follows:	N/A	6/12/1996
— Pentachlorophenol	87-86-5	6/12/1996
— 2,4,6-Trichlorophenol	88-06-2	6/12/1996
p-Chloro-o-toluidine	95-69-2	1/11/2001
1-Chloro-4-(trifluoromethyl)benzene {PCBTF}	98-56-6	9/19/2023
Chromium (hexavalent) and compounds including, but not limited to:	18540-29-9	6/12/1996
— Barium chromate	10294-40-3	6/12/1996
— t-Butyl chromate (VI)	1189-85-1	9/19/2023
— Calcium chromate	13765-19-0	6/12/1996
— Lead chromate	7758-97-6	6/12/1996
— Sodium dichromate	10588-01-9	6/12/1996
— Strontium chromate	7789-06-2	6/12/1996
— Chromium trioxide (as chromic acid mist)	1333-82-0	6/12/1996
Cobalt	7440-48-4	2/26/2021
Cobalt compounds, insoluble, including but not limited to:	1216	9/19/2023
— Cobalt carbonate	513-79-1	9/19/2023
— Cobalt carbonyl	10210-68-1	9/19/2023
— Cobalt hydroxide	21041-93-0	9/19/2023
— Cobalt oxalate	814-89-1	9/19/2023
— Cobalt [II] oxide	1307-96-6	9/19/2023
— Cobalt [III] oxide	1308-06-1	9/19/2023
— Cobalt sulfide	1317-42-6	9/19/2023
Cobalt sulfate and other soluble cobalt compounds, including but not limited to:	1217	
— Cobalt acetate (tetrahydrate)	71-48-7	9/19/2023
— Cobalt chloride (hexahydrate)	7646-79-9	9/19/2023
— Cobalt hydrocarbonyl	16842-03-8	9/19/2023
— Cobalt nitrate (hexahydrate)	10141-05-6	9/19/2023
— Cobalt octoate	136-52-7	9/19/2023
— Cobalt sulfate	10124-43-3	9/19/2023
— Cobalt sulfate (heptahydrate)	10026-24-1	9/19/2023
p-Cresidine	120-71-8	1/11/2001
Cupferron	135-20-6	1/11/2001
2,4-Diaminoanisole	615-05-4	1/11/2001
2,4-Diaminotoluene	95-80-7	1/11/2001
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	6/12/1996
p-Dichlorobenzene	106-46-7	6/12/1996
3,3-Dichlorobenzidine	91-94-1	6/12/1996
1,1-Dichloroethane (ethyldene dichloride)	75-34-3	1/11/2001

**Table I—continued**

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Di(2-ethylhexyl)phthalate (DEHP)	117-81-7	6/12/1996
p-Dimethylaminoazobenzene	60-11-7	1/11/2001
2,4-Dinitrotoluene	121-14-2	1/11/2001
— 2,4-Dinitrotoluene, sulfurized	1326-41-6	9/19/2023
1,4-Dioxane (1,4-diethylene dioxide)	123-91-1	6/12/1996
Epichlorohydrin (1-chloro-2,3-epoxypropane)	106-89-8	6/12/1996
Ethyl benzene	100-41-4	11/14/2007
Ethylene dibromide (1,2-dibromoethane)	106-93-4	6/12/1996
Ethylene dichloride (1,2-dichloroethane)	107-06-2	6/12/1996
Ethylene oxide (1,2-epoxyethane)	75-21-8	6/12/1996
Ethylene thiourea	96-45-7	1/11/2001
Formaldehyde	50-00-0	6/12/1996
Hexachlorobenzene	118-74-1	6/12/1996
Hexachlorocyclohexanes (mixed or technical grade)	608-73-1	6/12/1996
— Alpha-hexachlorocyclohexane	319-84-6	6/12/1996
— Beta-hexachlorocyclohexane	319-85-7	6/12/1996
— Gamma-hexachlorocyclohexane (Lindane)	58-89-9	6/12/1996
Hydrazine	302-01-2	6/12/1996
Lead (inorganic) and compounds including, but not limited to:	7439-92-1, 1128-1130	1/11/2001
— Lead acetate	301-04-2	1/11/2001
— Lead phosphate	7446-27-7	1/11/2001
— Lead subacetate	1335-32-6	1/11/2001
Methyl tertiary butyl ether	1634-04-4	1/11/2001
4,4'-Methylene bis(2-chloroaniline) (MOCA)	101-14-4	1/11/2001
Methylene chloride (dichloromethane)	75-09-2	6/12/1996
4,4'-Methylene dianiline (and its dichloride)	101-77-9	1/11/2001
Michler's Ketone (4,4'-bis(dimethylamino) benzophenone)	90-94-8	1/11/2001
n-Nitrosodi-n-butylamine	924-16-3	6/12/1996
n-Nitrosodi-n-propylamine	621-64-7	6/12/1996
n-Nitrosodiethylamine	55-18-5	6/12/1996
n-Nitrosodimethylamine	62-75-9	6/12/1996
n-Nitrosodiphenylamine	86-30-6	1/11/2001
n-Nitroso-n-methylethylamine	10595-95-6	6/12/1996
n-Nitrosomorpholine	59-89-2	6/12/1996
n-Nitrosopiperidine	100-75-4	6/12/1996
n-Nitrosopyrrolidine	930-55-2	6/12/1996
Nickel and compounds including, but not limited to:	7440-02-0, 1145	6/12/1996
— Nickel acetate	373-02-4	6/12/1996
— Nickel carbonate	3333-67-3	6/12/1996
— Nickel carbonyl	13463-39-3	6/12/1996
— Nickel chloride	7718-54-9	9/19/2023
— Nickel nitrate {Nickel (II) nitrate}	13138-45-9	9/19/2023
— Nickel hydroxide	12054-48-7	6/12/1996



**Table I**—continued

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
— Nickelocene	1271-28-9	6/12/1996
— Nickel oxide	1313-99-1	6/12/1996
— Nickel refinery dust from the pyrometallurgical process	1146	6/12/1996
— Nickel subsulfide	12035-72-2	6/12/1996
— Nickel sulfate	7786-81-4	9/19/2023
p Nitrosodiphenylamine	156-10-5	6/12/1996
Particulate emissions from diesel fueled engines	9901	9/15/2000
Perchloroethylene (tetrachloroethylene)	127-18-4	6/12/1996
Polychlorinated biphenyls (PCBs) unspeciated mixtures-	1336-36-3	6/12/1996
Polychlorinated biphenyls (PCBs) speciated as follows:	N/A	
— 3,3',4,4' Tetrachlorobiphenyl	32598-13-3	8/29/2003
— 3,4,4',5 Tetrachlorobiphenyl	70362-50-4	8/29/2003
— 2,3,3',4,4' Pentachlorobiphenyl	32598-14-4	8/29/2003
— 2,3,4,4',5 Pentachlorobiphenyl	74472-37-0	8/29/2003
— 2,3',4,4',5 Pentachlorobiphenyl	31508-00-6	8/29/2003
— 2,3',4,4',5' Pentachlorobiphenyl	65510-44-3	8/29/2003
— 3,3',4,4',5 Pentachlorobiphenyl	57465-28-8	8/29/2003
— 2,3,3',4,4',5 Hexachlorobiphenyl	38380-08-4	8/29/2003
— 2,3,3',4,4',5' Hexachlorobiphenyl	69782-90-7	8/29/2003
— 2,3',4,4',5,5' Hexachlorobiphenyl	52663-72-6	8/29/2003
— 3,3',4,4',5,5' Hexachlorobiphenyl	32774-16-6	8/29/2003
— 2,3,3',4,4',5,5' Heptachlorobiphenyl	39635-31-9	8/29/2003
Polychlorinated dibenzo p dioxins (PCDD) as follows:	1085, 1086	6/12/1996
— 2,3,7,8 Tetrachlorodibenzo p dioxin	1746-01-6	6/12/1996
— 1,2,3,7,8 Pentachlorodibenzo p dioxin	40321-76-4	6/12/1996
— 1,2,3,4,7,8 Hexachlorodibenzo p dioxin	39227-28-6	6/12/1996
— 1,2,3,6,7,8 Hexachlorodibenzo p dioxin	57653-85-7	6/12/1996
— 1,2,3,7,8,9 Hexachlorodibenzo p dioxin	19408-74-3	6/12/1996
— 1,2,3,4,6,7,8 Heptachlorodibenzo p dioxin	35822-46-9	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzo p dioxin	3268-87-9	6/12/1996
Polychlorinated dibenzofurans (PCDF) as follows:	1080	6/12/1996
— 2,3,7,8 Tetrachlorodibenzofuran	5120-73-19	6/12/1996
— 1,2,3,7,8 Pentachlorodibenzofuran	57117-41-6	6/12/1996
— 2,3,4,7,8 Pentachlorodibenzofuran	57117-31-4	6/12/1996
— 1,2,3,4,7,8 Hexachlorodibenzofuran	70648-26-9	6/12/1996
— 1,2,3,6,7,8 Hexachlorodibenzofuran	57117-44-9	6/12/1996
— 1,2,3,7,8,9 Hexachlorodibenzofuran	72918-21-9	6/12/1996
— 2,3,4,6,7,8 Hexachlorodibenzofuran	60851-34-5	6/12/1996
— 1,2,3,4,6,7,8 Heptachlorodibenzofuran	67562-39-4	6/12/1996
— 1,2,3,4,7,8,9 Heptachlorodibenzofuran	55673-89-7	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzofuran	39001-02-0	6/12/1996
Polyeyelic aromatic hydrocarbon (PAH) as follows:	1150, 1151	6/12/1996
— Benz[a]anthracene	56-55-3	6/12/1996
— Benzo[a]pyrene	50-32-8	6/12/1996
— Benzo[b]fluoranthene	205-99-2	6/12/1996

**Table I—continued**

**Toxic Air Contaminants For Which Potential Carcinogenic Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
— Benzo[j]fluoranthene	205-82-3	6/12/1996
— Benzo[k]fluoranthene	207-08-9	6/12/1996
— Chrysene	218-01-9	6/12/1996
— Dibenz[a,h]acridine	226-36-8	6/12/1996
— Dibenz[a,j]acridine	224-42-0	6/12/1996
— Dibenz[a,h]anthracene	53-70-3	6/12/1996
— Dibenzo[a,e]pyrene	192-65-4	6/12/1996
— Dibenzo[a,h]pyrene	189-64-0	6/12/1996
— Dibenzo[a,i]pyrene	189-55-9	6/12/1996
— Dibenzo[a,l]pyrene	191-30-0	6/12/1996
— 7h-Dibenzo[e,g]carbazole	194-59-2	6/12/1996
— 7,12-Dimethylbenz[a]anthracene	57-97-6	6/12/1996
— 1,6-Dinitropyrene	42397-64-8	6/12/1996
— 1,8-Dinitropyrene	42397-65-9	6/12/1996
— Indeno[1,2,3-c,d]pyrene	193-39-5	6/12/1996
— 3-Methylcholanthrene	56-49-5	6/12/1996
— 5-Methylchrysene	3697-24-3	6/12/1996
— Naphthalene	91-20-3	8/03/2004
— 5-Nitroacenaphthene	602-87-9	6/12/1996
— 6-Nitrochrysene	7496-02-8	6/12/1996
— 2-Nitrofluorene	607-57-8	6/12/1996
— 1-Nitropyrene	5522-43-0	6/12/1996
— 4-Nitropyrene	57835-92-4	6/12/1996
1,3-Propane sultone	1120-71-4	1/11/2001
Propylene oxide	75-56-9	6/12/1996
Tertiary butyl acetate (TBAc)	540-88-5	5/29/2019
1,1,2,2-Tetrachloroethane	79-34-5	1/11/2001
Thioacetamide	62-55-5	6/12/1996
Toluene diisocyanates including, but not limited to:	26471-62-5	1/11/2001
— Toluene 2,4-diisocyanate	584-84-9	1/11/2001
— Toluene 2,6-diisocyanate	91-08-7	1/11/2001
1,1,2-Trichloroethane (vinyl trichloride)	79-00-5	1/11/2001
Trichlorethylene	79-01-6	6/12/1996
Urethane (ethyl carbamate)	51-79-6	6/12/1996
Vinyl chloride (chloroethylene)	75-01-4	6/12/1996

- a. Unit Risk Values shall be obtained from any health risk assessment guidelines adopted by OEIHA. Table I was last revised pursuant to Rule 1200(e)(23) and Rule 1210(e)(23) on September 19, 2023.
- b. Chemical Abstract Service Number (CAS): For chemical groupings and mixtures where a CAS number is not applicable, the 4-digit code used in the Air Toxics “Hot Spots” Emission Inventory Criteria and Guidelines (EICG) Report is listed. For information on the origin and use of the 4-digit code, see the EICG report.

**Table II****Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Acetaldehyde	75-07-0	6/12/1996
Acrolein	107-02-8	1/11/2001
Acrylonitrile	107-13-1	6/12/1996
Ammonia	7664-41-7	6/12/1996
Arsenic (inorganic) and compounds including, but not limited to:	7440-38-2, 1015-1016	6/12/1996
— Arsenic acid	7778-39-4	9/19/2023
— Arsenic pentoxide	1303-28-2	9/19/2023
— Arsenic trioxide	1327-53-3	9/19/2023
— Arsine	7784-42-1	6/12/1996
— Calcium arsenate	7778-44-1	9/19/2023
— Gallium arsenide	1303-00-0	9/19/2023
Benzene	71-43-2	6/12/1996
Beryllium and compounds	7440-41-7, 1021	6/12/1996
— Beryllium sulfate	13510-49-1	9/19/2023
— Beryllium sulfate (tetrahydrate)	7787-56-6	9/19/2023
— Beryllium oxide	1304-56-9	9/19/2023
1-Bromopropane	106-94-5	9/19/2023
1,3-Butadiene	106-99-0	1/11/2001
Cadmium and compounds	7440-43-9, 1045	6/12/1996
— Cadmium chloride	10108-64-2	9/19/2023
— Cadmium succinate	141-00-4	9/19/2023
Caprolactam	105-60-2	6/16/2014
Carbon disulfide	75-15-0	1/11/2001
Carbon tetrachloride (tetrachloromethane)	56-23-5	6/12/1996
Carbonyl sulfide	463-58-1	7/11/2017
Chlorine	7782-50-5	6/12/1996
Chlorine dioxide	10049-04-4	1/11/2001
Chlorobenzene	108-90-7	6/12/1996
Chloroform	67-66-3	6/12/1996
Chloropicrin	76-06-2	6/12/1996
Chromium (III)	16065-83-1	9/19/2023
Chromium (hexavalent) and compounds including, but not limited to:	18540-29-9	6/12/1996
— Barium chromate	10294-40-3	6/12/1996
— t-Butyl chromate (VI)	1189-85-1	9/19/2023
— Calcium chromate	13765-19-0	6/12/1996
— Lead chromate	7758-97-6	6/12/1996
— Sodium dichromate	10588-01-9	6/12/1996
— Strontium chromate	7789-06-2	6/12/1996
— Chromium trioxide (as chromic acid mist)	1333-82-0	3/12/2001
Cresols (mixtures of)	1319-77-3	6/12/1996
— m-cresol	108-39-4	6/12/1996
— o-cresol	95-48-7	6/12/1996
— p-cresol	106-44-5	6/12/1996

**Table II—continued**

Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Cyanide (inorganic)	57-12-5	1/11/2001
— Calcium cyanide	592-01-8	9/19/2023
— Hydrogen cyanide (hydrocyanic acid)	74-90-8, 191234-22-7, 341972-31-4	6/12/1996
— Potassium cyanide	151-50-8	9/19/2023
— Sodium cyanide	143-33-9	9/19/2023
p-Dichlorobenzene (1,4-dichlorobenzene)	106-46-7	6/12/1996
Diethanolamine	111-42-2	1/14/2002
n,n-Dimethyl formamide	68-12-2	1/11/2001
1,4-Dioxane	123-91-1	6/12/1996
Epichlorohydrin (1-chloro-2,3-epoxypropane)	106-89-8	6/12/1996
1,2-Epoxybutane	106-88-7	1/11/2001
Ethyl benzene	100-41-4	1/11/2001
Ethyl chloride	75-00-3	6/12/1996
Ethylene dibromide (1,2-dibromoethane)	106-93-4	6/12/1996
Ethylene dichloride (1,2-dichloroethane)	107-06-2	6/12/1996
Ethylene glycol	107-21-1	6/12/1996
Ethylene oxide	75-21-8	6/12/1996
Fluorides and compounds	1101	1/11/2001
— Hydrogen fluoride (hydrofluoric acid)	7664-39-3	6/12/1996
— Modified hydrogen fluoride {MHF}	1141	9/19/2023
— Selenium hexafluoride	7783-79-1	9/19/2023
— Sodium aluminum fluoride	15096-52-3	9/19/2023
— Sodium fluoride	7681-49-4	9/19/2023
Formaldehyde	50-00-0	6/12/1996
Glutaraldehyde	111-30-8	6/12/1996
Glycol Ethers as follows:	N/A	6/12/1996
— Ethylene glycol butyl ether—EGBE	111-76-2	7/19/2018
— Ethylene glycol ethyl ether—EGEE	110-80-5	6/12/1996
— Ethylene glycol ethyl ether acetate—EGEEA	111-15-9	6/12/1996
— Ethylene glycol methyl ether—EGME	109-86-4	6/12/1996
— Ethylene glycol methyl ether acetate—EGMEA	110-49-6	6/12/1996
1,6-Hexamethylene diisocyanate (monomer)	822-06-0	9/29/2020
n-Hexane	110-54-3	1/11/2001
Hydrazine	302-01-2	6/12/1996
Hydrochloric acid	7647-01-0	6/12/1996
Hydrogen sulfide	7783-06-4	6/12/1996
Isophorone	78-59-1	1/14/2002
Isopropyl alcohol (isopropanol)	67-63-0	1/11/2001
Maleic anhydride	108-31-6	6/12/1996
Manganese and compounds	7439-96-5, 1132	6/12/1996
— Manganese cyclopentadienyl tricarbonyl	12079-65-1	9/19/2023
— 2-Methylcyclopentadienyl manganese tricarbonyl	12108-13-3	9/19/2023
Mercury (inorganic) and compounds including, but not limited to:	7439-97-6, 1131	6/12/1996
— Mercuric chloride	7487-94-7	6/12/1996

**Table II—continued**

Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Methanol	67-56-1	6/12/1996
Methyl bromide (bromomethane)	74-83-9	6/12/1996
Methyl tert-butyl ether	1634-04-4	1/11/2001
Methyl chloroform (1,1,1-TCA)	71-55-6	6/12/1996
Methyl isocyanate	624-83-9	6/12/1996
Methylene chloride (dichloromethane)	75-09-2	6/12/1996
4,4'-Methylene dianiline (and its dichloride)	101-77-9	6/12/1996
Methylene diphenyl diisocyanate (polymeric)	101-68-8	6/12/1996
Nickel and compounds including, but not limited to:	7440-02-0	6/12/1996
Nickel acetate	373-02-4	6/12/1996
Nickel carbonate	3333-67-3	6/12/1996
Nickel carbonyl	13463-39-3	6/12/1996
Nickel chloride	7718-54-9	9/19/2023
Nickel hydroxide	12054-48-7	6/12/1996
Nickel nitrate {Nickel (II) nitrate}	13138-45-9	9/19/2023
Nickelocene	1271-28-9	6/12/1996
Nickel oxide	1313-99-1	6/12/1996
Nickel refinery dust from the pyrometallurgical process	1146	6/12/1996
Nickel subsulfide	12035-72-2	6/12/1996
Nickel sulfate	7786-81-4	9/19/2023
Particulate emissions from diesel-fueled engines	9901	9/15/2000
Perchloroethylene (tetrachloroethylene)	127-18-4	6/12/1996
Phenol	108-95-2	6/12/1996
Phosphine	7803-51-2	6/12/1996
Phosphoric acid	7664-38-2	6/12/1996
Phthalic anhydride	85-44-9	6/12/1996
Polychlorinated biphenyls (PCBs) speciated as follows:	N/A	
— 3,3',4,4'-Tetrachlorobiphenyl	32598-13-3	8/29/2003
— 3,4,4',5-Tetrachlorobiphenyl	70362-50-4	8/29/2003
— 2,3,3',4,4'-Pentachlorobiphenyl	32598-14-4	8/29/2003
— 2,3,4,4',5-Pentachlorobiphenyl	74472-37-0	8/29/2003
— 2,3',4,4',5-Pentachlorobiphenyl	31508-00-6	8/29/2003
— 2,3',4,4',5'-Pentachlorobiphenyl	65510-44-3	8/29/2003
— 3,3',4,4',5-Pentachlorobiphenyl	57465-28-8	8/29/2003
— 2,3,3',4,4',5-Hexachlorobiphenyl	38380-08-4	8/29/2003
— 2,3,3',4,4',5'-Hexachlorobiphenyl	69782-90-7	8/29/2003
— 2,3',4,4',5,5'-Hexachlorobiphenyl	52663-72-6	8/29/2003
— 3,3',4,4',5,5'-Hexachlorobiphenyl	32774-16-6	8/29/2003
— 2,3,3',4,4',5,5'-Heptachlorobiphenyl	39635-31-9	8/29/2003
Polychlorinated dibenzo-p-dioxins (PCDD) as follows:	1085, 1086	6/12/1996
— 2,3,7,8-Tetrachlorodibenzo-p-dioxin	1746-01-6	6/12/1996
— 1,2,3,7,8-Pentachlorodibenzo-p-dioxin	40321-76-4	6/12/1996
— 1,2,3,4,7,8-Hexachlorodibenzo-p-dioxin	39227-28-6	6/12/1996
— 1,2,3,6,7,8-Hexachlorodibenzo-p-dioxin	57653-85-7	6/12/1996
— 1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin	19408-74-3	6/12/1996

**Table II—continued**

**Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
— 1,2,3,4,6,7,8 Heptachlorodibenzo p dioxin	35822 46 9	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzo p dioxin	3268 87 9	6/12/1996
Polychlorinated dibenzofurans (PCDF) as follows:	1080	6/12/1996
— 2,3,7,8 Tetrachlorodibenzofuran	5120 73 19	6/12/1996
— 1,2,3,7,8 Pentachlorodibenzofuran	57117 41 6	6/12/1996
— 2,3,4,7,8 Pentachlorodibenzofuran	57117 31 4	6/12/1996
— 1,2,3,4,7,8 Hexachlorodibenzofuran	70648 26 9	6/12/1996
— 1,2,3,6,7,8 Hexachlorodibenzofuran	57117 44 9	6/12/1996
— 1,2,3,7,8,9 Hexachlorodibenzofuran	72918 21 9	6/12/1996
— 2,3,4,6,7,8 Hexachlorodibenzofuran	60851 34 5	6/12/1996
— 1,2,3,4,6,7,8 Heptachlorodibenzofuran	67562 39 4	6/12/1996
— 1,2,3,4,7,8,9 Heptachlorodibenzofuran	55673 89 7	6/12/1996
— 1,2,3,4,6,7,8,9 Octachlorodibenzofuran	39001 02 0	6/12/1996
Polyeyelic aromatic hydrocarbon (PAH) as follows:	1150, 1151	6/12/1996
— Naphthalene	91 20 3	6/12/1996
Polymeric (oligo) hexamethylene 1,6 diisocyanate (HDI)	1221	9/19/2023
— Biuret	108 19 0	9/19/2023
— Diisocyanurate	1226	9/19/2023
— HDI prepolymer	1227	9/19/2023
— Isocyanurate	1228	9/19/2023
— Uretidione (HDI)	23501 81 7	9/19/2023
Propylene (propene)	115 07 1	1/11/2001
Propylene glycol monomethyl ether	107 98 2	6/12/1996
Propylene oxide	75 56 9	6/12/1996
Selenium including, but not limited to:	7782 49 2	6/12/1996
— Selenium sulfide	7446 34 6	6/12/1996
Silica (crystalline, respirable)	1175	10/11/2013
— Silica, crystalline (respirable), in the form of cristobalite	14464 46 1	9/19/2023
— Silica, crystalline (respirable), in the form of quartz	14808 60 7	9/19/2023
Styrene	100 42 5	6/12/1996
Sulfuric acid	7664 93 9	7/11/2017
— Sulfur trioxide	7446 71 9	7/11/2017
Toluene	108 88 3	6/12/1996
Toluene diisocyanates	26471 62 5	6/12/1996
— Toluene 2,4 diisocyanate	584 84 9	6/12/1996
— Toluene 2,6 diisocyanate	91 08 7	6/12/1996
Trichloroethylene	79 01 6	6/12/1996
Triethylamine	121 44 8	1/11/2001
Trimethylbenzenes	25551 13 7	6/5/2024
— 1,3,5 Trimethylbenzene	108 67 8	6/5/2024
— 1,2,4 Trimethylbenzene	95 63 6	6/5/2024
— 1,2,3 Trimethylbenzene	526 73 8	6/5/2024
Vinyl acetate	108 05 4	1/11/2001
Vinylidene chloride	75 35 4	6/12/1996

**Table II—continued**

Toxic Air Contaminants For Which Potential Chronic Noncancer Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Xylenes (mixed isomers)	1330-20-7	6/12/1996
— m-Xylene	108-38-3	6/12/1996
— o-Xylene	95-47-6	6/12/1996
— p-Xylene	106-42-3	6/12/1996

- a. ~~Reference Exposure Levels (RELs) and toxic endpoint information shall be obtained from any health risk assessment guidelines adopted by OEHHA. Table II was last revised pursuant to Rule 1200(c)(23) and Rule 1210(c)(23) on June 5, 2024.~~
- b. ~~Chemical Abstract Service Number (CAS): For chemical groupings and mixtures where a CAS number is not applicable, the 4 digit code used in the Air Toxics “Hot Spots” Emission Inventory-Criteria and Guidelines (EICG) Report is listed. For information on the origin and use of the 4-digit code, see the EICG report.~~

**Table III****Toxic Air Contaminants For Which Potential Acute Noncancer Impacts Must Be Calculated<sup>a</sup>**

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
Acetaldehyde	75-07-0	1/28/2009
Aerolein	107-02-8	1/11/2001
Acrylic acid	79-10-7	1/11/2001
Ammonia	7664-41-7	6/12/1996
Arsenic (inorganic) and compounds including, but not limited to:	7440-38-2, 1015, 1016	6/12/1996
Arsenic acid	7778-39-4	9/19/2023
Arsenic pentoxide	1303-28-2	9/19/2023
Arsenic trioxide	1327-53-3	9/19/2023
Arsine	7784-42-1	6/12/1996
Calcium arsenate	7778-44-1	9/19/2023
Gallium arsenide	1303-00-0	9/19/2023
Benzene	71-43-2	6/12/1996
Benzyl chloride	100-44-7	6/12/1996
1-Bromopropane	106-94-5	9/19/2023
1,3-Butadiene	106-99-0	10/11/2013
Caprolactam	105-60-2	6/16/2014
Carbon disulfide	75-15-0	1/11/2001
Carbon monoxide	630-08-0	1/11/2001
Carbon tetrachloride (tetrachloromethane)	56-23-5	6/12/1996
Carbonyl sulfide	463-58-1	7/11/2017
Chlorine	7782-50-5	6/12/1996
Chloroform	67-66-3	6/12/1996
Chloropicrin	76-06-2	1/11/2001
Chromium (III)	16065-83-1	9/19/2023
Copper and compounds	7440-50-8	6/12/1996
Cyanide (inorganic)	57-12-5, 1073	6/12/1996
Calcium cyanide	592-01-8	9/19/2023
Hydrogen cyanide (hydrocyanic acid)	74-90-8, 191234-22-7, 341972-31-4	6/12/1996
Potassium cyanide	151-50-8	9/19/2023
Sodium cyanide	143-33-9	9/19/2023
1,4-Dioxane (1,4-diethylene dioxide)	123-91-1	6/12/1996
Epichlorohydrin (1-chloro-2,3-epoxypropane)	106-89-8	1/11/2001
Fluorides and Compounds	1101	6/12/1996
Hydrogen fluoride (hydrofluoric acid)	7664-39-3	6/12/1996
Modified hydrogen fluoride (MHF)	1141	9/19/2023
Selenium hexafluoride	7783-79-1	9/19/2023
Formaldehyde	50-00-0	6/12/1996
Glycol ethers as follows:	N/A	6/12/1996
Ethylene glycol butyl ether – EGBE	111-76-2	6/12/1996
Ethylene glycol ethyl ether – EGEE	110-80-5	6/12/1996
Ethylene glycol ethyl ether acetate – EGEEA	111-15-9	6/12/1996
Ethylene glycol methyl ether – EGME	109-86-4	6/12/1996



**Table III—continued**

Toxic Air Contaminants For Which Potential Acute Noncancer Impacts Must Be Calculated<sup>a</sup>

<b>COMPOUND</b>	<b>CAS #<sup>b</sup></b>	<b>Date Added</b>
1,6-Hexamethylene diisocyanate (monomer)	822-06-0	9/29/2020
Hydrochloric acid (hydrogen chloride)	7647-01-0	6/12/1996
Hydrogen selenide	7783-07-5	6/12/1996
Hydrogen sulfide	7783-06-4	6/12/1996
Isopropyl alcohol (isopropanol)	67-63-0	1/11/2001
Mercury (inorganic) and compounds including, but not limited to:	7439-97-6, 1133	6/12/1996
Mercuric chloride	7487-94-7	6/12/1996
Methanol	67-56-1	1/11/2001
Methyl bromide (bromomethane)	74-83-9	6/12/1996
Methyl chloroform (1,1,1-trichloroethane)	71-55-6	6/12/1996
Methyl ethyl ketone (2-butanone)	78-93-3	1/11/2001
Methylene chloride (dichloromethane)	75-09-2	6/12/1996
Methylene diphenyl diisocyanate (polymeric)	101-68-8	6/14/2016
Nickel and compounds including, but not limited to:	7440-02-0, 1145	6/12/1996
Nickel acetate	373-02-4	6/12/1996
Nickel carbonate	3333-67-3	6/12/1996
Nickel carbonyl	13463-39-3	6/12/1996
Nickel chloride	7718-54-9	9/19/2023
Nickel nitrate {Nickel (II) nitrate}	13138-45-9	9/19/2023
Nickel hydroxide	12054-48-7	6/12/1996
Nickelocene	1271-28-9	6/12/1996
Nickel oxide	1313-99-1	6/12/1996
Nickel refinery dust from the pyrometallurgical process	1146	6/12/1996
Nickel subsulfide	12035-72-2	6/12/1996
Nickel sulfate	7786-81-4	9/19/2023
Nitric acid	7697-37-2	1/11/2001
Nitrogen dioxide	10102-44-0	6/12/1996
Ozone	10028-15-6	6/12/1996
Perchloroethylene (tetrachloroethylene)	127-18-4	6/12/1996
Phenol	108-95-2	1/11/2001
Phosgene	75-44-5	6/12/1996
Polymeric (oligo) hexamethylene 1,6-diisocyanate (HDI)	1221	9/19/2023
— Biuret	108-19-0	9/19/2023
— Diisocyanurate	1226	9/19/2023
— HDI prepolymer	1227	9/19/2023
— Isoocyanurate	1228	9/19/2023
— Uretidione (HDI)	23501-81-7	9/19/2023
Propylene oxide	75-56-9	6/12/1996
Sodium hydroxide	1310-73-2	6/12/1996
Styrene	100-42-5	1/11/2001
Sulfates	9960	6/12/1996

**Table III—continued**

Toxic Air Contaminants For Which Potential Acute Noncancer Impacts Must Be Calculated<sup>a</sup>

Sulfur dioxide	7446-09-5	6/12/1996
Sulfuric acid	7664-93-9	6/12/1996
Sulfur trioxide	7446-71-9	6/12/1996
Oleum	8014-95-7	6/12/1996
Toluene	108-88-3	1/11/2001
Toluene diisocyanates	26471-62-5	6/14/2016
Toluene 2,4 diisocyanate	584-84-9	6/14/2016
Toluene 2,6 diisocyanate	91-08-7	6/14/2016
Triethylamine	121-44-8	1/11/2001
Trimethylbenzenes	25551-13-7	6/5/2024
— 1,3,5 Trimethylbenzene	108-67-8	6/5/2024
— 1,2,4 Trimethylbenzene	95-63-6	6/5/2024
— 1,2,3 Trimethylbenzene	526-73-8	6/5/2024
Vanadium (fume or dust)	7440-62-2	1/11/2001
Vanadium pentoxide	1314-62-1	1/11/2001
Vinyl chloride (chloroethylene)	75-01-4	1/11/2001
Xylenes (mixed isomers)	1330-20-7	6/12/1996
m Xylene	108-38-3	6/12/1996
o Xylene	95-47-6	6/12/1996
p Xylene	106-42-3	6/12/1996

- a. Reference Exposure Levels (RELs) and toxic endpoint information shall be obtained from any health risk assessment guidelines adopted by OEHHA. Table III was last revised pursuant to Rule 1200(c)(23) and Rule 1210(c)(23) on June 5, 2024.
- b. Chemical Abstract Service Number (CAS): For chemical groupings and mixtures where a CAS number is not applicable, the 4 digit code used in the Air Toxics “Hot Spots” Emission Inventory Criteria and Guidelines (EICG) Report is listed. For information on the origin and use of the 4 digit code, see the EICG report.

**SAN DIEGO COUNTY  
AIR POLLUTION CONTROL DISTRICT**

**DRAFT PROPOSED ADMINISTRATIVE AMENDMENTS TO  
RULE 1200 – TOXIC AIR CONTAMINANTS-NEW SOURCE REVIEW &  
RULE 1210 – TOXIC AIR CONTAMINANT HEALTH RISKS-PUBLIC  
NOTIFICATION AND RISK REDUCTION**

**WORKSHOP REPORT**

The San Diego County Air Pollution Control District (District) held a virtual public workshop on September 25, 2024, to discuss and receive input on draft proposed amendments to Rule 1200 (Toxic Air Contaminants-New Source Review) and Rule 1210 (Toxic Air Contaminant Health Risks-Public Notification and Risk Reduction). A workshop notice was posted on the District’s website and social media, and distributed to interested parties including permit holders, applicants, chambers of commerce in the region, and to those subscribed to the District’s electronic mail service. The District also notified and invited attendees of the Portside and International Border Assembly Bill 617 Community Steering Committee meetings in September, of the virtual public workshop.

The virtual workshop was attended by 61 people, including 9 District staff. A summary of the comments and District responses from the virtual workshop and submitted written comments are provided below.

**1. WORKSHOP COMMENT**

What is the purpose of existing Rules 1200 and 1210?

**DISTRICT RESPONSE**

These District rules reflect State requirements to reduce public exposure to toxic air contaminants (TACs) emitted by new or modified stationary sources (under Rule 1200) and by existing facilities (under Rule 1210). Some of the types of toxic compounds and their sources addressed by these rules include diesel particulate matter from stationary engines, benzene from gasoline dispensing facilities, hexavalent chromium from chrome platers, and arsenic from haul roads.

More specifically, Rule 1200 applies to new or modified sources, requiring a public health risk assessment (HRA) and emission controls as necessary during the permitting process to meet specified health risk limits for cancer and non-cancer impacts. Rule 1210 applies to existing facilities, requiring them to report TAC emissions facility-wide, conduct an HRA of emissions of concern, notify nearby residents of any significant health risks, and reduce those risks to meet specified health risk limits.

**2. WORKSHOP COMMENT**

Why are Rules 1200 and 1210 proposed to be amended?

### **DISTRICT RESPONSE**

Rules 1200 and 1210 currently include Tables I-III specifying the applicable State-approved health risk limits for cancer (Table I), chronic noncancer (Table II), and acute noncancer (Table III) impacts from exposure to TAC emissions. Consequently, whenever the State adds or revises health risk values, the District is obligated to amend Rules 1200 and 1210 to update Tables I-III accordingly.

Table I-III in Rules 1200 and 1210 have required updating at least 15 times since the rules were adopted in 1996. To efficiently manage this rulemaking workload, the rules currently include a unique provision allowing the District to update Tables I-III directly following public notice, without Governing Board approval. However, during a recent audit of the District's air quality program, the California Air Resources Board (CARB) determined this streamlined process for updating the rules without Governing Board approval is not consistent with the procedural requirements described in State law.

Accordingly, the District proposes to amend Rules 1200 and 1210 to incorporate State health risk values directly by statutory reference and remove Tables I-III, as they would no longer be needed. If approved by the Governing Board, these amendments prevent a need for frequent rule updates, improve program efficiency, and address CARB's audit finding to ensure the District's rulemaking process adheres to procedural requirements of State law.

### **3. WORKSHOP COMMENT**

What safeguards are in place to ensure HRAs conducted by local facilities are accurate and based on the latest health risk limits adopted by the State?

### **DISTRICT RESPONSE**

HRAs conducted by local facilities are reviewed for completeness and accuracy by the District, and HRAs conducted for compliance with State law (AB 2588) and Rule 1210 are also reviewed by the Office of Environmental Health Hazard (OEHHA). OEHHA is the State agency charged with responsibilities for establishing HRA guidelines and health risk limits for toxic compounds.

### **4. WORKSHOP COMMENT**

If a facility is in the process of conducting an HRA when the State adopts new or revised health risk limits for a pertinent TAC, must the facility include that new air toxics information in its HRA?

**DISTRICT RESPONSE**

If health risk values are added or revised by OEHHA before a permit application for a new source or modification of an existing source (subject to Rule 1200) or a risk reduction plan application for an existing facility (subject to Rule 1210) is approved by the District, then corresponding changes to the health risk estimates will be required to reflect OEHHA's new or revised health risk values before the District acts on the application. If an existing facility is conducting an HRA as required by AB 2588, the health risk values used should be those in effect during the year the emissions inventory represents.

**5. WORKSHOP COMMENT**

Under the statewide Emission Inventory and Criteria Guidance (EITG) Regulation adopted by CARB in 2020, the wastewater sector is not required to report certain TACs (those added to CARB's list during the EICG rulemaking) until 2029. In the interim, CARB's regulation requires the wastewater industry to develop and implement a two-step protocol, first involving screening to identify the presence of relevant TACs followed by source testing to quantify airborne emissions.

**DISTRICT RESPONSE**

To clarify, the proposed amendments to District Rules 1200 and 1210 have no effect on CARB's statewide EITG Regulation or its phased implementation by the wastewater sector. Regardless, the District acknowledges the comment and looks forward to coordinating with CARB and the wastewater sector as it develops and implements the two-step protocol described in CARB's EITG Regulation.

**6. WORKSHOP COMMENT**

Are existing and/or replacement permitted generators affected by the proposed rule amendments?

**DISTRICT RESPONSE**

No, aside from the impacts to Rule 1200 and Rule 1210 described in the proposed rule amendments and this workshop report (incorporating State health risk values directly by statutory reference and removing Tables I-III), the rule amendments will have no effect on permitted generators or other permitted units whether existing, replacement, or new.

**7. WORKSHOP COMMENT**

Do the proposed rule amendments impact emission quantification factors for gasoline dispensing facilities?

**DISTRICT RESPONSE**

No, the proposed rule amendments have no effect on emission quantification factors for gasoline dispensing facilities or other emission units.

**8. WORKSHOP COMMENT**

The Industrial Environmental Association (IEA) offers the following recommendations for additional amendments to other provisions of Rules 1200 and 1210 based on the experience of its membership implementing the existing rules: (a) an HRA should include only those toxic compounds on CARB's TAC list when the facility's HRA was initiated rather than approved; (b) an interpreter for community meetings should be required only when requested by the public rather than for every meeting; (c) community meetings should be required biennially rather than annually. IEA would be happy to suggest draft rule language if that would be helpful as a starting point.

**DISTRICT RESPONSE**

The District is required to ensure a source will comply with all applicable requirements in effect, as of the date of approval of the permit application (for a new source or modification of an existing source) or approval of the risk reduction plan application (for an existing facility). The request to address only those chemicals on CARB's TAC list when the HRA is initiated, which could be months before the application is approved, cannot be incorporated because it would limit the District's ability to ensure a source will comply with all applicable requirements. Please see District Response to Comment 4 for additional information on the timing and applicability of new or revised health risk values.

The requested additional changes to the existing requirements for translation and frequency of community meetings are beyond the scope of this rulemaking project. They will be evaluated and considered when these rules are next revised, allowing all stakeholders adequate opportunity to evaluate and provide comments to the District.

**9. WRITTEN COMMENT**

The City of San Diego requests that the District acknowledge CARB's agreement in its statewide emissions-reporting regulation to allow the wastewater sector to continue to report using best available data and methods until newer pooled source testing data is available. A statewide pooled emissions study organized by the California Association of Sanitation Agencies is underway to determine and quantify detectable air toxics at wastewater treatment facilities.

**DISTRICT RESPONSE**

The District acknowledges the comment. Please see District response to Comment 5.

**10. WRITTEN COMMENT**

The City of San Diego believes the Rule 1210 definition for “Facility” is more expansive than the definition in the State’s Air Toxic “Hot Spots” Information and Assessment Act. Rule 1210 refers to the District’s Rule 2 (Definitions) to define “Facility” using both the “Stationary Source” and “Contiguous Property” definitions. Together these two definitions expand upon the State’s definition of “facility” to include “non-adjointing parcels of land which are connected by a process line, conveyors, or other equipment.”

The City is concerned these definitions could require combined HRAs for facilities that are located significant distances from one another but share a process line. The City believes combined HRAs for nonadjacent facilities would not yield meaningful or accurate risk assessment results and appreciates the District currently shares this concern. The City respectfully requests this position be memorialized via additional amendments to Rule 1210 definitions for “Stationary Source” and “Contiguous Property” to prevent facilities from being combined for the purposes of an HRA solely on the basis of a shared process line.

**DISTRICT RESPONSE**

To clarify, the District agrees that, depending on the distance between the facilities, the emissions from one facility may not have a considerable or significant impact on the receptors surrounding a non-adjacent facility connected by a process line, conveyor or other equipment.

The requested additional amendments are beyond the scope of this rulemaking project. They will be evaluated and considered when these rules are next revised, allowing all stakeholders adequate opportunity to evaluate and provide comments to the District.

RR:NC:jl  
12/04/24

# **FINAL STAFF REPORT**

## **ADMINISTRATIVE AMENDMENTS TO RULE 1200 (TOXIC AIR CONTAMINANTS-NEW SOURCE REVIEW) AND RULE 1210 (TOXIC AIR CONTAMINANT HEALTH RISKS-PUBLIC NOTIFICATION AND RISK REDUCTION)**

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## EXECUTIVE SUMMARY

This report presents information on proposed amendments to Rule 1200 (Toxic Air Contaminants-New Source Review) and Rule 1210 (Toxic Air Contaminant Health Risks-Public Notification and Risk Reduction) of the San Diego County Air Pollution Control District (District). These rules reflect the requirements of State law to reduce public exposure to toxic air contaminants (TACs) emitted by new or modified stationary sources (under Rule 1200) and by existing facilities (under Rule 1210). The proposed amendments are administrative in nature and will increase efficiency in District administration of these rules and enhance their consistency with statutory requirements applicable to the rule approval process.

First, the proposed amendments to Rules 1200 and 1210 will remove (from both rules) Tables I-III, which list the District's Toxic Air Contaminants requiring assessment of potential cancer (Table I), chronic noncancer (Table II), and acute noncancer (Table III) impacts. This information will be incorporated by reference instead, i.e., replaced with statutory references to the State's official and most-current lists of all known TACs and corresponding health risk values established under State law. If approved by the Governing Board, these amendments will prevent the time and need for future updates to Rules 1200 and 1210 whenever the State adopts new health risk values.

Second, the proposed amendments to Rules 1200 and 1210 will remove (from both rules) a streamlined process for updating Tables I-III, which currently authorizes the Air Pollution Control Officer to update the health risk information in the tables directly (without a public hearing or Governing Board consideration) following State approval of new or revised health risk values and following District publication of a 30-day public notice. The California Air Resources Board (CARB) recently completed an audit of the District's air quality program including Rules 1200 and 1210, and found that the streamlined process for updating these rules is not fully consistent with statutory requirements applicable to the rule approval process in the California Health & Safety Code as it changes the text of the rules without Governing Board approval and therefore should be removed.

The following statements summarize important elements of the proposed rulemaking:

### Comparative Analysis

An analysis comparing proposed amended Rules 1200 and 1210 with applicable requirements of federal and local regulations ("Comparative Analysis") is not required because the proposed rule amendments are administrative in nature and do not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements.

### Socioeconomic Impact Assessment

An assessment of the socioeconomic impacts of the proposed amendments to Rules 1200 and 1210 is not required because the proposed amendments are administrative in nature and do not impose additional requirements on affected sources and will not significantly affect air quality or emissions limitations.

### California Environmental Quality Act (CEQA)

The proposed amendments to Rules 1200 and 1210 are administrative in nature and are exempt from the provisions of the California Environmental Quality Act (CEQA) as they do not constitute a project as defined in CEQA and there is no possibility that the activity in question may have a significant effect on the environment.

### Environmental Justice

The proposed amendments to Rules 1200 and 1210 support the District's commitment to integrating environmental justice and equity in District's operations, policies, and regulations. The proposed amendments will help ensure that the process for rule approval is fully consistent with statutory requirements, and that affected sources and the public within San Diego County are informed and have access to the State's official and most-current information on toxic air contaminants (TACs) for use in conducting health risk assessments (HRAs).

## **I. INTRODUCTION**

Rule 1200 (Toxic Air Contaminants-New Source Review) and Rule 1210 (Toxic Air Contaminant Health Risks-Public Notification and Risk Reduction) reflect requirements of State law to reduce public exposure to TACs emitted by new or modified stationary sources (under Rule 1200) and by existing facilities (under Rule 1210). Some of the types of toxic compounds and their sources addressed by these rules include (but are not limited to) diesel particulate matter from stationary engines, benzene from gasoline dispensing facilities, hexavalent chromium from chrome platers, and arsenic from haul roads. Rule amendments are proposed to increase efficiency in the District's administration of the rules and to strengthen their consistency with State law.

## **II. BACKGROUND**

Rule 1210 was initially adopted on June 12, 1996, in response to the California Air Toxics "Hot Spots" Information and Assessment Act (Assembly Bill 2588), which required local air pollution control districts to address public concerns over TAC emissions from various stationary sources. The rule applies to existing facilities, requiring a health risk assessment (HRA)<sup>1</sup> of emissions of concern, public notice of any significant health risks, and implementation of control measures as necessary to meet the specified health risk limits for cancer and noncancer impacts in the surrounding community. Rule 1210 was amended on November 4, 2021, to lower the significant risk threshold for cancer from 100 in one million to 10 in one million; enhance the public notification protocols and public meeting requirements; and provide additional time for facilities where it is not feasible to reduce health risks to acceptable levels within a 5-year timeframe.

Rule 1200 was adopted on June 12, 1996, and applies to proposed new or modified stationary equipment and processes as opposed to existing facilities (which are covered under Rule 1210). Specifically, Rule 1200 requires an HRA during the permitting process and best available control technology as necessary to meet the specified health risk limits for cancer and non-cancer impacts. To date, Rule 1200 has not been amended since its initial adoption.

Implementation of Rules 1200 and 1210 requires a coordinated multi-agency effort in accordance with State law. CARB is responsible pursuant to Section 44321 of the California Health and Safety Code (HSC) for identifying all known TACs that pose a threat to public health. The California Office of Environmental Health Hazard Assessment (OEHHA) is required by HSC Section 44360 to prepare guidelines and procedures for preparing HRAs. The health risk data (for potential cancer and noncancer effects) to be used when conducting HRAs are identified in OEHHA's Technical Support Document, which is updated periodically to add new or revised health risk values based on the latest information. OEHHA must follow a public process whenever adopting or amending health risk values including public review and workshops, and consideration by a State panel of scientific experts.

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<sup>1</sup> An HRA is a computer-driven analysis estimating the potential increased chance of developing adverse health effects (both cancer and noncancer) because of exposure to toxic air contaminants. HRAs required by Rules 1200 and 1210 must be conducted in accordance with procedures and health effects data adopted by OEHHA.

The State information listing all known TACs and their corresponding health risks is then used locally to implement District Rules 1200 and 1210. Specifically, both rules currently include Tables I-III listing the TACs requiring assessment for potential cancer (Table I), chronic (long-term) noncancer (Table II), and acute (short-term) noncancer (Table III) health impacts. Consequently, whenever the State approves a new pollutant with health risk values for use in HRAs, the District is obligated to amend Rules 1200 and 1210 to update Tables I-III accordingly. This is a common occurrence, as Tables I-III have required updating at least 15 times since the rules were initially adopted, including most recently on June 5, 2024. Since then, OEHHA has adopted a Cancer Inhalation Unit Risk Factor (IUR) for Isoprene,<sup>2</sup> a chemical compound used in industrial processes, consequently Tables I-III are noncurrent once again.

To help manage the workload of frequent rule amendments, both Rules 1200 and 1210 currently include a streamlined process for updating Tables I-III. It authorizes the Air Pollution Control Officer to amend the tables directly upon the State's approval of new or revised health risk values, following the District's publication of a 30-day public notice, and without consideration of the Governing Board.

However, CARB recently completed an audit of the District's air quality program in accordance with Assembly Bill 423 (Gloria, Statutes of 2019). CARB found that the streamlined process in Rules 1200 and 1210 for approving updates to Tables I-III is not fully consistent with the procedural requirements of State law as it changes the text of the rules without Governing Board approval. The proposed rule amendments will address CARB's finding by striking this streamlined process for updating the tables and instead refer directly to the State's official lists of TACs and health risk values established under State law.

### **III. CONTROL TECHNOLOGIES**

This section is not applicable to the proposed amendments to Rules 1200 and 1210, as they are solely administrative in nature will not impose new or amended control requirements on affected sources. The proposed amendments will increase efficiency in District administration of these rules and their consistency with statutory requirements applicable to the rule approval process.

### **IV. SUMMARY OF PROPOSED RULE AMENDMENTS**

The proposed amendments to Rules 1200 and 1210 will address CARB's audit finding described above by removing the streamlined process for approving rule amendments as necessary to update Tables I-III for each respective rule. Tables I-III themselves will be removed and the TACs and health risk values will be "incorporated by reference" instead, i.e., replaced with statutory references to the State's official and most-current lists.

A more complete summary of the proposed amendments to each rule is provided below.

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<sup>2</sup> <https://oehha.ca.gov/media/downloads/crn/isopreneadoptmemo010325.pdf>.

## **Rule 1200**

### **Section (c) – Definitions**

The definition of “Total Acute Noncancer Health Hazard Index” was revised to replace a reference to Table III (acute noncancer impacts) with a statutory reference to the State’s corresponding information established under State law.

The definition of “Total Chronic Noncancer Health Hazard Index” was revised to replace a reference to Table II (chronic noncancer impacts) with a statutory reference to the State’s corresponding information established under State law.

The definition of “Toxic Air Contaminant” was revised to replace references to Tables I-III with statutory references to the State’s corresponding information established under State law.

The streamlined process for approving updates to Tables I-III was removed.

### **Section (d) – Standards**

A reference to Tables I-III was removed.

### **Section (e) – Procedures**

A reference to Tables I-III was removed.

A reference to the HRA guidelines of the California Air Pollution Control Officer’s Association (CAPCOA) was removed and replaced with an updated reference to the HRA guidelines from OEHHA.

### **Tables**

Tables I-III were removed.

## **Rule 1210**

### **Section (c) – Definitions**

The definition of “Total Acute Noncancer Health Hazard Index” was revised to replace a reference to Table III (acute noncancer impacts) with a statutory reference to the State’s corresponding information established under State law.

The definition of “Total Chronic Noncancer Health Hazard Index” was revised to replace a reference to Table II (chronic noncancer impacts) with a statutory reference to the State’s corresponding information established under State law.

The definition of “Toxic Air Contaminant” was revised to replace references to Tables I-III with statutory references to the State’s corresponding information established under State law.

The streamlined process for approving updates to Tables I-III was removed.

## Tables

Tables I-III were removed.

## **V. STATUTORY REQUIREMENTS**

Prior to adopting, amending, or repealing a rule or regulation, HSC Section [40727](#) requires findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon information developed pursuant to HSC Section 40727.2, information in the rulemaking record maintained pursuant to HSC Section 40728, and relevant information presented in the Governing Board hearing. District staff has made these findings and present the details of the analysis in the Resolution for adopting the proposed amendments to Rules 1200 and 1210.

Pursuant to HSC Section 40727.2(j), the District determined no additional fees would need to be collected from regulated entities to recover any additional costs imposed by the development and implementation of the proposed amendments to Rules 1200 and 1210.

## **VI. COMPARATIVE ANALYSIS**

HSC Section 40727.2(a) requires a comparative analysis of the proposed amendments to Rules 1200 and 1210 with existing federal, State, and local air pollution control requirements applying to the same source categories. However, the District finds this analysis is not required pursuant to HSC Section 40727.2(g) because the proposed rule amendments are solely administrative in nature and do not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements.

## **VII. EMISSION SOURCES AND IMPACTS**

The proposed amendments to Rules 1200 and 1210 are solely administrative in nature and will not impose new or amended requirements on emission sources. No new or additional impacts currently subject to HRA requirements are anticipated as a result of the proposed amendments.

## **VIII. ECONOMIC IMPACTS & COST-EFFECTIVENESS**

### Statutory Requirements

HSC Section [40703](#) requires that in adopting any regulation, the District shall consider, pursuant to HSC Section 40922, and make available to the public, its findings related to the cost effectiveness of a control measure, as well as the basis for the findings and the considerations involved. The District shall make reasonable efforts, to the extent feasible within existing budget constraints, to make specific reference to the direct costs expected to be incurred by regulated parties, including businesses and individuals. The District shall also comply with HSC Section [40920.6\(a\)](#) pertaining to cost-effectiveness of best available retrofit control technology as applicable.

### Cost Effectiveness, Incremental Cost-Effectiveness, and Other Costs

Cost effectiveness accounts for the cost of emission reductions, typically expressed in dollars spent per pound or ton of emissions reduced. The District finds that a cost effectiveness evaluation (including an evaluation of incremental cost-effectiveness and other costs) is not applicable to the proposed amendments to Rules 1200 and 1210 pursuant to Section 40920.6(a), since the amendments are solely administrative in nature and do not impose new or amended requirements on affected sources.

### Socioeconomic Impacts Assessment (SIA)

Per HSC [40728.5](#) (if applicable), whenever a district intends to propose the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations, that agency shall, to the extent data are available, perform an assessment of the socioeconomic impacts of the adoption, amendment, or repeal of the rule or regulation. The Governing Board shall actively consider the socioeconomic impact of regulations and make a good faith effort to minimize adverse socioeconomic impacts. This section does not apply to the adoption, amendment, or repeal of any rule or regulation that results in any less restrictive emissions limit if the action does not interfere with the district's adopted plan to attain ambient air quality standards or does not result in any significant increase in emissions.

The District finds that an assessment of the socioeconomic impacts of the proposed amendments to Rules 1200 and 1210 is not required pursuant to HSC Section 40728.5(a). The proposed rule amendments are solely administrative in nature and will not impose new or more stringent requirements on affected sources and will not significantly affect air quality or emissions limitations.

## **IX. ENVIRONMENTAL ANALYSIS**

### CEQA

CEQA (California Public Resources Code Sections 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.) require environmental review of certain actions. District staff conducted a review of whether CEQA applies to adoption of the proposed amendments to Rules 1200 and 1210. The District finds that the proposed amendments to these rules are solely administrative in nature, designed to increase efficiency in District administration of these rules and enhance their consistency with statutory requirements applicable to the rule approval process. Therefore, approval of the proposed rule amendments is exempt from CEQA under Section 15378(b)(5) of the State CEQA Guidelines because the amendments do not constitute a "project" as defined by CEQA but are an administrative action that will cause no direct or indirect foreseeable change to the physical environment. Further, the proposed amendments are categorically exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines, since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

### Analysis of Expected Methods of Compliance

If Tables I-III and their associated TAC information are removed from Rules 1200 and 1210 as proposed, affected sources may still readily access the State's official and most-current lists of TACs and health risk values on CARB's and OEHHA's websites as necessary for implementation



and compliance. To facilitate access, staff will develop a dedicated District webpage highlighting pertinent State information including web links to the most-current lists of TACs and health risk values. (Planned additional outreach is described further in Section X.)

Environmental Justice

The proposed amendments to Rules 1200 and 1210 support the District’s commitment to integrating environmental justice and equity in District’s operations, policies, and regulations through its adopted Public Participation Plan, ensuring the rule approval process is consistent with statutory requirements and affected sources and the public within San Diego County are informed and have access to the State’s official and most-current information on TACs for use in conducting HRAs.

**X. RULE DEVELOPMENT AND PUBLIC PARTICIPATION PROCESS**

A bilingual fact sheet regarding the proposed amendments to Rules 1200 and 1210 was posted on the District’s website and a virtual public workshop was conducted on September 25, 2024, to gather feedback from the public, environmental community, regulated sources, and other stakeholders. The District also notified and invited attendees of the Portside and International Border Assembly Bill 617 Community Steering Committee meetings in September 2024. The workshop was attended by 61 people.

Additional local outreach is planned via a tentative communication plan if the proposed rule amendments are adopted. This includes development of a new District webpage dedicated to TACs that will include but is not limited to: links to State websites for the list of approved chemicals and health values, OEHHA Air Toxics Hot Spots information, and links for users to receive updates directly from OEHHA. Further, the webpage will announce (via a banner) whenever a new TAC has been adopted by the State, as well as high level information about the pollutant being added. The webpage will also include general information on how and when the newly listed pollutant takes effect locally and must be considered in relation to permit applications, “Hot Spots” inventories/prioritization scores/HRAs, and Risk Reduction Plan applications.

Rule Change Copy Formatting

The District uses specific formatting procedures in draft rule change copies, as shown in Table 1, that are released for public review. This ensures all changes can be adequately tracked by staff and the public throughout the rule development process.

**Table 1. Rule Development Change Copy Formatting Procedures**

	New Rule	Example Language	Revised Rule	Example Language
<b>Public Workshop Change Copy</b> (Prior to Public Workshop)	Normal text, no formatting needed	“Change of Ownership”	Single underline/ Single strikeout	<u>“Change of Ownership”</u> <del>“Change of Ownership”</del>
<b>Post-Workshop Change Copy</b> (Prior to Governing Board consideration)	Single underline/ Single strikeout	<u>“Change of Ownership”</u> <del>“Change of Ownership”</del>	Double underline/ Double strikeout	<u><u>“Change of Ownership”</u></u> <del><del>“Change of Ownership”</del></del>

<b>2<sup>nd</sup> Public Workshop Change Copy if needed</b> (After first workshop and prior to Governing Board consideration)	Double underline/ Double strikeout	<del>“Change of Ownership”</del> <del>“Change of Ownership”</del>	Single underline/ Single strikeout/ Italics	<del>“Change of Ownership”</del> <u>and location</u>
<b>Post 2<sup>nd</sup> Workshop Change Copy or other changes if needed</b>	Single underline/ Single strikeout/ Italics	<del>“Change of Ownership”</del> <u>and location</u>	Double underline/ Double strikeout/ Italics	<del>“Change of Ownership”</del> <u>and location</u>

Please note that for Section (d)(1) within the Rule 1200 Change Copy, there is existing verbiage that was previously underlined. This verbiage includes the mentions of “T-BACT Not Applied”, “T-BACT Applied”, and “Maximum Incremental Cancer Risk Greater Than 10 in One Million” within Section (d)(1). For clarity when reviewing the Change Copy, it should be noted that this language has not been added or revised in the proposed amended rule.

## XI. OTHER RULE AMENDMENTS

Currently, there are no other District rulemakings in process that are directly tied to the proposed amendments to Rules 1200 and 1210.

## XII. CONCLUSION

This Staff Report addresses all the requirements specified in HSC Sections 40725 through 40728.5 for rule development. The proposed amendments to Rules 1200 and 1210 are administrative in nature and will not impose any new or more stringent requirements on affected sources. The proposed amendments will increase efficiency in District administration of these rules, enhance their consistency with statutory requirements applicable to the rule approval process, and help to ensure that affected sources and the public within San Diego County are informed and have access to the State’s official and most-current information on TACs for use in conducting HRAs.

## XIII. REFERENCES

There are no references to this report.

## XIV. ATTACHMENTS

There are no attachments to this report.