Potential Amendments to Air Toxics Hot Spots Program Risk Reduction Thresholds

CARE Program
Cumulative Impacts Working Group
July 6, 2009

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Presentation Outline

1. Background

2. Update on Air Toxics Hot Spots Program implementation

3. Proposed regulatory actions

4. Preliminary rule development schedule

Air Toxics Hot Spots Program

➢ The Air Toxics "Hot Spots" Information and Assessment Act was enacted in 1987 (AB 2588)

➢ Air Toxics Hot Spots (ATHS) Program goals

1. Collect toxic air contaminant (TAC) emissions data from facilities
2. Determine localized health risks
3. Notify public of significant risks
4. Reduce risks to acceptable levels

➢ Program Elements

1. Emissions inventory preparation and updating
2. Prioritization
3. Health Risk Assessment
4. Public Notification
5. Risk Reduction

Air Toxics Hot Spots Program

- CARB and OEHHA establish guidelines for ATHS Program elements

- Air districts implement ATHS Program

- "Industry-wide facility" provision
  - Facilities comprised predominately of small businesses, that can be generically categorized
  - The air district may prepare industry-wide emissions inventories and health risk assessments
  - e.g., gas stations, dry cleaners

Air Toxics Hot Spots Program

➢ Air districts given authority to establish thresholds for public notification and risk reduction requirements

➢ Air district public notification thresholds have been uniformly applied and are generally harmonized with Proposition 65 notification requirements

- Cancer risk: 10 in a million
- Non-Cancer Hazard Index: 1

➢ One half of the air districts that have reported their thresholds to CARB use different thresholds for public notification and risk reduction requirements

- Bay Area, South Coast, San Joaquin, etc.

➢ Bay Area AQMD risk reduction thresholds

- Cancer risk: 100 in a million
- Non-Cancer Hazard Index: 10

➢ Air districts with more stringent risk reduction thresholds do not necessarily apply them uniformly to industry-wide facilities

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Bay Area ATHS Program Implementation Update

➢ 30 facilities identified in 1991 as having risks above public notification thresholds (excluding gas stations and dry cleaners)

➢ List of facilities requiring notification reduced to zero in 2001

➢ Industry-wide facilities

  ▪ Perc dry cleaners

    • By 1999, all reduced to < 100 in a million under District Reg. 11, Rule 16

    • Statewide Perc phase-out began in 2008 under ATCM

  ▪ Gas stations

    • By 1996, all were reduced < 100 in a million due to CARB fuel standards

    • Risks have been further reduced in last decade due to Enhanced Vapor Recovery (EVR) program, but an estimated 5 – 10% are 10 – 25 in a million

➢ In 2008, Pacific Steel Casting (PSC) was added to notification list

  ▪ Max. cancer risk is 31 in a million, max. chronic hazard index is 1.8

  ▪ PSC estimates that recent control projects have reduced max. cancer risk to 21 in a million, and max. chronic hazard index to 1.5

➢ Diesel engines currently being assessed after ATCM implementation

Proposed Regulatory Actions

➢ Initiate rule development process to evaluate establishing more stringent risk reduction thresholds under the ATHS Program

➢ OEHHA is revising risk assessment procedures to provide a greater degree of health protective

  ▪ Revised Reference Exposure Levels

  ▪ Revised cancer risk assessment guidelines

    • Age-dependent adjustment factors

➢ Socioeconomic impacts of more stringent risk thresholds depends on number and type of facilities affected

➢ Need to see how potential OEHHA revisions may affect calculated risks

➢ In interim, begin developing a rule applicable to foundry operations

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Preliminary Rule Development Schedule

➢ ATHS Program Risk Reduction Rule could be ready for consideration of adoption in late 2010 or 2011

- ▪ Schedule could be affected by timing of OEHHA cancer risk assessment guideline revisions

➢ Foundry rule could be ready for consideration of adoption in second quarter of 2010