

FACT SHEET - AIR TOXICS
FACILITIES REQUIRED TO SUBMIT PLAN AND REPORT DOCUMENTS

Air Toxics Hot Spots REPORTING REQUIREMENTS

General: The intent of the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) is to develop an inventory of air toxic emissions and to determine whether these emissions pose significant health risks to the exposed public.

Applicability: The act applies to stationary sources that

- (a) Manufacture, formulate, use, or release one or more of the substances listed in the *Emission Inventory Criteria and Guidelines Regulation* (CGR) or other substances which react to form a substance listed in the CGR and which release, or have the potential to release, total organic gases (TOG), particulate matter (PM), oxides of nitrogen (NO_x), or oxides of sulfur (SO_x).
- (b) Are listed in a toxic use or toxic air emission inventory, survey, or report released or compiled by the APCD.

Stationary sources subject to the requirements of Air Toxics "Hot Spots" must submit certain information on air toxic emissions to the APCD. These requirements are summarized below.

Step 1: Stationary Source Preparation and Submittal of **Toxic Emission Inventory Plan**

A Toxic Emission Inventory Plan (TEIP) details the specific emission calculation methodology to be used to develop an emission inventory of toxic compounds. The required core contents of the TEIP are set forth in the CGR. The APCD has formulated a document, *Instructions for Preparing Air Toxic Emission Inventory Plans*, that provides additional details and clarifications to the CGR in order to assist stationary sources comply with this aspect of the Air Toxics "Hot Spots" requirements.

For a source that starts operation on or before April 1, the TEIP must be submitted to the APCD by August 1, of the same year. For a source that starts operations after April 1, the TEIP is due to the APCD by August 1, of the following year.

Following submittal of the TEIP, the APCD is required to approve, modify, or return the plan within 120 days of receipt. Sources are required to update the TEIP every four years.

Note: After initial submittal of a plan, sources with health risk levels under significant risk thresholds may submit a Facility Update Summary Form for the four year emissions update requirements.

Step 2: Stationary Source Preparation and Submittal of **Toxic Emission Inventory Report**

The TEIP describes the methods a source operator will use to compile a Toxic Emissions Inventory Report (TEIR). The TEIR is due within 180 days from the date that the APCD approved the operator's TEIP. Like the TEIP, the TEIR must be updated every four years.

Step 3: APCD Preparation of **Risk Prioritization**

After the APCD approves a TEIR, the APCD has 90 days to classify the source that prepared the TEIR as high, intermediate, or low priority facility. This categorization is based on quantity and type of emissions, and the

proximity of population to the stationary source. APCD's risk prioritization procedures are based on the *Air Toxics "Hot Spots" Program Facility Guidelines* prepared by the California Air Pollution Control Officers Association.

Step 4: Stationary Source Preparation and Submittal of Risk Assessment

Stationary sources classified in the intermediate or high category must submit a health risk assessment to the APCD to determine the significance, if any, of the health risk of individuals or exposed populations resulting from the stationary source.

Source operators required to prepare a risk assessment can retain a consultant to prepare the assessment, or request the APCD to prepare the risk estimate (at no additional cost). The health risk assessment must be submitted to the APCD within 150 days after notification by the APCD that a health risk assessment is necessary.

Upon receipt of a risk assessment prepared by a source operator, the APCD, using documented procedures, prepares its own risk assessment for the source as an audit of the assessment prepared by the operator. The APCD then forwards the two risk assessments to the state Office of Environmental Health Hazard Assessment (OEHHA) for review and comment. For risk assessments prepared by the APCD, the risk assessments are sent to the respective source operator for review, after which they are sent to OEHHA.

OEHHA has 180 days to review the risk assessment and return its findings to the APCD. The APCD then has 180 days to revise and approve the risk assessment. If the risk assessment was prepared by a source operator, and requires revision by the operator, the risk assessment must be revised within 60 days.

Step 5: Public notification of significant health risk

If a stationary source represents a substantial health risk, the source operator must notify exposed persons of this risk using procedures developed by the APCD in consort with representatives from industry and the public. Should your facility meet the substantial health risk criteria, the APCD will notify you of your reporting requirements.

Air Toxics Hot Spots Fees: As required by the Air Toxics "Hot Spots" Act, stationary sources subject to Air Toxics "Hot Spots" are charged fees by the APCD to recover the costs the APCD and the State incur implementing this program. These fees are invoiced during the first quarter of each year. The fee schedule is developed by the California Air Resources Board and is subject to change annually. Starting in 1996 the fee schedule will be based on the actual risk a sources poses to the public.

Additional Air Toxics Hot Spots Guidance: To assist operators in complying with the requirements of the Air Toxics "Hot Spots," the APCD has produced a number of publications that are available to assist businesses in complying with the act. To obtain information on these publications, or for additional guidance on the requirements of the Air Toxics "Hot Spots" Act, please contact the Air Toxics Section at (805) 961-8800.

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