



# CALIFORNIA METALS COALITION

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June 20, 2019

Min Sue, Air Quality Specialist  
South Coast Air Quality Management District  
21865 East Copley Drive  
Diamond Bar, California 91765

Dear Mr. Sue:

The California Metals Coalition appreciates the opportunity to comment on the South Coast Air Quality Management District (“District” or “SCAQMD”) workshop proceedings and consideration of **SCAQMD Proposed Rule (PR) 1480**.

These comments on PR 1480 are divided into the following sections: Summary; Background on CMC; Comments on Slides; and Recommendations for Further Scoping and Development.

## SUMMARY

This comment letter addresses the PR 1480 slides presented on May 23, 2019 at working group meeting #6. At working group meeting #6, the SCAQMD provided examples of how it identified sources, and discussed 1480 draft rule provisions and cost considerations.

## BACKGROUND ON CMC

California is home to approximately 4,000 metalworking facilities, employing over 350,000 Californians. The average industry salary is \$66,400/year in wages and benefits.

8 out of 10 employees in the metalworking sector are considered ethnic minorities or reside in disadvantaged communities throughout Southern California. A job in the metals sector is often the only path to the middle class for many of these Californians.

Here is a breakdown of the metalworking industry’s impact on the 4 counties within SCAQMD jurisdiction:

- **Los Angeles County:** 54,290 Direct Jobs | 52,741 Indirect Jobs | \$7 billion wages | \$26 billion economic activity

- **Orange County**: 25,448 Direct Jobs | 18,912 Indirect Jobs | \$2.9 billion wages | \$10.8 billion economic activity
- **San Bernardino**: 9,778 Direct Jobs | 8,378 Indirect Jobs | \$1.2 billion wages | \$4.5 billion economic activity
- **Riverside**: 6,971 Direct Jobs | 7,712 Indirect Jobs | \$957 million wages | \$3.2 billion economic activities
- **Total**: 96,487 Direct Jobs | 87,743 Indirect Jobs | \$12 billion wages | \$33.8 billion economic activity

California metal manufacturers use recycled metal (ex: aluminum, brass, iron and steel) to make parts for the aerospace industry, clean energy technologies, electric cars, biotech apparatuses, medical devices, national defense items, agriculture, infrastructure, construction machinery, household appliances, food processing and storage, movement of water, and millions of other products demanded by society.

### **COMMENTS ON SLIDES**

#### **Item #1, SLIDE 7: General Process for Identifying a Facility Should be Explicit in Staff Report**

At the working group meeting on May 23, 2019, CMC requested clarification on what steps would be taken by the SCAQMD before triggering a “Notice of Findings” letter (Slide 37) to a facility.

Staff presented a concise 4-Step process to address CMC’s concerns. CMC would prefer that this 4-Step process be included in PR 1480.

But if the 4-Step process is not included in the rule language, it should be detailed in the staff report and presented at the Stationary Source Committee and Governing Board Meetings.

#### **Item #2, SLIDES 8-12: General 4-Step Process to Identify a Facility Contributing to Ambient Levels**

CMC was concerned that a facility could be designated a Potentially Significant Source without an in-depth review and data collection by the SCAQMD.

- **Step 1: Identifying a Facility as Possibly Contributing to an Air Issue.** CMC agrees with staff that the SCAQMD should conduct air monitoring prior to triggering a “Notice of Findings” letter. All of the examples presented at the working group meeting included this step.
  - **SUGGESTION:** The SCAQMD should notify the facility when air monitoring begins near the facility. The 1480 process is a process of sharing information and correcting problems. It is concerning if the SCAQMD does not believe it should alert the facility that air monitoring is occurring outside of the facility.
- **Step 2: Within Facility, Identify the Source or Sources.**
  - **SUGGESTION:** In order to best respond to the identification of source(s), a facility may want to conduct on-site ambient air monitoring. This data could be compared to the SCAQMD data. If the SCAQMD does not alert the facility that it has initiated monitoring near the facility, then the opportunity is lost and the facility will be one step behind in the process.
- **Step 3: Determine if Sources are Capable of Generating Emissions.**

- **SUGGESTION:** During this process, the SCAQMD and facility should also focus on fixing any problems. Time is important, and if an issue can be resolved—and emissions reduced—action should be encouraged prior to triggering PR 1480.
- **Step 4: Determine if Emissions Can be Released to the Ambient Air.**
  - **SUGGESTION:** Similar to Step 3, the SCAQMD and facility should also focus on remedies. Changing a vent or eliminating cross drafts should be part of this step.

**Item #3, Unclear If Data Currently Being Collected Can Immediately be Used to Trigger PR 1480**

It is unclear whether or not the SCAQMD can use data collected prior to PR 1480 to trigger a “Notice of Findings” letter. The concern is that a facility could immediately receive a “Notice of Findings” letter after PR 1480 is adopted, or that the SCAQMD staff might be on steps 3 or 4 of the process before PR 1480 is placed before the Board.

Staff should describe how this will be handled after the adoption of PR 1480, and if the facility could immediately receive a letter.

**Item #4: No Description of How SCAQMD Will Account for Other Pollution Sources:**

Community air monitors will be sampling pollutant concentrations from ambient air which can potentially include other surrounding emissions sources. These could include stationary sources, mobile sources, and/or area emissions sources. Some of these may be temporary or intermittent sources. It is unclear how SCAQMD will be attributing measured ambient air concentrations to potential sources. There needs to be a clear mechanism in PR 1480 that describes how SCAQMD conduct such source attribution and consider all potential source types such as trucks, trains, constructions, street sweepers, unpermitted stationary sources, fireworks, etc. The burden of identifying and quantifying these sources should not be the sole responsibility of the facility when responding to a “Notice of Findings” letter.

**Item #5: SLIDE 36: Opportunity to Commit to Changes Prior to Triggering PR 1480**

When a facility receives a “Notice of Findings” letter, it is expected that the 4-Step process will have occurred—roughly spanning over 6 months.

During this time, if the problem has been pinpointed, why can’t a facility be given the opportunity under section (d) to commit to fixing the issue? As an example, if the issue is to add a HEPA filter or enclose part of the building, why should the facility be forced to spent \$300,000+ in testing under PR 1480 when the fix is already available?

**Item #6: SLIDE 37: Providing All Test Data and Requested Information Prior to Triggering the 14-day Response Time.**

When the facility receives the “Notice of Findings” letter, the SCAQMD should also provide all of the data and information leading to this determination. The 14-day response period should not begin until the SCAQMD has provided all the data and information. If the facility has to wait for a period of time to receive these materials, it should not be counted against the 14-day response period.

**Item #7: SLIDES 50-56: Costs for PR 1480 Will Exceed \$300,000.**

In CMC's March 18, 2019 comment letter, we included specific information on the cost of ambient air monitoring. Based on the last working group meeting, this information did not get included in the presentation.

On July 12, 2017, the South Coast AQMD, Bay Area AQMD, San Joaquin Valley AQMD, and Sacramento Metropolitan AQMD submitted a letter to Governor Jerry Brown<sup>1</sup>. The letter detailed the cost of ambient air monitoring and estimated this cost at \$6,000/week or \$300,000 per year.

These numbers should be at least roughly accurate given the authors of the letter, and the fact it is being sent to the Governor of California. SCAQMD staff working on PR 1480 could use this information for their cost evaluation unless more recent information is available.

**Item #8: SLIDES 50-56: Costs for 1402 Must Be Included.**

PR 1480 has a direct trigger into Rule 1402. The cost of complying with 1402 should be included in PR 1480 economic assessment. A full Health Risk Assessment (HRA) under 1402 is not less than \$250,000.

**Item #9: CMC Disagrees with Using OEHHA's Risk Factor for Hexavalent Chromium.**

While OEHHA may be the preferred source for health risk values, it is not required that SCAQMD use OEHHA. This is important because there are inherent problems with OEHHA's analysis of the inhalation of hexavalent chromium. As an example, SCAQMD would be relying on OEHHA's data records that come from the 1940s and 1950s.

At the PR 1480 working group meeting that staff discusses inhalation of hexavalent chromium, CMC requests that we spend time discussing industry's problems with OEHHA's data.

**RECOMMENDATIONS FOR FURTHER SCOPING AND DEVELOPMENT**

Thank you for your time, and for allowing CMC to participate and comment on PAR 1480. We look forward to continued discussions.

Sincerely,



James Simonelli  
Executive Director

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<sup>1</sup> [http://www.metalscoalition.com/uploads/2/4/3/5/24359359/aqmd\\_letter\\_to\\_jerry\\_brown\\_7-12-17\\_official\\_.pdf](http://www.metalscoalition.com/uploads/2/4/3/5/24359359/aqmd_letter_to_jerry_brown_7-12-17_official_.pdf)