

REGULATORY ASSISTANCE

California AB 2588 and AB 617 CTR



Founded in 1974, Trinity Consultants helps organizations overcome complex, mission-critical challenges in EHS, engineering, and science through expertise in consulting, technology, training, and staffing. We support clients in geographies worldwide and across a broad range of sectors including industrial, energy, manufacturing, mining, life sciences, and commercial/institutional.

For more than 45 years, Trinity has been recognized as the leading provider of air quality services related to permitting and compliance, regulatory applicability analyses, climate change, environmental management, and air dispersion modeling.

California's Air Toxics "Hot Spots" Information and Assessment Act (Assembly Bill 2588 or AB 2588) was enacted in 1987. AB 2588 requires stationary sources to report the types and quantities of certain toxic substances that are routinely released into the air.

In addition, AB 2588 sets requirements to identify facilities with localized impacts, notify the nearby residents of significant risks, and require facilities to reduce those risks to more acceptable levels. Trinity has supported clients since the enactment of AB 2588 in 1987.

In 2017, Assembly Bill 617 (AB 617) was signed into law to develop a new community focused program to reduce exposure more effectively from air pollution and preserve public health. The bill directed the California Air Resources Board (CARB) and all local air districts to take measures to protect communities. The emission

reporting requirement of the regulation is known as AB 617 "Criteria Air Pollutants and Toxic Air Contaminants Reporting" (CTR). The AB 617 regulation was originally adopted in 2018 and became effective January 1, 2020.

On January 1, 2022, amendments to both the AB 2588 Emission Inventory Criteria Guidelines (EICG) and AB 617 CTR became effective with revisions to both regulations that include the reporting of additional chemicals and the reduction of applicability criteria. CARB's initial statement of reason indicates that a total of 60,900 facilities will be affected by the year 2027. Over 600 chemicals have been added to the toxics list. Trinity is well versed in the changes to the two reporting regulations.

Our California staff consists of over 75 environmental professionals with engineering and science backgrounds, which include PhDs, Registered Professional Engineers, accredited AB 32 verifiers, accredited LCFS verifiers, Certified Permitting Professionals (CPP), Certified Air Permitting Professionals (CAPP), and other professionals within various environmental fields that have submitted hundreds of reports for AB 2588 and AB 617 CTR. This multi-disciplined staff delivers the highest-quality solutions that enhance regulatory compliance while maximizing operational flexibility. Trinity helps its clients accomplish this by combining regulatory expertise, technical proficiency, responsiveness, and creative thinking. Trinity's ISO 9001 certified Quality Management System ensures that clients consistently receive high-quality products and services.

With offices in Bakersfield, Irvine, Oakland, Ventura, San Diego, and Sacramento, Trinity has served clients locally in California in a wide range of industries:

- ▶ Aerospace, Airlines, Automobile, and Railroad
- ▶ Aggregates, Construction, and Concrete
- ▶ Agriculture, Beverages, and Food Processing
- ▶ Cement, Lime, Stone, Clay, Glass, Tile, Brick, and Coal
- ▶ Chemical, Rubber, Plastics, and Allied Products
- ▶ Electric Power Generation
- ▶ Engine and Equipment Manufacturers
- ▶ General Manufacturing and Surface Coating
- ▶ Landfills
- ▶ Mining, Minerals, Metals, and Metal Products
- ▶ Oil and Gas, Pipelines, Refineries, and Terminals
- ▶ Pharmaceuticals
- ▶ Pulp, Paper, Textile, and Fiber
- ▶ Renewable and Alternate Fuel, Energy, and Materials
- ▶ Roofing and Building Products
- ▶ Semiconductor
- ▶ Telecommunications
- ▶ Water and Sewage Utilities

Trinity has extensive experience with AB 2588 reporting from the planning, execution of HRAs, public notification and risk reduction phases. Trinity has also tracked the AB 617 CTR from its inception in 2018 and understands the nuances between the two rules.

As a result of our extensive consulting experience with all types of industries, air dispersion modeling, source testing, and reporting under AB 2588 and AB 617 CTR, Trinity is ideally suited to help assure compliance with the newly amended AB 2588 and AB 617 CTR regulations.

Air Toxic Inventory Plans and Reports

Local California air districts determine which facilities are subject to AB 2588. The subject facilities are required to submit an air toxic emissions inventory plan and inventory report on an ongoing basis (typically every four years). The plan specifies the methods that will be used to quantify the facilities air releases of listed toxic substances from all points of release. Once the local air district has approved the plan, the facility has 180 days to quantify the emissions and provide the inventory report to the district. Depending on the types and quantities of emissions in relation to the facility's distance from nearby workplaces and residences, the facility may then be required to complete a Health Risk Assessment (HRA).

Trinity has prepared hundreds of toxic inventory plans and reports in every major air district within California. Trinity's experience means that proper representation of facility emissions will help maintain public perception of estimated emissions.

Health Risk Assessment

Facilities designated as high priority are required to perform a detailed HRA to provide a detailed risk evaluation. The HRA must be conducted according to the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. Typically, an HRA is conducted using the Environmental Protection Agency's (EPA) AERMOD dispersion model to determine pollutant-specific ground level concentrations. The pollutant specific ground level concentrations are then processed using the CARB HARP2 Air Dispersion Modeling & Risk Tool (ADMRT) software along with site-specific and district-specific input options to determine carcinogenic, and non-carcinogenic chronic and acute facility-wide risks. These risks include the quantification of cancer risks to the community from facility-specific emissions. Each local air district sets carcinogenic and non-carcinogenic threshold levels, that when exceeded, require public notification and/or the development of a Risk Reduction Audit and Plan.

Public Notification & Risk Reduction

If risks determined in the HRA are high, a facility could be required to conduct public notification or undergo a risk reduction plan. Public notification greatly increases a facility's public exposure, and a risk reduction plan would require a facility to modify processes or install controls to bring risks to an acceptable level.

AB 617 CTR General Updates

AB 617 CTR does not include any additional procedures beyond reporting, unlike AB 2588. The reporting information required under AB 617 CTR was aligned under the 2022 amendments to match AB 2588, therefore all of Trinity's AB 2588 expertise is valuable for reporting under AB 617 CTR as well. It will be critical for facilities across California to assure the data being reported under AB 617 CTR is as accurate as possible. Unrepresentatively high emissions could increase the potential for public scrutiny.

AB 617 CTR Timing

AB 617 CTR will require most facilities in California to report toxics **annually**, starting with initial reporting in 2023 for the major air districts. The timing of initial reporting will depend on whether a Facility is in Group A or Group B Air Districts. The implementation phase will be between 2023 to 2029, with District Group A requirements beginning early as 2023. Group A districts are the following:

- ▶ Bay Area AQMD
- ▶ Imperial County APCD
- ▶ Sacramento Metropolitan AQMD
- ▶ San Diego APCD
- ▶ San Joaquin Valley Unified APCD
- ▶ South Coast AQMD

AB 617 CTR - Additional Chemicals

In addition to mandatory annual reporting of air toxics, the amendments to AB 617 CTR added 600+ new chemicals to be reported as well. Approximately half of these chemicals (those listed in Table B-2) will need to be reported as early as 2023 for Group A facilities, with Group B facilities reporting these chemicals in 2025. Additional chemicals listed in Tables B-3 and B-4 of the regulation will require reporting on a phase-in schedule as outlined in Table B-1 of the regulation.

Local Implementation of AB 617 CTR

The most difficult part of maintaining compliance with AB 617 CTR will be to assure facilities are up to date on local air district implementation of the regulation. The regulation provides leeway to the local air districts on how to apply certain provisions, including the submittal date of reports. Trinity has engaged the local air districts on their implementation plans and can help you determine how to proceed with reporting.

Trinity Can Help

Trinity has extensive experience with AB 2588 and AB 617 CTR, has followed the amendments to these regulations from their inception, and understands the nuance between these regulations and how it affects industry across California. For more information about how we can help your organization, please contact Trinity Consultants by calling **800.229.6655**, or call one of our California offices directly.

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ISO 9001:2015 certified at our corporate office in Dallas, Texas