

BOARD MEETING DATE: March 6, 2015

AGENDA NO. 26

TITLE: Proposed Work Plan for Implementing Office of Environmental Health Hazard Assessment's Revised Air Toxics Hot Spots Program Risk Assessment Guidelines

SYNOPSIS: The Office of Environmental Health Hazard Assessment (OEHHA) has revised the Air Toxics Hot Spots Program Risk Assessment Guidelines. The guidelines are designed to improve the way the state estimates potential lifetime health risk from air toxics and makes adjustments based on new science about both increased childhood exposure to and sensitivity to air toxics. The SCAQMD's permitting program, AB2588 Hot Spots program, existing regulatory program, and CEQA guidelines rely on OEHHA's guidelines for assessing health risks. As such, implementing the Revised Guidelines will have a variety of implications for SCAQMD's air toxics program. Staff will present to the Board a Work Plan to implement the revised OEHHA guidelines.

COMMITTEE: No Committee Review

RECOMMENDED ACTIONS:

Direct staff to implement enhanced outreach and risk communication activities and proceed with the development of adjustments to SCAQMD's various programs related to Risk Assessment through the appropriate Committee and Governing Board approval process.

Barry R. Wallerstein, D.Env.
Executive Officer

Background

The SCAQMD has a comprehensive air toxics program that includes rules for new and modified equipment, implementation of the AB2588 Hot Spots Program for existing sources, source-specific toxic rules, and guidance for determining health impacts from CEQA documents. Since adoption of these programs, businesses throughout the Basin have made significant reductions in air toxics from a variety of sources. Based on the most recent Multiple Air Toxics Study, **cancer risks have decreased between 75 and 87 percent** from 1990 levels from non-diesel sources depending on the monitoring location.

The Revised OEHHA Guidelines

The SCAQMD's air toxics program relies on calculating health risks based on the Health Risk Assessment Guidance developed by the Office of Environmental Health Hazard Assessment (OEHHA). The Hot Spots Act requires that OEHHA develop health risk assessment guidelines for implementation of the Hot Spots program (Health and Safety Code Section 44360(b)(2)). OEHHA is in the final stages of revising its Health Risk Assessment Guidelines (Revised OEHHA Guidelines), which are expected to be finalized in early March. In addition, CARB and the California Air Pollution Control Officers Association (CAPCOA) are jointly developing guidance for risk management for permitting and AB2588. The CARB Board will consider approval of the Risk Management Guidelines for Permitting and AB2588 in April.

The Revised OEHHA Guidelines for risk assessment contain revisions that incorporate new scientific information that has shown that early-life exposures to air toxics contribute to an increased lifetime risk of developing cancer and other adverse health effects, compared to exposures that occur in adulthood. As a result, the Revised OEHHA Guidelines incorporate age sensitivity factors which will increase cancer risk estimates to residential and sensitive receptors by approximately 3 times, and more than 3 times in some cases depending on whether the toxic air contaminant has multiple pathways of exposure in addition to inhalation. Health risks for off-site worker receptors are similar between the existing and revised methodology because the methodology for adulthood exposures remains relatively unchanged.

Implications of Revised OEHHA Guidelines for SCAQMD's Air Toxics Program

The SCAQMD's air toxics program relies on OEHHA's health risk assessment guidelines in all aspects of its toxics regulatory program. At the Special Governing Board Meeting on May 16, 2014, staff presented Potential Impacts of the New OEHHA Risk Guidelines on SCAQMD Programs. To begin implementing the Revised OEHHA Guidelines, amendments to key rules, Rule 1401 – New Source Review of Toxic Air Contaminants, Rule 212 – Standards for Approving Permits and Issuing Public Notice, and Rule 1402 – Control of Toxic Air Contaminants from Existing Sources, will be recommended. Staff will be presenting a generalized work plan and schedule for implementation of the Revised OEHHA Guidelines at this Governing Board Meeting.

Next Steps

SCAQMD staff will begin an extensive outreach and communication effort to engage all stakeholders regarding the Revised OEHHA Guidelines immediately. As part of the work plan, staff will host three Public Workshops in March throughout the Basin. SCAQMD staff will also continue to work with CARB and CAPCOA on a statewide outreach and communication effort to promote consistent and accurate messaging. It is expected that CARB will approve the Risk Management Guidelines for Permitting and AB2588 in April. SCAQMD staff will be presenting a generalized work plan at this Governing Board meeting that will include outreach and communication elements, and a proposed schedule for implementation of the Revised OEHHA Guidelines for permitting, AB2588, and CEQA purposes. Any rule development efforts will include a public process to enable stakeholder participation and input. Throughout the implementation process of the Revised OEHHA Guidelines, staff will provide periodic updates to the Stationary Source Committee.