

Citizen Concerns
Re: SCAQMD Rule 1180 and 1180.1 Released Data
for 22 August 2023 SCAQMD Public Workshop

Submitted on 21 August 2023 for the 22 August 2023 SCAQMD Public Workshop
on Rule 1180 Expansion and New Rule 1180.1

by Dr. Genghmun Eng ("Citizen"), 5215 Lenore Street, Torrance, CA 90503

Please add the following Public Notes and Comments to the SCAQMD Record on this item, and take these additional factors into consideration in your rule-making in order to be properly protective of the Public Health and Safety.

Note 1: The SCAQMD Workshop Presentation presently titled: "Preliminary Draft Refinery Fenceline Air Monitoring Plan Guidelines - August 2023" should be re-titled to indicate applicability to non-Refinery Facilities. Citizen suggests replacing all document text, aside of the references as follows: "Refinery" should be "Refinery {or other SCAQMD Monitored Facility}" and "Refineries" should become "Refineries {or other SCAQMD Monitored Facilities}."

Note 2: While the SCAQMD notes that their historical data supports not a lot of Refinery PAH (Polycyclic or Polynuclear Aromatic Hydrocarbon) emissions, their data primarily emphasizes normal Refinery operations, and proper PAH monitoring may disclose significantly higher Refinery PAH emissions during non-Normal Refinery operations, where the net short-term PAH release can significantly exceed months of Refinery PAH releases under normal operations. Thus it is incumbent for the SCAQMD to continue to work toward developing near real-time and intermittent time assessments of PAH release amounts.

Note 3: While the SCAQMD notes that their historical data supports not a lot of Refinery PAH (Polycyclic or Polynuclear Aromatic Hydrocarbon) emissions, the new Rule 1180.1 now covers additional facilities, where their historical PAH emissions are not well known. This further supports the necessity for the SCAQMD to continue to work toward developing near real-time and intermittent time assessments of PAH release amounts.

Note 4: If you are not looking for something, it is easy to not see it, until someone else points it out. This was true with the SCAQMD "discovery" of excess hexavalent chromium emissions from small chemical plating facilities. Citizen believes there are multiple localized emission sources of PAH, PM-2.5, PM-10, and other presently monitored air-pollution organics, presently within the SCAQMD responsibility region, which present a hazard to the Public Health and Safety, and which need to be put under SCAQMD monitoring and control. See **Notes 5-11**.

Note 5: The SCAQMD purview extends to fixed air pollution sources, i.e. to sources that are not moving. As a result, it is under the SCAQMD purview to regulate Diesel Truck idling at Fixed Trucking Stations, as well to regulate near-shore Diesel Ships when idling in the US protected waters off the US coastline edge. Eventually these sources move, putting them out of the SCAQMD purview once they become non-stationary. However, while they are temporarily stationary, it remains the SCAQMD responsibility to ensure their operation is properly monitored, with their operation being properly protective of the Public Health and Safety.

Note 6: The SCAQMD has responsibility over SIC 2911 entities and materials. The US Department of Labor OSHA SIC Manual notes the "SIC 2911 Petroleum Refining" designation applies to, among other things: (a) Petroleum Refining, (b) Road Materials, bituminous: produced in petroleum refineries, (c) Road oils, produced in petroleum refineries, and (d) Tar or residuum, produced in petroleum refineries.

Note 7: In light of the above **Notes 5-6**, the new category ASPHALT USING FACILITIES needs to be added to the Proposed Rule 1180.1 section (c) under 'Definitions', so as to be included in the SCAQMD purview. Citizen suggests the following additional wording:

(0) ASPHALT USING FACILITY is a stationary or temporarily stationary facility which uses: (a) Road Materials, bituminous: produced in petroleum refineries, (c) Road oils, produced in petroleum refineries, (d) Tar or residuum, produced in petroleum refineries; including (i) Asphalt Treated Road Material, (ii) Bituminous Cold Patch Material, (iii) Asphaltic Concrete Hot Mix, (iv) Recycled Asphalt Products, and similar items originally produced in petroleum refineries.

Note 8: Many of these presently SCAQMD unregulated ASPHALT USING FACILITIES are contractors hired by various City and State agencies for Road Repair. When doing Road Repair operations, each contractor establishes a temporary fenceline boundary, inside which ordinary Citizens are not allowed. However, on multiple occasions, Citizen has experienced nausea and headaches, even when ten to hundreds of feet away from these temporary fenceline boundaries. It is also unclear to Citizen whether the Contractor workers operate with proper OSHA PPE (Personal Protective Equipment), likely due to the lack of present-day proper regulatory oversight. Rule 1180.1 should fix this lack of proper facility regulation.

Note 9: Proposed Rule 1180.1 section (b) under 'Applicability' should be revised, so as to be included in the SCAQMD purview. Citizen suggests the following wording:

"This rule applies to Refineries and Other SCAQMD Monitored Facilities that refines crude oil, Alternative Feedstocks, or both crude oil and Alternative Feedstocks, including, but not limited to Asphalt Plants and Asphalt Using Facilities."

Note 10: Proposed Rule 1180.1 section (c) under 'Definitions', should add and (11a) so as to be included in the SCAQMD purview. Citizen suggests the following additional wording:

(11a) OTHER SCAQMD MONITORED FACILITY is a facility that operates by primarily using materials as defined in the Standard Industrial Classification Manual as Industry No. 2911, "SIC 2911 Petroleum Refining" designation, which applies to, among other things: (b) Road Materials, bituminous: produced in petroleum refineries, (c) Road oils, produced in petroleum refineries, and (d) Tar or residuum, produced in petroleum refineries; whereas (a) Petroleum Refining is covered by the above 'Definition (11) REFINERY'.

Note 11: The remainder of the proposed Rule 1180.1 sections should substitute "Refinery {or other SCAQMD Monitored Facility}" for "Refinery", and substitute "Refineries {or other SCAQMD Monitored Facilities}" for "Refineries", as needed, to be consistent with the above revised 'Definitions' and 'Applicability'.

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