



2023 Annual Report
AB 2588 Air Toxics “Hot Spots Program”

November 1, 2024

Imperial County Air Pollution Control District
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Background

The Air Toxics “Hot Spots” Information and Assessment Act of 1987 (AB 2588) is a State of California public right-to-know law requiring local air districts to collect information about the location, type, and quantity of toxic compounds emitted into the air from specific local businesses and industry. The AB 2588 Program Annual Report is published to provide the public with information regarding the AB 2588 Program of the Imperial County Air Pollution Control District (District). The enabling statutes (California Health & Safety Code [H&SC] §44300-44394) require the California Air Resources Board (CARB) and local air districts to implement the “Hot Spots” Program. This report describes the current reporting and evaluation statuses for facilities in Imperial County being tracked under this program. This annual report is required by California H&SC §44363.

Introduction

The goals of the AB 2588 Program are to quantify and report emissions of listed air toxics from businesses and industries, to ascertain potential health risks associated with those emissions, and to notify nearby members of the public who are exposed to significant risk. The AB 2588 Program requires certain emitters of airborne toxic compounds to submit toxic emissions inventory reports and updates. Facilities meeting certain criteria must also complete health risk assessments and, as necessary, take steps to reduce the health risk below levels of significance. H&SC §44363 requires that the District Board conduct a public hearing concerning the subject report which must include information on the following:

- 1) The priorities and categories designated pursuant to H&SC §44360 and a summary of results and progress of the health risk assessment program undertaken;
- 2) The ranking and identification of facilities according to the degree of cancer risk posed to surrounding receptors;
- 3) The identification of facilities which expose individuals or populations to any non-cancer health risks; and
- 4) The status of development of control measures to reduce emissions of toxic air contaminants, if any.

This report covers facility operations in calendar year 2023 for which AB 2588 State fees were assessed on January 22, 2024.

This report also provides an update on the Regulation for the Reporting of Criteria Air Pollutant and Toxic Air Contaminants (CTR) adopted by the California Air Resources Board, effective January 1, 2022. CTR mandated additional emissions reporting requirements for stationary permitted sources.

Once the Imperial County Board of Supervisors approves this annual report, the District will schedule a public meeting to present its contents and discuss its significance. Consistent with H&SC requirements, this report is also being provided to the County Board of Supervisors, City Councils, and Environmental Health officials at the Imperial County Public Health Department.

Air Toxics “Hot Spots” Program

The AB 2588 Program established a process to compile an inventory of air toxics emissions from specified facility categories in California and to assess the potential risks to public health as a result of exposure to those emissions. AB 2588 specifies activities that the CARB, the Office of Environmental Health Hazard Assessment (OEHHA), and the districts must carry out to implement the Act.

Facilities are categorized based on their reporting status in the program. Facilities subject to the AB 2588 Program are required to either file an emissions inventory plan and report with the local air district or as an alternative the District prioritizes and conducts the risk assessment as part of a permitting action. The District reviews and approves the plan and reports. The District develops a numerical prioritization score for the facility based on the magnitude of emissions from the facility, the toxic potency of the emitted compounds based on both cancer and non-cancer risk, and the distance from the emission point to the nearest receptor (i.e., location where a member of the public lives, works, or spends time).

If the prioritization score indicates further evaluation is necessary, the facility is required to perform a health risk assessment (HRA). If the results from the HRA indicate a potential significant risk to the public, the facility is required to notify the public exposed to the emissions. A facility subject to the public notification requirement then may need to develop a risk reduction plan to lower the emissions below significance levels. After complying with the initial reporting requirements, based on the prioritization scores or HRA results, facilities may be required to submit update reports every four years.

Update to OEHHA Risk Assessment Guidelines

The passage of the Children’s Health Protection Act of 1999 (SB 25, Stats. 1999) required OEHHA to re-evaluate the risk assessment methodologies to ensure infants and children are explicitly addressed in assessing risk. In the last decade, advances in science have shown that early-life exposures to air toxics contribute to an increased lifetime risk of developing cancer, or other adverse health effects, compared to exposures that occur in adulthood. In March 2015 OEHHA adopted revisions to the Guidance Manual for the Preparation of Health Risk Assessments¹ to address this greater sensitivity and incorporates the most recent data on childhood and adult exposure to air toxics. CARB adopted Risk Management Guidance² implementing the new guidelines in July 2015.

The District Prioritization Procedure

The District follows procedures outlined in the 2016 *Facility Prioritization Guidelines* prepared by the California Air Pollution Control Officers Association (CAPCOA) and the Air Toxics and Risk Managers Committee (TARMAC).³

In the initial years of the AB 2588 Hot Spots Program, the District requested emission inventory plans and reports from AB 2588 applicable facilities. The District now reviews most facilities’ prioritization score during the permit evaluation process. The facilities that are reviewed during the permit evaluation process are evaluated based on potential to emit. If a facility is exempt from AB 2588 based on potential to emit or is subject to AB 2588 and a low priority, no further action is taken under the AB 2588 program for that facility until they submit an application to modify their permit. If a facility is reviewed under AB 2588 and based on potential to emit is determined to be an intermediate priority, the facility is entered into the annual emissions inventory and toxics emissions are reported after the first year of operation and at least every four years thereafter. If a facility is reviewed under AB 2588 and based on potential to emit is determined to be a high priority, the facility is entered into the annual emissions inventory and toxic emissions are reported on an annual schedule. If the facility’s actual emissions result in a high priority, the facility will be required to pay state AB 2588 fees and submit an HRA, unless it is an “industrywide” facility. The District will prepare the HRA for the industrywide facilities based on the guidelines developed by CAPCOA, CARB, and OEHHA.

Facilities that submit their own emissions inventory plan and report and are prioritized as intermediate must submit a Quadrennial Update Survey every four years. Facilities that submit their own emission inventory plan and report and are prioritized as high must submit an HRA and pay state AB 2588 fees.

The District has established the following prioritization criteria:

Total Facility Score (TS)*	Facility Description
TS > 10	High Priority
1 ≤ TS ≤ 10	Intermediate Priority
TS < 1	Low Priority

*Total facility score is determined by the greater of the Carcinogenic Effects (cancer risk) calculation and the Non-Carcinogenic Effects (non-cancer) calculation.

¹ <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf>

² <https://ww2.arb.ca.gov/our-work/programs/ab-2588-air-toxics-hot-spots/hot-spots-risk-assessment>

³ <https://ww2.arb.ca.gov/sites/default/files/classic/ab2588/CAPCOA%20Prioritization%20Guidelines%20-%20August%202016%20FINAL.pdf>

Industrywide Facilities

The District may prepare industrywide emissions inventories and HRAs for a source category if facilities within that category meet the following criteria specified in H&SC §44323:

- 1) All facilities in the class fall within one four-digit Standard Industrial Classification Code;
- 2) Individual compliance would impose severe economic hardships on the majority of the facilities within the class;
- 3) The majority of the class is composed of small businesses;
- 4) Releases from individual facilities in the class can easily and generically be characterized and calculated.

The District does not currently maintain a list of industrywide facilities and did not conduct any industrywide surveys for 2023.

Core Facilities

Core facilities are the remaining facilities that are subject to the AB 2588 Program and not industrywide facilities. As Imperial County did not group any facilities into industrywide source categories in 2023, all facilities subject to the AB 2588 Program are considered core facilities in this annual report.

Prioritized Facilities and Health Risk Assessments

As of 2023, the District has 877 active facilities, of which 626 have been assigned a Total Facility Score greater than 0. Of those 626 facilities, all are considered core facilities (as opposed to industrywide facilities). The District has prioritized 489 as low, 137 as intermediate, and 0 as high priority for the AB 2588 Program, based on the Total Facility Score assigned to each. The District has 246 facilities that are not subject to the Hotspots reporting program.

Priority Score	Number of Facilities
Low	489
Intermediate	137
High	0

The top 10 highest priority facilities based on Total Facility Score in the District's 2023 priority score data are:

Type	Permit No.	Facility	Location	Priority Score	HRA Score*
Miscellaneous	3761	Western Meat Processors dba AgriFeed Industries	502 E. Barioni Blvd., Imperial	9.93	NA
Combustion	4683	Cuba's Tree Service	Various Locations	9.60	NA
Combustion	4742	De Anda Trimming	Various Locations	9.60	NA
Incinerator	2196	Hems Brothers Mortuary	1975 S. 4th Street, El Centro	9.11	NA
Incinerator	1506	Frye Chapel & Mortuary	799 Brawley Avenue, Brawley	9.11	NA
Incinerator	4571	Jardines Del Eden	384 Main Street, El Centro	9.11	NA

Type	Permit No.	Facility	Location	Priority Score	HRA Score*
Combustion	4748	Chavez Landscaping Service	Various Locations	8.98	NA
Incinerator	1632	CBP	200 E. First Street, Calexico	8.93	NA
Mining	4005	Western Mesquite Mines, Inc.	6502 East Hwy. 78, Brawley	7.15	NA
Service Station	399	Antunez Shell LLC	574 W. Aten Road, Calexico	6.92	NA

*HRA not required if priority score < 10

State AB 2588 Program Fees

Program costs may be recovered by assessing a fee to subject facilities pursuant to District Rule 309, *Air Toxics "Hot Spots" (AB 2588) Information and Assessment*. The District is required to pay a fee to the State to cover CARB's costs.

CARB's AB 2588 assessment of fees for Fiscal Year 2023-2024 was \$15,671.00.

Public Notification

Public notification is required if the results from an HRA show that the facility poses a significant risk to the community (ref: H&SC §44362 (b)). Any significant risk sources identified during the AB 2588 reassessment process will notify the affected public of the toxic risks to which they have been exposed once the HRAs have been finalized (i.e., the HRA is approved by the District and OEHHA). The District follows the Public Notification Guidelines for the Air Toxics "Hot Spots" Program prepared by the AB 2588 Risk Assessment Committee of CAPCOA for any such notification within Imperial County.⁴

Risk Reduction

Senate Bill 1731, *Risk Reduction Audits and Plans (RRAPs)*, was signed into law in 1992 as an adjunct to the Air Toxics "Hot Spots" inventory and assessment requirements of AB 2588. This law requires facilities that pose a significant risk to prepare an RRAP detailing proposed risk reduction measures at the facility. Once the HRA is finalized, if a significant risk is identified, the facility is required to develop and implement an RRAP. Implementation of these measures must reduce the risks below the significant health risk thresholds within five years of the date the plan is submitted to the District.

RRAPs are usually prepared on a facility-by-facility basis; however, CARB has developed air toxic control measures (ATCMs) for certain industry types. State law provides local air districts authority to enforce these ATCMs. District Rule 1002, *California ATCMs*, lists the Final Regulation Orders for ATCMs that are incorporated as a part of the Rules and Regulations of the Imperial County Air Pollution Control District.⁵ Other ATCMs incorporated by the District include Rule 1003, *Hexavalent Chromium Emissions from Cooling Towers*,⁶ and Rule 1022, *Perchloroethylene Airborne Toxic Control Measure – Dry Cleaning Operations*.⁷

Similarly to ATCMs, the District enforces the federal National Emission Standards for Hazardous Air Pollutants/Maximum Achievable Emission Standards (NESHAP/MACT) on all applicable stationary source facilities. District Rule 1001, NESHAPs, lists all provisions of Part 61, Chapter I, Title 40 of the

⁴ <https://ww2.arb.ca.gov/sites/default/files/2023-05/pubnotif.pdf>

⁵ <https://ww2.arb.ca.gov/sites/default/files/classic/technology-clearinghouse/rules/RuleID1325.pdf>

⁶ <https://ww2.arb.ca.gov/sites/default/files/classic/technology-clearinghouse/rules/RuleID1326.pdf>

⁷ <https://ww2.arb.ca.gov/sites/default/files/classic/technology-clearinghouse/rules/RuleID1327.pdf>

Code of Federal Regulations (40 CFR Part 61) that are incorporated as a part of the Rules and Regulations of the Imperial County Air Pollution Control District.⁸

Control Measure Development

The District has not developed nor adopted any control measures to reduce emissions of toxic air contaminants in the past year.

⁸ <https://ww2.arb.ca.gov/sites/default/files/classic/technology-clearinghouse/rules/RuleID1324.pdf>

Appendix A: Facility List

Appendix A includes a list of all facilities currently holding a permit to operate, their location, whether they are subject to AB 2588, whether they are an industrywide source, their priority score and risk information.

The facility list is sorted by permit number.