

Submitted electronically to the “ctr2020” docket.

April 14, 2021

Mr. John Swanson
California Air Resources Board
Criteria Pollutant and Air Toxics Reporting Section
1001 “I” Street
Sacramento, CA 95814

Dear Mr. Swanson:

Subject: Comments on the Proposed Amendments to the Regulation for Reporting of Criteria Air Pollutants and Toxic Air Contaminants, and the Emission Inventory Criteria and Guidelines Report for the Air Toxics “Hot Spots” Program (15-Day Changes)

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to review and provide comments on the proposed modifications to the California Air Resources Board (CARB) Regulation for Reporting of Criteria Air Pollutants and Toxic Air Contaminants (CTR) and Emission Inventory Criteria and Guidelines Report for the Air Toxics “Hot Spots” Program (EICG) that were posted on March 30, 2021 for a 15-day public review and comment period.

LADWP’s comments address the following topics:

- Consistent reporting requirements for emergency engines,
- Concerns with co-mingling emissions from mobile sources with stationary sources, and
- Article 2 of the CTR regulation, which is supposed to provide consistent emission calculation methods and emission factors, needs to be developed.

Emission reporting requirements for emergency engines should be consistent, regardless of location or nature of use.

LADWP noted some inconsistencies in how the CTR regulation treats diesel-powered emergency standby engines. In section 93421 *Abbreviated Reporting*, diesel-powered emergency standby generators and direct-drive emergency standby “fire suppression” and “fire water” pump engines are eligible for abbreviated reporting. However, section 93421 does not include diesel-powered direct-drive emergency standby water pump engines used in the potable water distribution system, the wastewater system, and for flood control. It is unclear why these other types of emergency standby engines should be treated differently and subject to the full reporting requirements.

Furthermore, an emergency generator located at a large facility such as a power plant that is subject to emission reporting under 93401(a)(1) or (2), would be subject to the Full Report

Contents including reporting of Release Location data. Some of the Release Location data elements such as exit gas temperature, exit gas velocity and flow rate may be unavailable for an emergency standby engine. If the purpose of collecting Release Location data is to perform air dispersion modeling for the facility, it seems reasonable that an emergency standby engine should be exempt from the Release Location data reporting requirements because it is a *de-minimis* source of emissions at a large facility.

LADWP recommends that CARB treat all emergency standby engines consistently under the CTR regulation. All emergency standby engines should be eligible for abbreviated reporting regardless of the nature of use, and Release Location data should not be required for an emergency standby engine just because it is located at a facility subject to reporting under applicability criteria 93401(a)(1), (2) or (3).

The facility should not be responsible for reporting emissions from portable, diesel-fueled engines or devices operated within the facility.

The CTR and EICG regulations were intended to collect emissions data **for stationary sources**. LADWP has concerns with Section 93404(c)(2)(C) of the CTR regulation which requires stationary source facilities to track and report emissions from portable engines or equipment operated within the facility, regardless of ownership or permit status. LADWP believes the reporting responsibility should lie exclusively with the owner/operator of the portable engine/equipment.

From an implementation perspective, facility emission reporting typically does not include portable equipment operated within the facility boundary. The addition of this responsibility will require subject facilities to implement a data collection system for portable equipment. There would need to be a mutual understanding for recordkeeping and reporting between the facility operator and the portable equipment user. In effect, the facility operator will become an emissions reporting proxy for the owner/operator of the portable equipment used within the facility. The data would need to flow from the portable equipment user to the facility operator who would report it to CARB. This can be an administrative challenge especially when multiple third parties are involved.

If the portable equipment is transient (e.g., used temporarily at the facility for construction), including emissions from the portable equipment in the facility's emissions report will not represent normal facility operations. LADWP believes it is not appropriate to co-mingle mobile source emissions with stationary source emissions, unless the mobile source emissions are part of the facility's core operations.

Furthermore, the CTR requires the designated representative for the facility to submit an attestation with the emission report. The attestation states that "all information submitted by the designated representative pursuant to this article is true, complete, and correct." If emissions from portable engines "regardless of ownership" are included in the facility's emissions report, this means that the facility must vouch for the accuracy of emissions for equipment belonging to a third party, without firsthand knowledge of the data. It would not be appropriate to sign an attestation for emissions from portable equipment that is not under the facility operator's control.

LADWP recognizes that CARB wants to collect emissions data from portable equipment as part of the statewide emissions inventory. However, the current proposal to require facilities to report

data from portable equipment operated within the facility may not be the right approach because it would yield an incomplete picture of emissions from portable equipment. LADWP recommends that CARB remove section 93404(c)(2)(C) from the CTR regulation, and instead add a reporting requirement to the Portable Equipment Registration Program (PERP) regulation. This recommendation was discussed in detail in LADWP's previous comments dated November 16, 2020. Having the owner/operator of the portable equipment report emissions for the portable equipment under the PERP regulation would eliminate the middleman and provide complete and accurate data by calculating emissions using equipment-specific data rather than generic default emission factors.

Concern with the proposed collection of mobile sources (motor and non-motor) emissions data under the EICG.

LADWP is concerned with the proposed collection of emissions data for on-site mobile sources in EICG section VIII(G)(1) and (2). The proposed language is vague and does not specify any requirement to consider the accuracy and trueness of the data. There is currently no guidance, or CARB- and/or District-approved procedure to quantify dust emissions for "routine and predictable motor vehicle activity". LADWP understands that the facilities are able to propose a quantification method; however, there is an inherent risk that the proposed method may not be considered acceptable by CARB or the air districts.

In addition, the excerpt below from Section VIII(G)(2) includes an unsupported reference to inventory information. The paragraphs following this section fail to specify the inventory information needed for non-motor vehicle mobile sources.

- (2) ***Other (Non-Motor Vehicle) Mobile Sources:*** *For non-motor vehicle mobile sources (those not meeting the definition of motor vehicles) which operate within the facility, the following inventory information is required to be included in the facility's emission inventory plan and emission inventory report...*

It is also unclear if data collection applies to external vehicles that enter the facility, such as delivery trucks, contractors, and employee vehicles. Inclusion of external vehicles poses a similar issue to facilities being asked to report emissions from transient portable equipment under the CTR. The facility operator would need to implement a data collection system to track all vehicles within the facility. If external vehicles are included, the facility operator would have to obtain data from external users, but the external users are under no obligation to provide the data.

At this time, LADWP recommends removing Section VIII(G)(1) and (2) and to continue discussions with stakeholders to further vet this concept. Alternatively, LADWP recommends that external vehicle usage be excluded altogether since it is not part of core facility operations.

Development of CTR Article 2 is needed to provide consistent emission calculation methods and emission factors.

The objective behind the CTR regulation is to create a uniform statewide emission reporting program for stationary sources. As part of CARB's overall plan for the program, Article 2 is supposed to provide consistent emission calculation methods and emission factors. This critical

Mr. Swanson
Page 4
April 14, 2021

piece of the program is still pending. LADWP requests that CARB provide an update and timeline for development of Article 2.

Conclusion

Emission data collected under the CTR and EICG programs will be publicly available and used for a variety of purposes, therefore it is important that the emission data accurately represent facility operations. LADWP encourages CARB to continue refining both the CTR and EICG emission reporting requirements to streamline the data collection and reporting process and ensure that the published emission data accurately represents the contribution of stationary sources to the overall statewide emission inventory.

LADWP appreciates CARB's consideration of these comments and looks forward to future improvements to both emission reporting programs. If you have any questions or would like to discuss these comments, please contact Ms. Andrea Villarin at Andrea.Villarin@ladwp.com or (213) 367-0409.

Sincerely,

A handwritten signature in blue ink that reads "Katherine Rubin". The signature is written in a cursive, flowing style.

Katherine Rubin
Manager of Air and Wastewater Quality and Compliance

JT/CP:

c/: Mr. John Swanson (CARB)
Mr. Daniel Sloat (CARB)
Ms. Andrea Villarin (LADWP)