

**\*\*Updated State Health Risk Assessment Guidelines Could Require Your Business to Implement New Public Notifications and Emission Reduction Requirements Even If Your Emissions Have not Changed or Have Already Been Reduced\*\***

**\*\*Take Action TODAY to Prevent Unfounded Fear and Confusion and to Protect Your Business\*\***

**What Do I Need to Know?**

California has the most stringent air quality regulations in the country and has already achieved an 80% reduction in emissions over the past 30 years. Despite this progress, updated air toxics Health Risk Assessment (HRA) guidelines just released by the Office of Environmental Health Hazard Assessment (OEHHA), could require you to notify local schools, day care centers, libraries and residents in your community that emissions from your business are putting their health at greater risk. These notifications will create the false perception that something has changed at your facility – recently – that makes it more dangerous to the community.

OEHHA's new guidelines have changed the way health risk from air emissions is *estimated* and give the impression that health risk has increased. Facility risk estimates will increase by 1.5 to 3 times or more – even if there has been no change in a facility's actual emissions. The new guidelines will impose existing state and local air district regulations on many more local businesses than ever before. These businesses will be required to conduct new air toxics emission inventories and file reports with the local air district. Many will have to notify surrounding communities that their operations pose an increased risk and some will be subject to air toxics permitting and emission reduction requirements.

- Businesses likely impacted by these updated regulations are those that produce stationary source emissions, such as manufacturing and processing facilities, plating and metal finishing shops, auto body shops, dry cleaners, gasoline service stations and any business that relies on diesel powered standby generators, such as certain agricultural operations and technology facilities.

Clearly such notifications could create significant confusion and unnecessary alarm. These same guidelines could also require you to pay for costly risk reduction measures which could greatly impact your operations and jeopardize your ability to permit new equipment or renew an existing permit.

**What Can I Do To Protect My Business?**

You have an opportunity to take action today to prevent unnecessary fear and confusion in your community and protect your business from unreasonable emission reduction measures.

Your local air district will be implementing risk communication and risk management guidelines that determine what you have to communicate to your community and what additional actions you have to take to remain in operation.

Local air district staff needs to hear from you before implementation of the updated guidelines. Please join with other businesses and encourage local staff to:

1. Develop risk communication guidelines that provide clear and credible explanations of why health risk assessment estimates have changed and what those changes mean in terms of actual public health risks. It is important that the public realize that emissions have not increased, only the way OEHHA estimates risk has changed.
2. Develop reasonable risk management guidelines that avoid unreasonable permitting restrictions and costly or unnecessary mitigation measures.

We will provide talking points and sample letters for you to communicate with your local air district staff.

## **Answers to Common Questions on the Updated Health Risk Assessment Guidelines:**

### **Why would my business be deemed a risk if we meet or exceed air quality standards and have made no changes to operations?**

- The new Health Risk Assessment (HRA) guidelines developed by the Office of Environmental Health Hazard Assessment have changed the way risk is measured. Facility risk estimates will increase by 1.5 to 3 times. As a result, your operation's emissions could actually be lower than in past years, but still trigger a new health risk notification.

### **How do the HRA guidelines work?**

- Stationary source facilities that are subject to the program are required to submit emission reports to local air districts to determine whether they have to conduct a HRA.
- After reviewing emission reports, the local air district determines which facilities have to conduct a HRA.
- If a facility is required to conduct a HRA, the local air district reviews the information and determines whether the facility exceeds established thresholds.
- If the facility exceeds the local air district threshold it is required to publicly notify surrounding communities of the risk and/or implement air toxic emission reduction requirements.

### **How will my business be impacted by the new HRA guidelines?**

- Thousands of new businesses that have **NOT** previously had to submit a HRA will now be required to do so because of new emission thresholds.
- Businesses across the state that submit a HRA will have to revise their HRAs.
- Businesses whose HRA exceeds local air district emission thresholds will be required to notify the public of a "new" health risk even though their emissions are unchanged or even reduced.
- Health risk notifications to the public may be based on worst-case scenarios rather than real and actual health risks. This could serve to unnecessarily scare and alarm your customers and neighbors about the health risks.
- Businesses may have difficulty keeping facilities operational if the permit renewal process is delayed due to public concern about a perceived risk in air quality risk.

### **What can I do to protect my business under the new HRA guidelines?**

- Contact your local air district staff to express your concerns about how you will be expected to communicate the new health risks to your customers and neighbors. Encourage staff to develop reasonable risk reduction measures.
- Attend local air district board meetings and hearings to ensure health risk estimates are put in the proper context to avoid public backlash toward impacted businesses.