Air Toxics Benchmarks

Air Toxics Benchmark Review Rulemaking

May 11, 2018

EQC meeting: The Dalles

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Air Toxics Benchmarks

Air Toxics Benchmark Review Rulemaking vs. Cleaner Air Oregon Rulemaking

- Air Toxics program created in 2003; ATSAC 2004
- Ambient benchmark concentrations (ABCs), goals only, specific to Air Toxics Benchmark Review rulemaking (May 2018)
- Cleaner Air Oregon a separate rulemaking (November 2018)
- As part of CAO rulemaking, many ABCs likely to be assigned for use as Risk-Based Concentrations, which will become enforceable standards under CAO

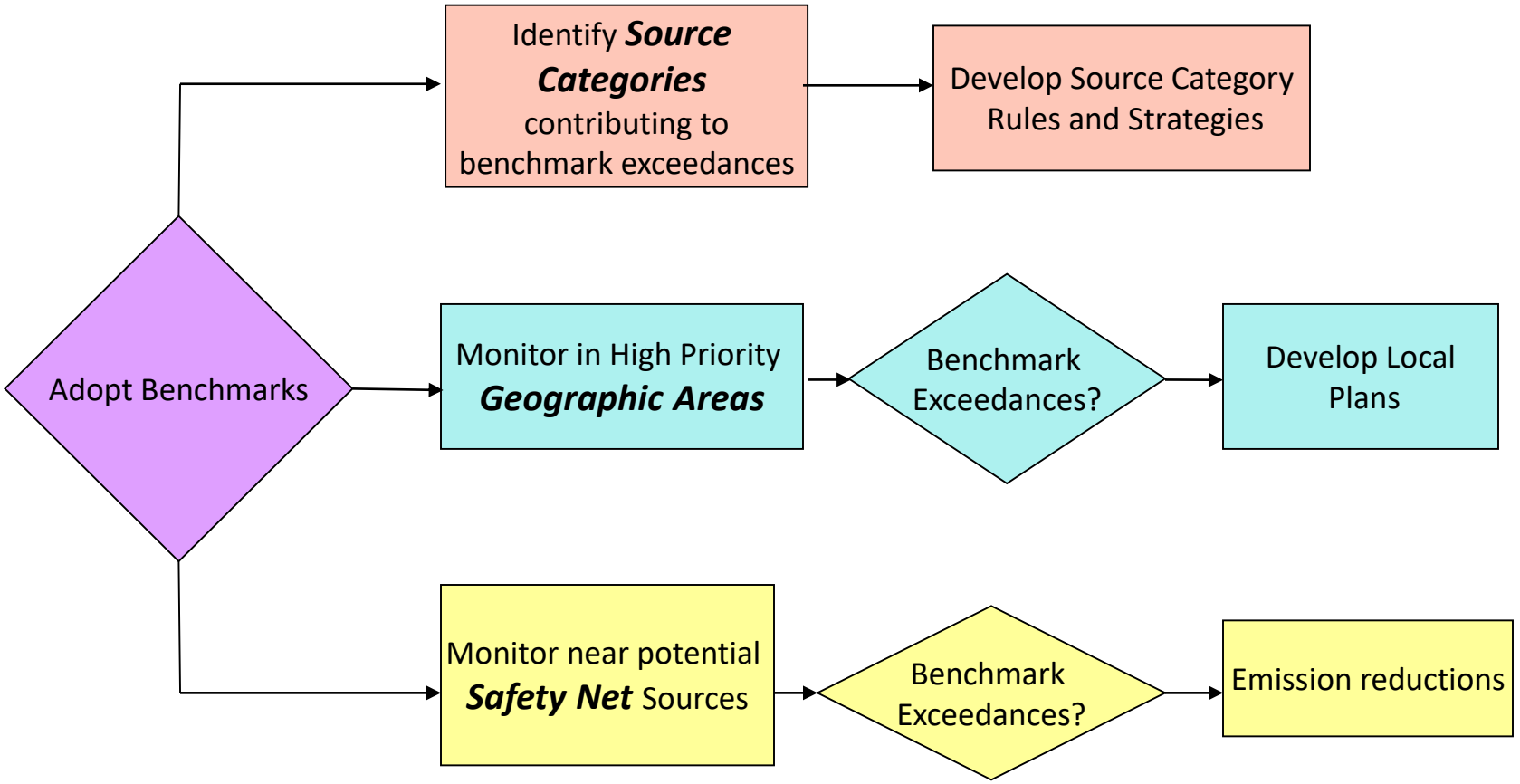
Air Toxics Benchmarks

What are ambient benchmark concentrations?

- Protective concentrations for 52 chemicals emitted in Oregon, inhalation pathway only
- Health-based, not technology-based
- Concentrations in outside air that can be breathed for a lifetime without significant harm
- Goals, not standards
- DEQ uses to identify situations where benchmarks are or may be exceeded
- Geographic Area, Source Category, Safety Net programs (e.g., Portland Air Toxics Solution)

Air Toxics Benchmarks

How are Ambient Benchmark Concentrations used?



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Air Toxics Benchmarks

2018 Air Toxics Benchmark Review Rulemaking:

- ❑ OAR 340-246-0090(3) – revise listed numeric values
- ❑ Recommend changes to 23 existing ambient benchmark concentrations
- ❑ Recommend addition of three new ambient benchmark concentrations *(n-propyl bromide, phosgene, and styrene)*

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What is the Oregon Air Toxics Science Advisory Committee?

- Scientific and technical experts, panel of five to seven members that meets at least every five years for review of new toxicity information
- Members volunteer time and expertise
- Science-based evaluation only
- Consensus-based decisions
- Results of ATSAC reviews used in 2006, 2010, and 2018 rulemakings

Air Toxics Benchmarks

How were ATSAC meetings run?

- Pairs of ATSAC members assigned chemicals to review
- Focus on recognized toxicological authoritative bodies
- Each meeting three hours long
  - Administrative and general technical issues
  - Each chemical's information discussed by committee
  - Chair then called for a vote
- Period for public questions and comments

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Examples of benchmark reviews by the ATSAC:

- Diesel particulate matter (DPM)
- PAHs – polycyclic aromatic hydrocarbons
- Formaldehyde and perchloroethylene
- Nickel

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Proposed 2018 revisions to 52 benchmarks:

- ❑ Review of 20 existing benchmarks indicated no new information available from authoritative bodies. No further review conducted, ABCs retained.
- ❑ Retain values for nine of 32 benchmarks
- ❑ Revise values for 23 of 32 benchmarks
- ❑ Add three new benchmarks
  - Phosgene
  - N-propyl bromide
  - Styrene

Air Toxics Benchmarks

Public comment and outreach

- One public hearing
- Two comment periods
  - Request for Fiscal Impact Statement review
- Received 23 comment letters, identified 51 comments
  - All from industry
  - Formaldehyde; nickel compounds; 2,4-/2,6-toluene diisocyanates
- ATSAC meetings open to public

Air Toxics Benchmarks

Summary recommendations

- *Handout:* Table of ambient benchmark concentration decisions by the ATSAC:
  - Retain 9 ABCs
  - Revise 23 ABCs
  - Add 3 new ABCs

Questions?

Air Toxics Benchmarks

Motion recommended by DEQ if EQC approves rulemaking action item:

Adopt the proposed rules as seen on pages 63 through 82 of the report for this item as part of Chapter 340 of the Oregon Administrative Rules and approve incorporating these rule amendments into OAR 340-246-0090(3)