

Update on Cleaner Air Oregon

July 12, 2017

CleanerAirOregon

Why Cleaner Air Oregon?

Health:

- Health risks from localized industrial air toxics emissions because of regulatory gaps
- Community concerns

Science:

- Improving level of scientific knowledge about pollutants and exposure to industrial air toxics

Governance:

- The need for a predictable, feasible system for controlling industrial air toxics, that provides certainty for communities and businesses

CleanerAirOregon

What Cleaner Air Oregon Will Do

- Continue to improve knowledge about air toxics emissions, and risks from existing facilities
- Provide a science-based framework to assess and control industrial air toxics, focusing on the highest risk to human health
- Health-based targets for reducing risk from emissions at industrial facilities



CleanerAirOregon

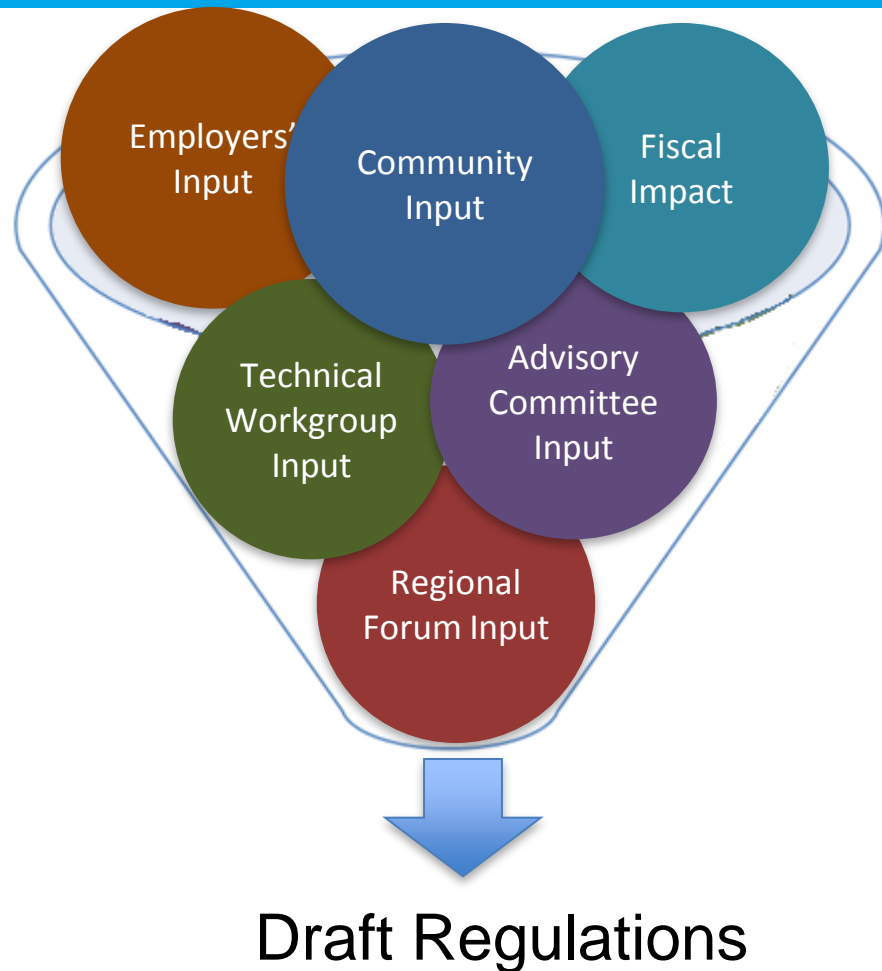
Program Funding Update

- SB 5701 (Feb 2016) \$2.5M ongoing General Funds
- HB 2269
 - One-time fee generating \$1.1M
 - Fund remaining program development work
- 2017 Legislature did not authorize new funding
- Ongoing funding mechanisms



CleanerAirOregon

Policy Development for Cleaner Air Oregon



Rulemaking activities to date

- Technical review of programs in other states.
- Broad public engagement
- Rules advisory committee meetings
 - Draft framework
 - Draft Fiscal impact- future
 - Draft Rules- future

CleanerAirOregon

Draft Framework for Cleaner Air Oregon

Released in late March, the Framework is still under active discussion:

- A *starting point* for discussion
- A means to *focus* the discussion on key policy questions
- An approach to *compare* with similar health-based programs

Draft Framework Elements

- Applicability
- Pollutant scope and concentration levels
- Cumulative risk
- Risk thresholds
- Screening and risk assessment
- Implementation



CleanerAirOregon

Program Scope

- New, modified and existing industrial facilities.
- Considers cumulative, area risks
- Range of air toxics:
 - Reporting on ~660 toxic air pollutants via an “emissions inventory”;
 - Regulate only pollutants for which we have authoritative health risk information (~215 chemicals or families of chemicals).

Risk Based Concentrations

- What are Risk based concentrations (RBCs)?
- RBCs are generated from authoritative sources:
 - Chronic cancer risk (annual)- expressed as increased cancer rate
 - Chronic non-cancer risks (annual)- expressed at Hazard Index (HI)
 - Acute non-cancer risks (24 hour)- expressed at Hazard Index (HI)

Cumulative Risk

- Multiple air toxics emitted from a facility
 - All regulated pollutants from all emission units
- Multiple facilities in an area
 - Considering a range of risk management options
- Multiple routes of exposure such as soil, water and air
 - Would apply to a small set of pollutants

Revised Risk Action Level proposal

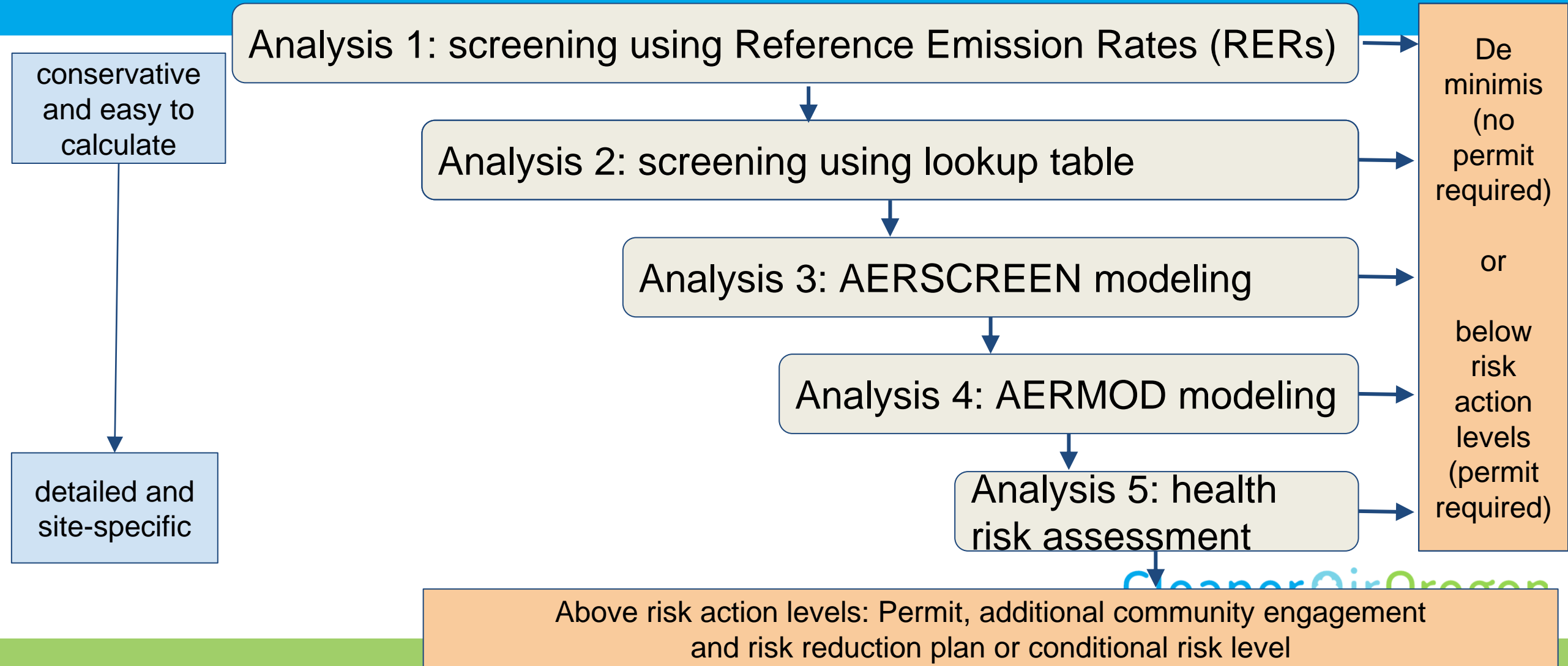
Summary of Proposed Changes to Risk Action Levels
June 20th, 2017 Rules Advisory Committee Meeting

		Risk Action Levels			
		3/21 Framework Proposal		6/13 Draft Proposal	
		cancer	HI	cancer	HI
Facility	De minimis	0.5	0.5	0.5	0.5
New Emissions Unit	Emissions Unit	1	1	none	none
	Emissions Unit with TBACT	5	1	none	none
New Facility	Facility	10	1	10	1
	Accelerated Schedule	25	1	none	none
	Can only exceed with approval from DEQ Director after consultation with OHA and local/elected officials	none	none	10	1
	No permit issued	none	none	100	3
Existing Facility	Facility	10	1	25	1
	Accelerated Schedule	25	3	50	3*
	Can only exceed with approval from DEQ Director after consultation with OHA and local/elected officials	none	none	100	3
Area Cap	If emissions from one or more facilities impact the same receptor at or above this value, then no new facilities or modifications are allowed that would increase impact at that receptor	considering a value between 20 and 80	2-4	considering a value between 50 and 100	3*

*Hazard Index of 3 or HI approved by DEQ/OHA by target organ (matrix that depends on uncertainty factor and severity of health effect)

CleanerAirOregon

Progressively Refined Risk Assessment



Facility risk is above applicable risk action level

Facility must

Community engagement plan

Risk reduction plan

And, MUST do one of these

Conditional risk level permit

Apply to all conditional risk level permits

- All emissions units have TBACT, and
- Facilities review TBACT every 1 to 5 years

Key Proposed Changes to Framework

- Terminology change from “allowable risk” to “risk action levels”
- Maximum, upper limit to risk levels for new facilities
- Removing risk action levels for individual emissions units
- Change in Risk Action Level (RAL) for existing facilities and area risk cap
- Director consultation in some cases

Conditionally Exempt Sources



1,584 permitted GDFs

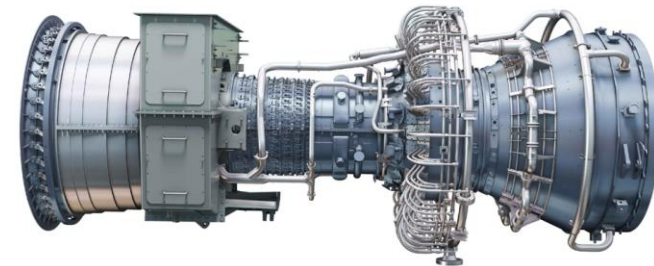


105 permitted Dry Cleaners



Boiler

Natural gas combustion



Turbine

www.oregon.gov

Key Policy Discussion Topics

- Current and increased risk action levels
- Use of conditional risk levels
- Basis for establishing risk levels-actual or potential emissions?
- Environmental justice considerations
- Scope of program?

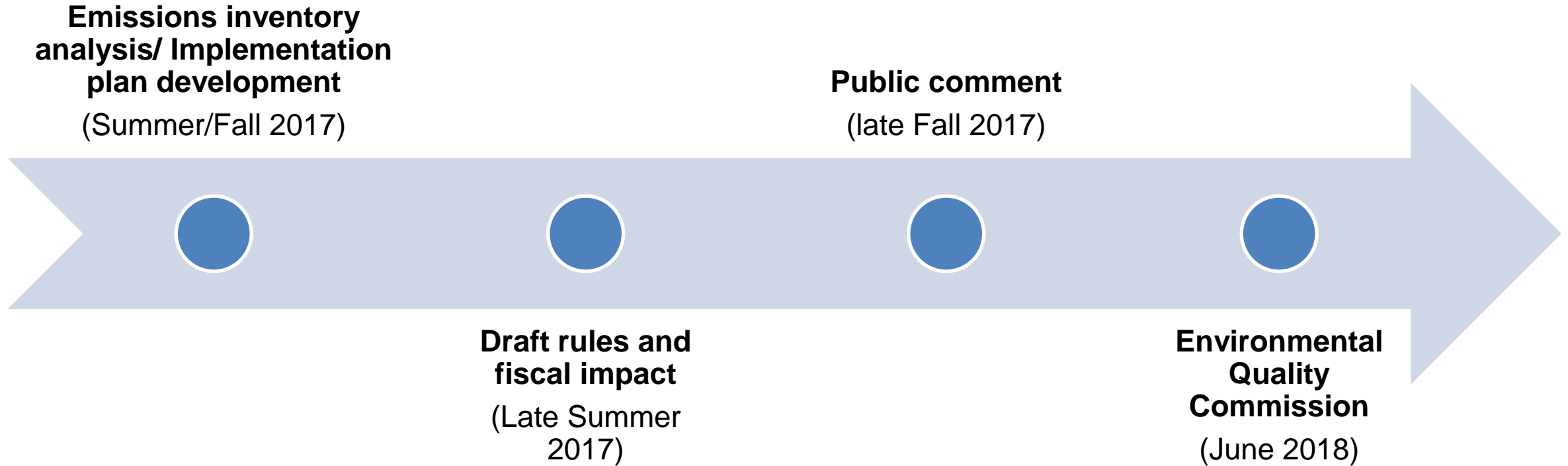


CleanerAirOregon

Determining Scope and Cost of Program

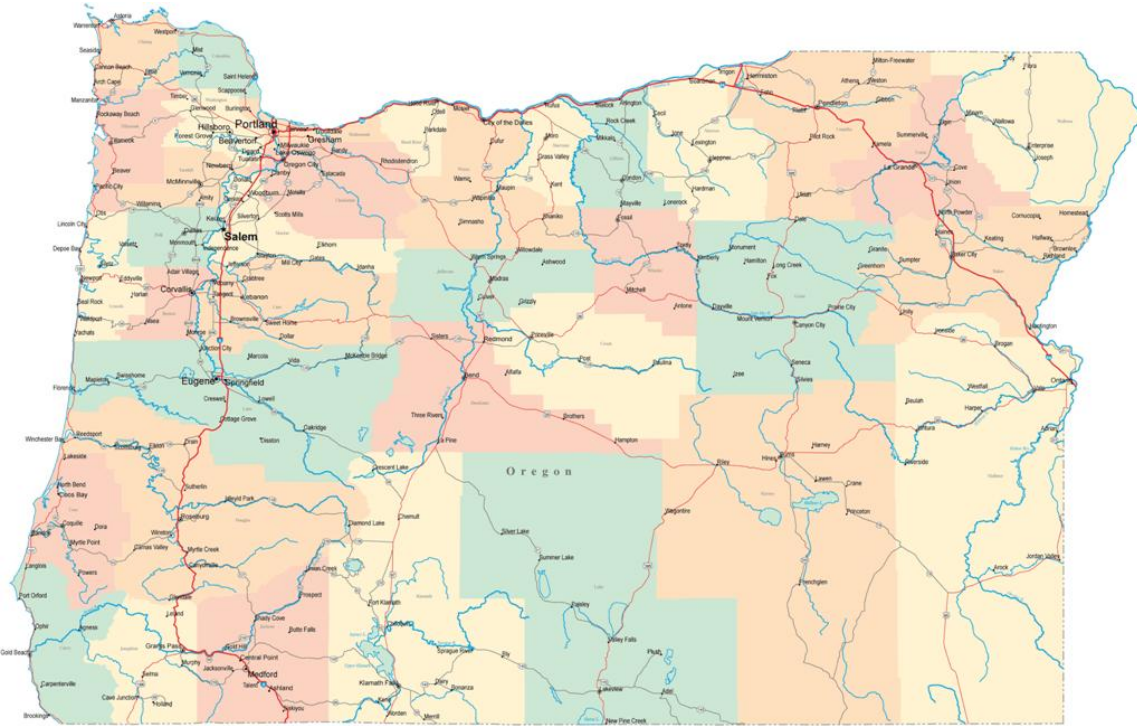
- Prioritize highest risk facilities for analysis and reduction
- Develop Implementation plan
- Legal requirement to analyze and specify potential costs of program (Fiscal Analysis)

Next Steps in Policy Development



CleanerAirOregon

Outreach and Engagement opportunities



- Open advisory committee meetings
- Visit www.cleanerair.oregon.gov
- Posted [advisory committee materials](http://www.oregon.gov/deq/Regulations/rulemaking/Pages/Rcleanerair2017.aspx)
(www.oregon.gov/deq/Regulations/rulemaking/Pages/Rcleanerair2017.aspx)
- Follow us on social media
 - Cleanerairoregon 
 - @cleanerairOR 
- Email: info@cleanerairoregon.org

CleanerAirOregon