

## Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) Frequently Asked Questions (FAQ)

**Q: What is the Air Toxics “Hot Spots” Information and Assessment Act (Assembly Bill 2588)?**

A: The Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) is a State Program that was enacted in September 1987. Under this act, stationary sources are required to report the types and quantities of certain toxic substances their facilities routinely release into the air to ascertain localized health risks. The act, in turn, is designed to inform the general public of significant health risks from airborne emissions of nearby facilities and to reduce significant risks to acceptable levels.

**Q: What facilities are subject to the State “Hot Spots” requirements?**

A: A facility is subject to the “Hot Spots” requirements if it emits any substance listed on [Appendix A](#) of the Emission Inventory Criteria and Guidelines Report ([EIC&GR](#)), and 1) emits more than ten tons per year of Total Organic Gases, Particulate Matter, Nitrogen Oxides, or Oxides of Sulfur, OR 2) belongs to any class listed in [Appendix E](#) of the EIC&GR. The EIC&GR, including its appendices, is the State Guideline to implement the “Hot Spots” legislation, and is found here: <https://www.arb.ca.gov/ab2588/2588guid.htm>

**Q: Who implements the State “Hot Spots” Program?**

A: Local air districts are mandated by the State to implement and enforce all “Hot Spots” requirements. The California Air Resources Board (CARB) and Office of Environmental Health Hazard Assessment (OEHHA) provide implementation guidance to the local air districts.

**Q: Why are facilities being assessed under the State “Hot Spots” Program?**

A: In March 2015, OEHHA adopted changes to the *Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments* (Risk Assessment Guidelines). These revisions were mainly designed to provide enhanced protection to children as required by “The Children’s Environmental Health Protection Act.” Generally, the new adopted methodologies result in an increase in calculated health risk compared to previously estimated risk. As a result, the District is reassessing all facilities’ risk under the revised health risk estimation method.

**Q: How is the District implementing the “Hot Spots” Reassessments?**

A: All facilities emitting air toxics will be evaluated through the “Hot Spots” process in coordination with the District. Under this process, affected facilities are required to prepare a Toxics Emissions Inventory Plan and Report to quantify site-specific inventories of air toxics used for the facility prioritization. Facilities currently on a quadrennial cycle under the Hot Spot program will remain on their current schedule for Hot Spots reassessment. For other facilities subject to Hot Spots reassessment, the District will follow the phased schedule below, starting in 2016-2017:

- Year 1: Phase I Facilities:  $\geq 25$  tons of emissions per year
- Year 2: Phase II Facilities:  $10 \leq$  tons of emissions per year  $< 25$
- Year 3: Phase III Facilities:  $< 10$  tons of emissions per year
- Year 4: Phase IV Facilities: Industry Wide and Agricultural Operations

**Q: How does a facility know if they are subject the “Hot Spots” Program?**

A: According to the reassessment schedule described above, the District will send a notification letter to each facility with a timeline for compliance. In an effort to streamline the reporting process, the District is also providing templates and additional assistance to facilities as they progress through the reassessment process of the “Hot Spots” Program.

**Q: Are there fees associated with the State “Hot Spots” Program?**

A: Yes, the District will invoice for both [State](#) fees and [District](#) processing fees. “Hot Spots” fees are based on facility “Hot Spots” assessment status and facility process complexity (i.e. the number of unique equipment types known as Source Classification Codes). State and District fees can be found here:

<https://www.arb.ca.gov/ab2588/2588feetable.htm> (State)

<http://www.valleyair.org/rules/currnrules/R3110.pdf> (District)