

### Summary of comments received on potential changes to Air Toxics Reporting:

**July 16<sup>th</sup> Webinar:** Approximately 60 people attended the webinar. Staff gave a presentation on current air toxics reporting program and how PCA uses the resulting inventory. Stakeholders made comments and asked questions via Webex chat. Here were the questions posed to stakeholders:

- Would you use the information we collect? How?
- Do you have concerns or questions about reporting burden? How does this reporting burden change when the inventory is not voluntary but mandatory?
- What would help simplify reporting?
- How should MPCA create the list of Air Toxics and maintain it over time? How to balance emerging pollutants of concern with a fixed list of air toxics in a rule? What should be the process for adding a pollutant to the list?
- What other state's toxics inventory and/or control programs should the MPCA look at?

**Comment window July 16<sup>th</sup>-August 7<sup>th</sup>:** We received 16 email comments total; six from organizations and 10 from individuals. All individual comments were supportive of mandatory reporting. The organizations that provided comments include:

#### Governmental:

- Hennepin County Environment and Energy Dept. (owner/operator of HERC)
- Ramsey County Environmental Health
- Tribal Environmental Liaisons from Leech Lake and Fond du Lac

#### Community:

- Neighborhood Concerned Citizens Group (NCCG)
- Great River Alliance
- North American Water Organization

#### Business:

- MN Chamber of Commerce

#### Themes in Stakeholder Comments:

- All individual comments were supportive of the need for a reporting rule.

*"My family is very concerned about the higher likelihood of low-income communities and communities of color and indigenous communities to be near higher levels of air pollution in our state. We are also concerned about recent findings with Water Gremlin and Northern Metal having reported inaccurate emission information thus endangered the health of MN citizens."*

- Five out of six organizational comments were supportive of a reporting rule.

*"I am all for the rights of business to operate. However, there is a standard that has to be met in order for any business to have the privilege of emitting hazardous air pollutants into our environment."*

- The Chamber of Commerce expressed concerns about the utility of a reporting rule and whether it would take staff time away from other priorities (permit review, modeling). They also raised questions about the fraction of air toxics that is a result of permitted facilities' emissions versus other nonpoint emissions included in the inventory and MNRISKS. The Chamber supports streamlined reporting (spreadsheet upload to CEDR). They also identified Wisconsin and other rule-based programs identified as positive examples of programs.

*“Emissions from some categories of small sources were calculated using population-based emission factors at the county level. Improvements in calculations for those sources probably would bring more “bang for the buck” than additional requirements for industrial sources.”*

- Because of the current many years-delay between current reporting and final released inventory, several commenters questioned the value of requiring annual reporting. Citizens were strongly supportive of annual reporting. We will need to think about how much annual reporting will or will not improve this delay.

*“I do have concerns that the MPCA does not have the ability to adequately handle the additional data that will be collected. As an example, the MNrisk tool is currently, according to the website, using data from 2011 and is going to be updated to 2014. What is the point in collecting data on an annual basis when you can't keep up with data collected every three years?”*

- Many commenters do not trust facility self-reporting as a mechanism for identifying high-risk emitters. We will need to explain how mandatory reporting will be verified and how it fits into our other monitoring, compliance and enforcement activities.

*“What has been done to ensure the data being self-reported is accurate? And what has changed to make companies suddenly trustworthy enough to require them to self-report?”*

- Commenters supported mandatory reporting because it would help communities hold facilities accountable for their emissions.

*“I have to say the reporting of all toxicants should be MANDATORY. Each toxicant should be identified annually, reported as to type, amount, frequency, and any known health effects to plant, animal and human life, and most importantly notification to most interested groups in the community where the emissions occur.”*