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Air District and CBE partner to increase transparency and community participation in evaluating industrial health risk *New agreement to enhance Regulation 11-18 health risk assessment process*

SAN FRANCISCO – Today, the Bay Area Air Quality Management District and Communities for a Better Environment announced a settlement agreement that will enhance the agency’s Regulation 11-18 Facility Risk Reduction Program. This agreement will foster more transparency and community participation in the agency’s ongoing efforts to protect public health by reducing health risks from toxic industrial emissions.

Under this agreement, Air District staff will work with CBE to revise its *Implementation Procedures* document through a public process that will include releasing the draft document for public review and comment and holding a public workshop for its discussion, according to a specified schedule.

“This agreement between the Air District and CBE is a significant step towards enhancing transparency, public participation and environmental justice in the region,” said Dr. Philip Fine, executive officer of the Air District. “The Air District and CBE are demonstrating our commitment to working together to benefit the health of those living in communities overburdened by air pollution.”

“This agreement is a significant step forward in our pursuit of environmental justice,” said CBE Northern California Program Co-Director and a longtime East Oakland resident, Esther Goolsby. “It gives the communities who are most affected by toxic air pollution a formal seat at the Air District’s table when it’s implementing rules like this one, which are intended to protect their health by reducing toxic air emissions.”

The Air District Board of Directors unanimously adopted [Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities](#) in November 2017. The regulation is considered the most health-protective toxic air pollution risk control measure in the nation and is intended to substantially reduce health risks from facilities that emit toxic compounds, such as petroleum refineries, sewage treatment plants and metal foundries.

Under Regulation 11-18, the Air District conducts site-specific health risk screening analyses for all Bay Area facilities that report toxic air contaminant emissions. From these analyses, the Air District can then compare and prioritize facilities based on the amount of toxic air pollution

emitted, the toxicity of these pollutants and the proximity of these facilities to local communities. The Air District then conducts health risk analyses based on results of these prioritization analyses. Based on the potential health risk, facilities may be required to reduce their risk below the maximum allowable health risk level called “Risk Action Level” or install the best technology available for reducing toxic emissions on all significant sources of these emissions.

CBE’s suit alleged that the Air District did not provide sufficient community participation in the rule’s implementation.

To build better transparency with community members and advocates, Air District staff will provide additional information on the Air District’s website regarding the status of health risk reduction at the most impactful facilities, according to a specific timetable set forth in the agreement. Air District staff will also meet regularly with CBE and other community-based environmental justice organizations to discuss the implementation of this program and other issues of concern.

[Communities for a Better Environment](#) is one of the preeminent environmental justice organizations in the nation. Founded in 1978, the mission of [CBE](#) is to build people’s power in California’s communities of color and low-income communities to achieve environmental health and justice by preventing and reducing pollution and building green, healthy, and sustainable communities and environments. CBE provides residents in heavily polluted urban communities in California with organizing skills, leadership training and legal, scientific and technical assistance so that they can successfully confront threats to their health and well-being.

The UC Berkeley Environmental Law Clinic represented CBE in the litigation underlying this settlement, *Communities for a Better Environment v. Bay Area Air Quality Management District, et al.* (Alameda County Superior Court, no. 22CV020451). The Clinic provides pro bono representation on environmental health and environmental justice matters.

The [Bay Area Air Quality Management District](#) is the regional agency responsible for protecting air quality in the nine-county Bay Area. Connect with the Air District via [Twitter](#), [Facebook](#) and [YouTube](#).

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