



March 16, 2021

The Honorable Rebecca Bauer-Kahan
 California State Assembly
 State Capitol, Room 2130
 Sacramento, CA 95814

RE: AB 426 (Bauer-Kahan) TOXIC AIR CONTAMINANTS - OPPOSE

Dear Assemblymember Bauer-Kahan,

The undersigned organizations must respectfully oppose AB 426. As you know, consistent with the California Toxic Air Contaminant Act, diesel exhaust was identified as a toxic air contaminant in 1998. As required by the law, the California Air Resources Board (CARB) adopted a control plan (the Diesel Risk Reduction Plan) in 2000.

Since that time, CARB has implemented a comprehensive mobile source control program which has, in many cases, far exceeded the Diesel Risk Reduction Plan's goal of reducing diesel exhaust by 85% by 2020. In addition, CARB continues to adopt new control measures requiring the use of zero and near-zero emission equipment.

Simply put, the current regulatory mobile source programs by CARB already provided for in California law – including the latest generation of control technologies – have been wildly successful in reducing community exposures to both mobile and stationary source diesel emissions. For example, by January 1, 2023, diesel exhaust in nearly all on-road heavy-duty trucks will be reduced by more than 98%.¹.

¹ <https://ww3.arb.ca.gov/msprog/onrdiesel/documents/dpfeval.pdf>

AB 426 would fundamentally change the successful two-step identification and control process in the California Toxic Air Contaminant Act as implemented in the Diesel Risk Reduction Plan. The bill would also grant indirect source rule authority over existing sources in conflict with the Federal Clean Air Act which applies such programs to new or modified sources only. In addition, this bill would duplicate existing facility-by-facility review and mitigation under the California Environmental Quality Act as well as the myriad regulatory and data collection efforts on mobile sources currently being implemented by CARB.

For the above reasons, we must respectfully oppose AB 426.

***Building Owners and Managers Association of California
California Airports Council
California Beer & Beverage Distributors
California Business Properties Association
California Chamber of Commerce
California Distributors Association
California Railroads
California Retailers Association
California Trucking Association
Carson Dominguez Employers Alliance
Construction Industry Air Quality Coalition
Inland Action
Inland Empire Economic Partnership
International Council of Shopping Centers
Los Angeles Chamber of Commerce
Los Angeles County Business Federation
NAIOP California – Commercial Real Estate Development Association
Pacific Merchant Shipping Association
San Gabriel Valley Economic Partnership
Truck and Engine Manufacturers Association
Wilmington Chamber of Commerce***