



July 17, 2025

Michael Krause
Assistant Deputy Executive Officer
South Coast Air Quality Management District
21844 Copley Drive
Diamond Bar, California 91708

Sent via email to: Michael Krause, mkrause@aqmd.gov
Kalam Cheung, kcheung@aqmd.gov
Michael Laybourn, mlaybourn@aqmd.gov
Danielle Collado, dcollado@aqmd.gov

Re: Proposed Rule 1445 – Control of Toxic Air Contaminant Emissions from Laser and Plasma Arc Metal Cutting

Dear Mr. Krause,

Clean Water SoCal appreciates the opportunity to provide comments on the latest Preliminary Draft Rule language, dated 6/20/25, for Proposed Rule 1445 – Control of Toxic Air Contaminant Emissions from Laser and Plasma Arc Metal Cutting (PR 1445).

Clean Water SoCal represents more than 80 public water and wastewater agencies across Southern California, serving around 20 million people in counties including San Diego, Orange, Los Angeles, Santa Barbara, Riverside, San Bernardino, and Ventura. Our wastewater members manage over two billion gallons of wastewater daily in an environmentally responsible and cost-effective manner, converting wastewater into resources like recycled water and renewable energy.

Our members remain concerned that PR 1445 will effectively make maintenance and repair using plasma arc cutters impossible for our facilities. We are also concerned about the impacts that this rule will have on Permitting and Enforcement. Throughout the development of PR 1445, our members have expressed concerns with the overall applicability of this rule for maintenance and repair activities for our low use operations. We have also expressed concerns with the



burdensome administrative, procedural, and testing provisions within the rule. Clean Water SoCal's public water and wastewater members do not engage in significant laser or plasma arc metal cutting. Such cutting is minimal, sporadic, and performed solely in support of maintenance and repair activities. Given the existing permitting backlog, the complexity of PR 1445, and the sporadic, insignificant nature of laser or plasma arc metal cutting in maintenance operations, we continue to request that the applicability of PR 1445 be revised to exclude maintenance and repair for public water and wastewater operations.

Detailed comments regarding the rule concepts and concerns related to the potential impacts to the SCAQMD Permitting and Enforcement divisions are included below.

- **Emission Reductions:**

PR 1445 intends to reduce emissions of toxic air contaminants from laser and plasma arc equipment used for metal cutting. Clean Water SoCal members remain concerned that the quantified toxic emission reductions that will result from PR1445 have **not** been quantified, yet the rule introduces many burdensome administrative, procedural, and testing provisions that will impact water and wastewater facilities. The quantification of the toxic emission reductions expected from this rule should be included in the rulemaking process for PR 1445 and should be itemized by sector.

- **Rule Applicability and Draft Rule 219 Screening Tables:**

The recently released "*Draft Rule 219 Screening Tables*" that are intended to determine the applicability of the Rule 219 (d)(5)(H) exemption were just recently introduced to this rulemaking and are extremely conservative. We believe the drafted tables essentially trigger permitting and PR 1445 applicability for **ANY** plasma arc cutting activity conducted in the South Coast Air Basin. While we understand screening tables are generally conservative, the draft screening tables use extreme assumptions. The use of these screening tables can lead to an onset of expanded permitting applicability and an increased permit backlog.

- **Permitting Impacts:** The concepts in PR1445 will add increased complexity to the permitting process, which is already lengthy and complicated. In addition, the requirements in the rule coupled with the potential onset of new permit



applications due to the draft screening tables can potentially add to the permit backlog and permitting delays.

- **Control Technology:** The requirement in the proposed rule to only allow filter-based technology to meet the control efficiency of 99.97% or greater on 0.3-micron particles is not technology-neutral. If a new unit demonstrates compliance with the New Source Review and Rule 1401 requirements in order to obtain a permit, then the control requirements should be technology neutral.

Clean Water SoCal members have been actively engaged with SCAQMD staff throughout the rulemaking process, and several of our members participated in field demonstrations with SCAQMD staff. During these demonstrations, SCAQMD staff observed the operation of portable APCDs during plasma arc cutting. The requirements in PR 1445 for portable APCDs suggest that the proper function of control devices will ensure high capture efficiency, thus effectively controlling fugitive emissions. This is misleading considering field demonstrations observed by SCAQMD staff showed partial capture during actual plasma arc cutting. Consequently, the effectiveness of PR 1445 on fugitive emissions may be insignificant and the use of a properly functioning control device does not ensure high capture.

Nevertheless, the proposed rule continues to include broad applicability, which now captures essentially **ANY** plasma arc cutting conducted at **ANY** location in the South Coast Air Basin. The rule continues to include onerous requirements, even for low use maintenance and repair operations. PR 1445 will increase the permit backlog, add complex permit conditions, and add burden on water and wastewater facilities, yet the overall emission reductions are **not quantified**. In addition to the broad concerns explained above, we have additional comments on the specific proposed rule language that we can meet with staff to discuss in more detail. We would like to continue to work with staff on the proposed rule.

If there are any questions regarding this transmittal, please contact me directly at (760) 415-4332 or sjepson@cleanwatersocal.org

Sincerely,

Steve Jepsen

Executive Director – Clean Water SoCal

cc: Clean Water SoCal Air Quality Committee

P.O Box 231565
Encinitas, CA 92024

email: info@cleanwatersocal.org
phone: 760.415.4332