



October 16, 2012

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Assistant Secretary – Environmental Justice and Tribal Affairs
California Environmental Protection Agency
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Via Mail and Email: john.faust@oehha.ca.gov

Subject: CalEnviroScreen

Dear Sirs:

The California Manufacturers & Technology Association (CMTA) respectfully submits the following comments on your Draft California Communities Environmental Health Screening Tool (CalEnviroScreen). CMTA is a trade association with the mission to improve and preserve a strong business climate for California's 25,000 small and large manufacturers, processors and technology-based companies. California manufacturers employ 1.5 million Californians and contribute billions of dollars to the state's economy. CMTA membership includes over 750 businesses representing chemical, aerospace, high technology, biotech, pulp and paper, glass, oil, steel and others. CMTA lobbies the state legislature and regulatory agencies to promote policies on issues such as the one before us today to assure the continued viability of California's manufacturing community

CMTA has been following the development of the Draft California Communities Environmental Health Screening Tool (CalEnviroScreen) and in 2010 we submitted comments on the first draft of the screening tool in conjunction with other industry stakeholders (attached). At that time CMTA and others had Dr. John Bukowski, DVM, MPH, PhD, conduct a technical review and assessment of the 2010 draft. Now in 2012, CMTA again has had Dr. Bukowski review and assess the current draft of the screening tool. CMTA hereby submits as CMTA comments, Dr. Bukowski's comments on the 2012 CalEnviroScreen tool (enclosed as Attachment 1).

Dr. Bukowski has found that little has changed in the screening methodology from 2010 to 2012 -- except to add more indicators into the framework for the tool. Unfortunately, the minor additions to the current document do not resolve the fundamental problems with the approach as detailed in our 2010 review and comments (Attachment 2). Dr. Bukowski found that the current draft continues to rely on weak and subjective environmental justice (EJ) epidemiology, the limitations of which were discussed at length in our 2010 comments.

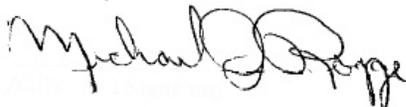
We continue to be concerned the draft tool uses socio-economic status (SES) factors to score cumulative impacts. CMTA believes that SES factors are a measure of potential vulnerability not a measure of cumulative impacts which is related to direct exposure to environmental pollution. The tool further compounds the issue by using multiple SES factors and multiplying them to develop a screening score to compare different localities. The tool is using a measure of socio-economic conditions in a locality to score cumulative impacts at the locality, while not taking into proper account the pollutant exposure and burden at the locality. Dr. Bukowski goes into detail on our concerns with that current concept.

Alternatively, Dr. Bukowski recommends a more simplified approach, one that ranks communities on SES and exposure so as to allow stakeholders to see individual impacts of these indicators and make decisions accordingly. For example, the Air Resources Board developed a similar screening tool in 2010, entitled, "Proposed Screening Method for Low-Income Communities Highly Impacted by Air Pollution for AB 32 Assessments" (Attachment 3). This screening tool identified low income communities that are highly impacted by air pollution; using a simplified SES factor based on income only. While there are some concerns with other assumptions of this screening tool, in general, CMTA believes Cal/EPA and OEHHA should consider a modified ARB AB32 screening tool methodology, in lieu of the current CalEnviroScreen tool.

The comments above reflect our continuing concern with the current methodology. Those concerns are further exacerbated by the continuing dialog by Cal/EPA, OEHHA and others on how the tool should be used by Cal/EPA, its agencies and by other agencies and stakeholders. CMTA continues to believe and advocate for Cal/EPA guidance for the use of the tool. In particular we believe that this and any screening tool must not be used for permitting or regulatory purposes and urge Cal/EPA to specifically and clearly state that in guidance for uses of this tool. A screening tool by definition is a first step and should not, cannot, be used for permitting or regulation.

Thanks you for considering our comments. We look forward to working with Cal/EPA and OEHHA as the tool is further developed.

Sincerely,



Michael J. Rogge
Policy Director, Environmental Policy

cc: The Honorable Matt Rodriguez, Secretary
California Environmental Protection Agency