



Submitted electronically via the OEHHA Comment Portal: <https://oehha.ca.gov/air/comments/comment-submissions-inhalation-unit-risk-factor-iur-acrolein> and <https://oehha.ca.gov/air/comments/comment-submissions-inhalation-unit-risk-factor-iur-ethylene-oxide>

July 29, 2026

Dr. Rima Woods
Chief, Air Toxicology and Risk Assessment Section
Office of Environmental Health Hazard Assessment
1001 I Street, 12th Floor
Sacramento, CA 95814

Re: Comments on Inhalation Unit Risk Factor for Acrolein and Ethylene Oxide

Dear Dr. Woods,

The California Manufacturers & Technology Association (CMTA) appreciates the opportunity to comment on the Office of Environmental Health Hazard Assessment's (OEHHA) proposed revisions to the toxicity values for acrolein and ethylene oxide (EtO).

CMTA represents more than 45,000 manufacturing and technology companies employing approximately 1.2 million Californians. Our members span nearly every manufacturing sector, including food and beverage processing, chemicals, medical devices, aerospace, electronics, metals, cement, petroleum refining, consumer products, and advanced manufacturing. Many operate facilities subject to California's Air Toxics "Hot Spots" Information and Assessment Act (AB 2588), as well as local air district permitting programs that rely on OEHHA toxicity values.

CMTA recognizes OEHHA's responsibility to evaluate emerging scientific information and update toxicity values as appropriate. Our comments do not address OEHHA's scientific review process. Rather, they focus on the significant implementation and regulatory consequences these revised toxicity values will have across California's air toxics programs and the need for a coordinated, transparent, and technically defensible implementation framework.

We recognize that OEHHA's toxicity values serve as the scientific foundation for numerous California air quality programs. Because these values extend well beyond risk assessment and influence permitting decisions, facility prioritization, CEQA analyses, public notification requirements, and risk reduction programs, implementation decisions will largely determine how these updates affect regulated facilities and the communities they serve.

Although the proposed revisions do not establish new emission limits or require facilities

to modify operations, they have the potential to substantially increase calculated cancer and noncancer health risks for facilities whose emissions remain unchanged. As a result, manufacturers may become subject to additional regulatory requirements solely because of revised toxicity assumptions rather than changes in emissions or operational practices.

CMTA respectfully offers the following recommendations.

1. Develop a Comprehensive Statewide Implementation Roadmap

The revised toxicity values will ultimately be implemented through programs administered by the California Air Resources Board (CARB) and California's local air districts. Without coordinated implementation, similarly situated facilities could experience inconsistent regulatory requirements depending on jurisdiction.

CMTA recommends that OEHHA, in coordination with CARB and California's local air districts, develop and publicly release a statewide implementation roadmap before the revised toxicity values are incorporated into regulatory programs. At a minimum, the roadmap should address:

- Criteria for when existing AB 2588 Health Risk Assessments should be updated;
- Appropriate transition periods for facilities currently in compliance;
- Standardized modeling assumptions and risk calculation methodologies;
- Consistent implementation expectations across local air districts;
- Timelines for incorporating revised toxicity values into existing regulatory programs; and
- Opportunities for stakeholder engagement prior to implementation.

Providing regulatory certainty will allow regulators, regulated facilities, and affected communities to implement the revised toxicity values consistently, efficiently, and transparently.

2. Address Significant Uncertainty Associated with Acrolein Emissions

CMTA is particularly concerned with implementation challenges associated with the proposed cancer inhalation unit risk factor for acrolein.

Acrolein is produced by a wide range of combustion processes commonly found throughout California manufacturing, including boilers, furnaces, kilns, dryers, process heaters, turbines, and emergency generators. However, unlike many other toxic air contaminants, acrolein emissions are often estimated using emission factors and engineering calculations because standardized source testing methods remain limited. Consequently, facilities could experience significant increases in calculated cancer risk despite substantial uncertainty regarding actual emissions.

While OEHHA has carefully evaluated the scientific uncertainty associated with the proposed toxicity values, comparable attention should be given to the uncertainty associated with the emissions estimation methods that ultimately drive facility risk calculations. Before revised toxicity values are incorporated into regulatory programs,

CMTA recommends that OEHHA and CARB:

- Evaluate the reliability and limitations of existing acrolein emissions estimation methodologies;
- Develop or identify validated source testing methods where technically feasible;
- Update emissions inventory guidance to improve consistency among regulated facilities;
- Characterize the uncertainty associated with current emissions estimation methods when interpreting calculated risk.

3. Evaluate the Statewide Regulatory Impacts of the Proposed Revisions

The proposed revisions have the potential to significantly affect implementation of California's air toxics programs. However, stakeholders currently have limited information regarding the anticipated statewide regulatory impacts.

CMTA recommends that OEHHA, in coordination with CARB, prepare and publicly release an assessment of the cumulative statewide regulatory impacts associated with implementation of the revised toxicity values, including:

- The estimated number of facilities expected to change AB 2588 priority classifications;
- The estimated number of facilities that may newly exceed public notification or risk reduction thresholds;
- The manufacturing sectors most likely to be affected;
- The anticipated impacts across California's local air districts;
- The expected increase in Health Risk Assessments and related permitting activities; and
- The degree to which changes in calculated risk are attributable solely to revised toxicity values rather than changes in facility emissions.

4. Prioritize Actions that Produce Measurable Public Health Benefits

California's air toxics programs should remain focused on reducing actual public health risk through measurable emissions reductions. Implementation policies should distinguish between increases in calculated risk resulting from revised toxicity assumptions and increases resulting from actual emissions. Regulatory resources should be prioritized where emissions reductions can produce measurable public health benefits.

When calculated risk increases solely because toxicity values have changed, implementation should emphasize actions that improve environmental and public health outcomes rather than requiring repetitive administrative analyses where emissions remain unchanged.

5. Recognize the Economic and Operational Impacts on California Manufacturers

While the proposal does not directly impose new regulatory requirements, revised toxicity values are likely to generate substantial downstream compliance obligations for affected facilities. These obligations may include:

- Updating emissions inventories;

- Revising Health Risk Assessments;
- Conducting additional air dispersion modeling;
- Source testing or emissions characterization;
- Public notification activities;
- Additional permitting analyses;
- CEQA support;
- Delays in permitting, facility modifications, or expansion projects while updated risk analyses are completed; and
- Potential development of risk reduction strategies.

6. Continue Stakeholder Collaboration During Implementation

Because implementation will require coordination among OEHHA, CARB, California's local air districts, regulated facilities, and other stakeholders, CMTA encourages OEHHA and CARB to convene an implementation workgroup following adoption of the revised toxicity values. A collaborative implementation process would help identify technical challenges, promote statewide consistency, improve regulatory transparency, and facilitate efficient implementation while maintaining California's public health objectives.

OEHHA's toxicity values play a foundational role in California's air toxics regulatory framework. Because revisions to these values will have significant downstream consequences across multiple regulatory programs, a coordinated implementation strategy is essential to ensure consistent application, regulatory certainty, and effective protection of public health.

CMTA appreciates OEHHA's efforts to ensure California's toxicity values reflect the best available science and appreciates the opportunity to provide these comments. We look forward to continuing to work collaboratively with OEHHA, CARB, local air districts, and other stakeholders to ensure these important updates are implemented in a scientifically sound, transparent, and practical manner.

Thank you for your consideration of these comments. Should you have any questions, please email Elizabeth Esquivel at eesquivel@cmta.net

Sincerely,



Elizabeth Esquivel
Vice President of Government Relations
California Manufacturers and Technology Association