

**Public Workshop on 2005 Amendments to the 2003 PM10 Plan  
March 30, 2005**

Approximately 20 people in attendance (11 Fresno, 6 Bakersfield, and 3 Modesto sign-ins)

**VERBAL COMMENTS**

1. **Comment:** How can rule 4702 be a “contingency measure” if it is already being implemented? Contingency measures are supposed to be used in the event that a deadline is missed; if what’s listed as contingency measures is already required, then there’s no back up.  
**Response:** A key point about contingency measures is that they are emissions reductions that go into effect automatically if needed. This goal can be met by adopting rules that go into effect only when needed, or by counting surplus emission reductions from rules already adopted – either way, the reductions are automatic. The ability to adopt separate rules would imply that the District has identified sources not yet controlled but capable of providing reductions. The District has been proactive about getting rules with significant reductions on the books. In fact, on a list of 103 PM10 measures put together for SB 656 by ARB, the District has all but one of the rules that could apply to the District either in place now or scheduled to be in place within the next two years. The one exception is a rule that is scheduled to be in place in three years rather than two. (GH)
2. **Comment:** Many stakeholders did not receive notice of this workshop.  
**Response:** The District confirmed that those commenting were on the list of people to whom notices were sent via first class mail on March 16, 2005 for a March 30, 2005 workshop.
3. **Comment:** This isn’t really a workshop on the plan amendments since no back up data were presented. At a minimum, a second workshop should be held.  
**Response:** This is a workshop since it presents an overall strategy or approach to addressing control measure and contingency measure provisions in the 2003 PM10 Plan and presents overall conclusions regarding the revisions. The District will consider a second workshop. (A second workshop was scheduled and held on Tuesday, April 26, 2005 at 1:30 pm. The District made the detailed calculations available prior to the second workshop.)
4. **Comment:** You say that you’re not changing Reg 8 and 4550 here, listed in Tier 3, but you seem to be setting the stage to change them in 2006. Why are those areas rather than other areas being targeted in the plan? Those are only two contingency measures. What about construction?  
**Response:** Those are the main rules in the 2003 PM10 Plan for direct PM10 emission reductions, and text in the plan address future rule revisions for contingency purposes. We won’t know if changes are needed until we go through the process for the 2006 PM10 Plan.
5. **Comment:** Huge sections of the original chapter four have been struck out. I’m surprised that there are no numbers here. Also, 4403 is referenced throughout this chapter, but when 4409 is adopted, 4403 will sunset. There is no mention of that here.  
**Response:** Areas struck out reflect rules that have been completed; the reader is referred to the text of the actual adopted rules rather than the prior text of what the rule “might” or “could” contain. The rule number changes will be updated later in the 2006 PM10 Plan.
6. **Comment:** Section 189d of the CAA describes what you seem to be calling the 5% reduction requirements. Where is the “work” illustrating the 5% reductions? Are incentive programs being substituted for late rules to make up the 5%?  
**Response:** Incentive programs, due to increased state funding, provide additional emission reductions not accounted for in the 2003 Pm10 Plan. These surplus reductions from other rules help offset diminished reductions from delayed rules such as ISR. The District

continues to finalize the calculations supporting this approach and will post them prior to the second workshop.

7. **Comment:** Where are the quantifications/technical support showing that reductions from stationary sources are not being double counted? For example, rules implemented under AB 923 aren't really control measures because they are mandatory. Is there support showing that rule 4103 for open burning and CMP burning do not overlap?  
**Response:** The District is confident that 5% reductions are being met without double counting between rules and between the District and the State. Technical support will be provided prior to the next workshop. Rules implemented to meet state law provide emissions reductions that can be used in federal air quality plans. The District has begun processing the approximately 6000 CMPs received; after analysis is completed later this year, the District will identify CMPs using suspension of burning and will ensure no double counting of reductions occurs.
8. **Comment:** Are voluntary reductions being counted? For example, many growers just bought new engines with U.S. Department of Agriculture funds.  
**Response:** Only DMV fees, VECAP, Moyer, and state money-funded projects are counted. Emission reductions from engines purchased solely with USDA funds were not counted this time, but may be looked at for the next plan.
9. **Comment:** CMP contingency measures seem to be removed.  
**Response:** No change has been made to the CMP rule at this time. The District wanted to wait for information on how current programs were working first. The CMP program remains as is for now, and it will be reconsidered for the 2006 PM10 Plan. We didn't want to put something in effect that wouldn't work. CMPs remain as is for now, and it will be reconsidered for the 2006 PM10 Plan.
10. **Comment:** What is the status of local commitments under Regulation VIII?  
**Response:** The reporting for street sweepers and unpaved roads and shoulders is due June 30. The District is meeting with county road departments to determine the type of road information that they have readily available.
11. **Comment:** VOC and SOx rules for steam generators were commitments in the original plan, but then they were determined to be de minimis. Where is the technical support? How are oil-fired steam generators different from other steam generators?  
**Response:** In the actual emissions inventory, it was found that oil field steam generators were using a higher sulfur fuel, which made it de minimis. Therefore, it's not being pursued under the 2003 PM10 plan, but it may be looked at later in the PM2.5 plan or the 2006 PM10 plan.
12. **Comment:** At yesterday's mobile source emissions workshop, ARB indicated that mobile source NOx emissions in the San Joaquin Valley Air Basin could be going up by as much as 100 tons per day, and that VOC emissions from mobile sources could also increase, due to a variety of factors. Can't more be done to reduce mobile source emissions?  
**Response:** This new information from ARB is too preliminary to use in the 2005 Amendments to the 2003 PM10 Plan or even in the 2006 PM10 Plan. This new information is being developed for the 2007 8-hr Ozone Plan. A 2007 Amendment to the 2006 PM10 Plan may be needed to include this information, when finalized, in the SIP for PM10.
13. **Comment:** Mobile source emissions can be addressed through ISR. We can't go after fuel or engines, but we can go after mobile sources indirectly. How can emission reductions be surplus in an air basin with serious nonattainment status that has failed to implement an ISR rule?

**Response:** The District continues to work on developing the ISR rule, which is not targeted for December 2005 adoption. In addition, the District has begun work on contracts with developers to mitigate emissions from indirect sources; this concept was presented at the March Governing Board meeting. Surplus reductions result when a rule achieves greater reductions than anticipated when a new rule or funding source not anticipated in the plan provides reductions.

14. **Comment:** We all want clean air. I have three children with asthma. What I'm after is what constitutes the reduction progress for meeting that goal. All the technical data is in the original plan, I'm not asking to be spoon-fed. In my opinion, this is an adequate workshop, provided one takes the time to review the background information. There is adequate support given for the dates and reductions.

**Response:** Comment noted.

15. **Comment:** I don't necessarily share a lot of the opinions presented here. The District is one of the most regulated and has some of the most stringent requirements. A few more numbers would have been helpful. There was a lot on your web page; I don't know that a lot of people utilize that resource. But when is the corridor that exists in this Valley, Highway 99, with trucks traveling on it every day, going to be addressed?

**Response:** There are some diesel rules in being phased in at the state level and federally. In 2006, there's low sulfur diesel, and in 2007 engine restrictions will be phased in. For the biggest diesel, we could see a reduction from 4g/bhp-hr to 0.2g/bhp-hr of NOx for diesel at the final phases, with PM reduced by a similar factor.

16. **Comment:** Does the District share concerns with adjacent districts that may be impacting our air as well? The District should look to what other Air Districts, like South Coast, are using for their contingency measures.

**Response:** There are legal requirements for areas adjacent to districts that are in non-attainment to implement all feasible measures to reduce emissions of air pollution or their precursors. We look at what other districts do. We looked at the South Coast 2003 AQMP for ideas on contingency measures. Their contingency measures. Their contingency approach consisted of accelerating their implementation dates, requiring enhanced oxygenated fuel to cover carbon monoxide, and not to do weed mowing at certain times of the day or wet the ground before mowing. We didn't see a lot there that could apply to us. There are also meetings among districts that address pollution transport. Other districts will have to adopt measures from the list of 103 rules for SB 656 as well. (GH).

17. **Comment:** ARB staff made the following points. First, the on-road motor vehicle emissions changes discussed above are being developed for 8-hour ozone and PM2.5 Plans, but won't be available in time for the 2005 Amendments to the 2003 PM10 Plan. Second, there is more interaction among districts. There is a big effort going on targeted for the 8hr ozone plans. We have a northern California group and a southern California group that have come together -- Districts, ARB, and EPA -- to plan the SIPS, with one huge modeling domain, the Central California ozone study, which encompasses most of the state. EPA and ARB are looking at the impact throughout the Valley of the Mexican trucks and NAFTA. Mexican trucks are also being inspected when they cross the border. Keep in mind that the 2003 PM10 Plan is a fully approved plan, and the updates this year adjust for schedules, so ARB considers these to be minor amendments. If it looks like 5% reductions or attainment dates were affected, or if there's anything that would have an impact on public health, the ARB would not consider this a minor amendment. So far, it looks like existing rules and incentives will cover the schedule change and contingency measures portion. If we thought there would be impacts to public health, we would not consider it minor.

**Response:** Comment noted.

18. **Comment:** In the Fresno Bee, there was an article about the relocation of a trucking yard to Visalia. It doesn't seem like the COGs are in line, accepting a non-regulated industry! (John).

**Response:** Comment noted.

19. **Comment:** I would like to see the more stringent California standards looked at for the Mexican trucks.  
**Response:** During the smoke inspection, ARB can stop smoking trucks. To protect public health, ARB is in the process of developing a rule for the state that would require Mexican trucks to meet California standards. There's a perception of Mexican trucks as being the "dirtiest of the dirty," but initial surveys indicate that most of the model years coming across the border are not the worst polluting trucks. Part of that might be in anticipation of a longer trip; the trucks need to be in better condition.
20. **Comment:** It's unclear to me why this amendment needs to happen and happen so quickly. How does it benefit us? Why not spend precious District resources on the 2006 Plan?  
**Response:** EPA would like to approve the last portion of our plan (contingency measures), as you may know. Part of the issue is the contingency measure schedule; here's our chance to correct it as early as possible to have that in the record for EPA's approval. In order to show that contingency measures were available, we had to show that all the accounting was correct. If we waited until March 2006, that would be too late for EPA.
21. **Comment:** The discussion here today is comparing apples and oranges; emissions versus ambient levels modeling. I'd suggest a brief "white paper" explaining the differences between ambient monitoring, emissions inventory, and the modeling that goes into attainment. This may enlighten some of us as to how all these areas are related.  
**Response:** The 2006 PM10 Plan, which will be out in draft form for review in the fall of this year, will present updated discussions of emissions, modeling, and attainment. The good news is that we've only had one measured exceedance in 4 years. There's a chance that if we get through 2005, we'll be in attainment with three consecutive clean years (2003-2005).

## WRITTEN COMMENTS

### EARTH JUSTICE

22. **Comment:** The Amendment unjustifiably pushes back the adoption deadlines for a number of control measures (and actually drops the oil and gas refinery control measure), even though the attainment deadline of 2001 has passed.  
**Response:** Upon closer study, the oil and gas refinery control measure was determined to be below the de minimis level. Since 2003, the District has adopted rules implementing over 90% of the direct PM10 emission reductions and over 80% of the NOx emission reductions identified in the *2003 PM10 Plan* as amended. Although adoption/implementation schedules for some rules and programs have changed, as have emission reductions, the overall effect is that reductions in the 2003 PM10 Plan as amended are still met, and surplus reductions are identified.
23. **Comment:** The contingency measures proposed in the Amendment do not comply with the Clean Air Act or EPA's guidance. Contingency measures must be calculated to compensate for any emissions reductions shortfall, but the Amendment does not demonstrate this.  
**Response:** The Amendment's contingencies are surplus reductions from adopted rules and incentive funding. Calculations were posted for and presented at the April 26, 2005 workshop.
24. **Comment:** We request that a public workshop be held once the modeling is made available and that the public have 30 days to review and submit comments.

**Response:** The District noticed and held a second workshop on April 26, 2005 to present calculations supporting the emissions reductions. The revised Amendments and accompanying calculations became available on April 18, and the comment period was extended from April 7 to May 3. No additional atmospheric modeling will be done at this time since the emission reductions are at least equal to those showing attainment as given in the 2003 PM10 Plan as amended.