Emerging Issues

2003 Ozone Plan
Technical Issues Workshop
July 23, 2003
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Planning Director
Issues Affecting the Ozone Plan

- Proposed rule for implementation of the 8-hr Ozone Standard, if adopted, could revoke the 1-hour standard
- More time is available to us to make the request for extreme status than when staff made the June 20, 2002 recommendation to the Governing Board
Issue #1

How does implementation of the 8-hr Ozone standard affect the SJVAB?
8-hr Ozone Rule is Complex

- ~400 pages double space w/ support documentation
- ~70 pages in Federal Register format
- EPA presentation summarizing rule is ~90 PowerPoint slides
- See http://www.epa.gov/ttn/naaqs/ozone/o3imp8hr/
### EPA’s 8-hr Ozone Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2, 2003</td>
<td>Publish proposed implementation rule</td>
</tr>
<tr>
<td>July 15, 2003</td>
<td>States provide designation recommendations</td>
</tr>
<tr>
<td>December 31, 2003</td>
<td>Publish final implementation rule</td>
</tr>
<tr>
<td>April 15, 2004</td>
<td>EPA signs final nonattainment designations (effective shortly after)</td>
</tr>
<tr>
<td>April 15, 2005</td>
<td>EPA revokes 1-hr ozone standard (preferred option at present)</td>
</tr>
<tr>
<td>April-May 2007</td>
<td>Nonattainment area SIPs submitted to EPA (3 years from effective date)</td>
</tr>
<tr>
<td>2007-2021</td>
<td>Range of attainment dates</td>
</tr>
</tbody>
</table>
What is the 8-hr Ozone Standard?

- 0.08 ppm daily maximum 8-hr average
- Standards are met at a monitor site when the 3-yr average of the annual 4th highest daily maximum 8-hr average ozone concentration is \( \leq 0.08 \) ppm (also called design value)
- Based on three consecutive and complete calendar years of monitoring data
## SJVAB 8-hr Ozone Statistics\(^1\)

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td># Days Above 8-hr std</td>
<td>95</td>
<td>84</td>
<td>117</td>
<td>103</td>
<td>109</td>
<td>125</td>
</tr>
<tr>
<td>Design Value</td>
<td>0.115</td>
<td>0.115</td>
<td>0.113</td>
<td>0.111</td>
<td>0.109</td>
<td>0.115</td>
</tr>
</tbody>
</table>

\(^1\) Source: California Air Resources Board, ADAM Database, July 22, 2003
**For 8-hr ozone standard, EPA proposing to interpret the maximum period for attainment starting from date of designation.**

<table>
<thead>
<tr>
<th>Area class</th>
<th>CAA design value thresholds 1-hour ozone ppm</th>
<th>% above 1-hour ozone NAAQS</th>
<th>Translated 8-hour design value thresholds ppm ozone</th>
<th>Primary standard attainment date—years after enactment (1-hour std)**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marginal</td>
<td>from 0.121</td>
<td>0.833</td>
<td>0.085*</td>
<td>3 years</td>
</tr>
<tr>
<td></td>
<td>up to 0.138</td>
<td>15.000</td>
<td>0.092</td>
<td></td>
</tr>
<tr>
<td>Moderate</td>
<td>from 0.138</td>
<td>15.000</td>
<td>0.092</td>
<td>6 years</td>
</tr>
<tr>
<td></td>
<td>up to 0.160</td>
<td>33.333</td>
<td>0.107</td>
<td></td>
</tr>
<tr>
<td>Serious</td>
<td>from 0.160</td>
<td>33.333</td>
<td>0.107</td>
<td>9 years</td>
</tr>
<tr>
<td></td>
<td>up to 0.180</td>
<td>50.000</td>
<td>0.120</td>
<td></td>
</tr>
<tr>
<td>Severe-15</td>
<td>from 0.180</td>
<td>50.000</td>
<td>0.120</td>
<td>15 years</td>
</tr>
<tr>
<td></td>
<td>up to 0.190</td>
<td>58.333</td>
<td>0.127</td>
<td></td>
</tr>
<tr>
<td>Severe-17</td>
<td>from 0.190</td>
<td>58.333</td>
<td>0.127</td>
<td>17 years</td>
</tr>
<tr>
<td></td>
<td>up to 0.280</td>
<td>133.333</td>
<td>0.187</td>
<td></td>
</tr>
<tr>
<td>Extreme</td>
<td>equal to or above 0.280</td>
<td>133.333</td>
<td>0.187</td>
<td>20 years</td>
</tr>
</tbody>
</table>

* The table’s lowest value reflects the lowest nonattaining value, viz., 0.085 ppm.

**For 8-hr ozone standard, EPA proposing to interpret the maximum period for attainment starting from date of designation.
## Attainment Deadlines

<table>
<thead>
<tr>
<th>Subpart 1</th>
<th>Subpart 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Class</td>
</tr>
<tr>
<td></td>
<td>Moderate</td>
</tr>
<tr>
<td></td>
<td>Serious</td>
</tr>
<tr>
<td></td>
<td>Severe</td>
</tr>
<tr>
<td></td>
<td>Extreme</td>
</tr>
</tbody>
</table>

¹ Proposed
California’s 8-hr Designations

- ARB transmitted 8-hr ozone monitoring data to EPA on July 15, 2003 as requested
- No changes to 1-hr ozone boundary for San Joaquin Valley Air Basin were proposed based on these data
- ARB to transmit specific boundary areas to EPA at later date
The SJVAB would be classified as serious under the 8-hr ozone standard (based on design value)

Would need to attain standard by 2013

With the number of exceedances we have in the SJVAB this will be difficult to achieve
1-hr to 8-hr Transition

EPA looking at two options for transition:

- Option 1: Revoke 1-hour standard one year after EPA attainment designations for 8-hour std (i.e., April 15, 2005)
  - Consistent with 1-yr grace period for application of conformity (conformity would be done for one standard at a time)
  - Revocation would occur even if an area is not meeting the 1-hour standard at the time
1-hr to 8-hr Transition (cont.)

Option 2: Retain 1-hour ozone standard, designations, and classifications—

- For those obligations that benefit attainment of the 8-hr standard (e.g., VOC RACT and regional NOx controls)
- For other control requirements specifically mandated by Congress (e.g., NSR threshold and offset requirements)
- But not for new ROP plans, attainment plans or conformity analyses for the 1-hr standard after the 8-hr conformity requirements begin
EPA Proposals to Address Backsliding

- Subpart 2 “applicable requirements” in current 1-hr ozone nonattainment areas would remain in effect after 1-hr standard is revoked until:
  - Area achieves level of 1-hr std; or
  - Area attains 8-hr std.

- Other SIP measures not mandated by CAA (e.g., low-sulfur fuel rules) would remain but could be revised or modified under sections 110(l) and 193
8-hr Effects on 1-hr Plans

- Implementation of the 8-hr standard affects future of the 1-hr standard
- SJVAB is unique in how the revocation would affect us:
  - Revocation of the 1-hr standard happens after the Sept. 2004 highway sanctions and the FIP for the SJVAB is to be promulgated
  - Other serious areas that have failed attainment have only recently been reclassified because of delayed EPA action and do not face the same severe area deadlines
8-hr Effects on 1-hr Plans (cont.)

- Severe and extreme area 1-hr requirements that have not yet been triggered at time of revocation would be eliminated upon revocation
- National opposition to revocation of the 1-hr standard, and other parts of proposal, may lead to delay in adoption of Implementation Rule
- Designation date is set by court order, not expected to change
Status of Draft 8-hour Ozone Proposal

- EPA issued proposed rule for implementation of 8-hr ozone standard on June 2, 2003
- Comments due August 1, 2003
- Rule contains no regulatory language—only options and strategies
- EPA plans to issue suggested regulatory language in August with 30-day comment period
Issue #2

When do we need to request extreme status?
Original Proposed Date to Request Extreme Status

- September 2003 date to take District action on the request was based on EPA issuing a Failure to Submit at beginning of July 2002.
- If this had occurred the 1st sanction, 2-1 offsets, would have been January 2004 with the highway funds sanction and the FIP due July 2004.
- EPA indicated that they could take 6 months to propose and final the request which would have been after the 1st sanction, but before the FIP or 2nd sanction.
Combine Request with the Extreme Plan

- Additional time is available for making the Request for Reclassification
  - Delay in issuing notice by EPA gave District additional time
  - EPA staff now believes they can act quickly on the request

- Staff is considering recommending to the Governing Board that any request for reclassification accompany the Ozone Attainment Plan in January, rather than a separate submittal
Scenario of Request for Extreme Bump-up

- January 2004: SJVAPCD Governing Board adopts extreme classification
- January 2004: SJVAPCD Governing Board adopts OADP
- March 2004: EPA proposes approval of extreme classification, stays sanctions
- April 2004: EPA approves reclassification, and sanctions under severe nonattainment lifted