

## **SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT**

### **Proposed Emissions Statement Program Certification For the 2015 8-Hour Ozone Standard**

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#### **I. SUMMARY**

To achieve the San Joaquin Valley Air Pollution Control District's (District) mission of improving air quality and public health for all San Joaquin Valley (Valley) residents, the District has developed and implemented numerous air quality plans to reduce emissions from mobile, area, and stationary sources. The control strategies outlined in existing District attainment plans include the adoption of nearly 650 of the most stringent rules in the nation, and strong voluntary incentive programs that have invested more than \$2.8 billion of combined funds in clean-air projects. Similarly, the California Air Resources Board (CARB) has adopted regulations for mobile sources. Together, these efforts represent the nation's toughest air pollution emissions controls and have greatly contributed to reduced ozone concentrations in the Valley. Over the past several decades, these air quality improvement efforts have reduced emissions of nitrogen oxides (NO<sub>x</sub>), a primary precursor for both ozone and PM<sub>2.5</sub>, from mobile and stationary sources by over 75%, including a greater than 90% reduction from stationary sources under the District's jurisdiction. This has resulted in significant air quality progress towards meeting the health-based federal ozone and PM<sub>2.5</sub> standards.

A key element of ensuring progress towards meeting the federal ozone and PM<sub>2.5</sub> standards is ensuring that significant sources of NO<sub>x</sub> or volatile organic compounds (VOC) provide the District with an accurate accounting of emissions with which the District and CARB can compile an accurate emissions inventory. The District addressed this with the adoption of District Rule 1160 (Emission Statements). Rule 1160 requires that the owners or operators of significant sources annually provide the District with an Emissions Statement that is accurate to the best knowledge of the individual certifying the statement. The following section includes a discussion of the federal Clean Air Act (CAA, or the Act) requirements for Emissions Statements and how these requirements are implemented through District Rule 1160.

## II. CLEAN AIR ACT EMISSIONS STATEMENT REQUIREMENTS

Section 182(a)(3)(B) of the Act requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of NO<sub>x</sub> and VOC. Specifically, Section 182(a)(3)(B)(i) of the Act requires air agencies to submit to U.S. EPA a SIP revision requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NO<sub>x</sub> and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the Act allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NO<sub>x</sub> if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the U.S. EPA or other methods acceptable to the U.S. EPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The emissions statement requirements for the 70 ppb 8-hour ozone standard are described in EPA's *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998, December 6, 2018). If a nonattainment area has a previously-approved emissions statement rule in force for a previous 8-hour or 1-hour ozone standard covering all portions of the nonattainment area for the 70 ppb 8-hour ozone standard, the existing rule should be sufficient for the 70 ppb 8-hour ozone standard. If the existing rule does not meet section 182(a)(3)(B) requirements, a revised or new rule would have to be submitted as part of the current ozone SIP.

## III. DISTRICT EMISSIONS STATEMENT PROGRAM CERTIFICATION

District Rule 1160, Emission Statements, fulfills the section 182(a)(3)(B) emissions statement requirements. District Rule 1160 was last revised on November 18, 1992. This rule was submitted to U.S. EPA on January 11, 1993, and approved by U.S. EPA into the SIP effective March 14, 2019 (84 FR 3302). The boundaries of the District's nonattainment area for the 70 ppb 8-hour ozone standard are the same as for the 75 ppb 8-hour ozone standard. We have reviewed existing Rule 1160 to ensure it is adequate and, based on the rationale in the table below, determined that the existing rule is adequate to meet the section 182(a)(3)(B) emissions statement requirements for the 70 ppb 8-hour ozone standard.

**Table 1: Rationale that District Rule 1160 is adequate to meet the requirements of CAA 182(a)(3)(B) for the 70 ppb 8-hour ozone standard**

CAA 182(a)(3)(B) Requirements	District Rule 1160 Provision
<p><b>CAA 182(a)(3)(B)(i)</b></p> <p>“Within 2 years after November 15, 1990, the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source.”</p>	<p>The owner or operator of any stationary source operation that emits or may emit nitrogen oxides or reactive organic compounds shall provide the APCO with a written statement in such form that the APCO prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. At a minimum the Emission Statement shall contain all of the information contained in the Air Resources Board's Emission Inventory Turn Around Document as described in "Instructions for the Emission Data System Review and Update Report."</p>
<p>“The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter.”</p>	<p>The first Emission Statement shall cover calendar year 1992 emissions and shall be submitted to the District by June 1, 1993. Emission Statements shall be submitted annually thereafter</p>
<p>“The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.</p>	<p>The owner or operator of any stationary source subject to this section may comply with the provisions of this section by satisfying either of the following requirements:</p> <ul style="list-style-type: none"> <li>• The owner or operator shall return an Emission Statement to the APCO. The Emission Statement shall contain all information requested in the Emission Data Survey Form and emission estimates. This Emission Statement shall be certified by the responsible official of the source and shall state that the information contained in the Emission Statement is accurate to the best knowledge of the individual certifying the statement.</li> <li>• The owner or operator shall complete and return an Emission Data Survey Form to the APCO. The District shall estimate actual emissions based on</li> </ul>

CAA 182(a)(3)(B) Requirements	District Rule 1160 Provision
	<p>the data contained in the Emission Data Survey Form. The emissions estimates calculated by the District shall be provided to the owner or operator of the source and shall be certified by the responsible official and returned to the District. This Emission Statement shall state that the information contained in the Emission Statement is accurate to the best knowledge of the individual certifying the statement.</p>
<p><b>CAA 182(a)(3)(B)(ii)</b></p>	
<p>“The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs (1) or (3)(A), provides an inventory of emissions from such class or category of sources based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator.”</p>	<p>The APCO may waive the requirements of this section for any class or category of stationary sources which emit less than 25 tons per year of nitrogen oxides or reactive organic gases if the District provides the Air Resources Board with an emission inventory of sources emitting greater than 10 tons per year of nitrogen oxides or reactive organic gases based on the use of emission factors acceptable to the Air Resources Board</p>

#### IV. CONCLUSION

The District hereby certifies that the existing provisions of Rule 1160 adequately meet the emissions statement requirements of Section 182(a)(3)(B) of the Act for the purposes of the 70 ppb 8-hour ozone standard, and that no revision of the rule is required.