

# OZONE TECHNICAL ISSUES WORKSHOP

July 23, 2003

## SUMMARY OF COMMENTS

Following are the comments received during and following the 2003 Ozone Attainment Demonstration Plan Technical Issues Workshop held on July 23, 2003 in the Central Region Governing Board Room (Fresno), with video-teleconference links to Bakersfield and Modesto. About 35 people attended through the Fresno site, 12 at Bakersfield, and 12 at Modesto. The workshop began at 1:30 pm and ended at 4:45 pm. The comment period for this workshop ended on August 7, 2003.

Most comments have been paraphrased for the sake of brevity; other comments have been consolidated when similar concerns, questions, issues, suggestions, etc. were raised. The comments received (in their entirety) are available upon request at the District's Central Office. The following is a summary of the comments received:

### Verbal Comments Made at Workshop

1. **Comment:** Have the dates for receive and file and Board adoption of the ozone plan slipped?

**Response:** SJVAPCD staff (staff) responded that January 2004 is our earliest projected date for adoption of the ozone attainment demonstration plan. This date can be met if no additional problems arise. The principal reasons for this rescheduling (from an earlier projected date of December 2003) are delays in photochemical dispersion modeling plus uncertainty over the future of the 1-hr ozone standard in light of the implementation of the 8-hr standard.

2. **Comment:** Will there be future workshops on the bump up to extreme?

**Response:** Staff responded that while there are no specific workshops planned that will focus on this topic, we will go to the District Governing Board no later than September 2003 for a severe vs. extreme decision because they directed us to do so at the June 2002 Governing Board meeting. Public comments will be welcome at whatever Governing Board meeting action is taken to self-classify the SJVAB as extreme nonattainment for the federal 1-hour ozone standard. On August 21, 2003, the District Governing Board heard public comments related to rescheduling the decision to go from severe to extreme nonattainment. Staff will return to the District Governing Board no later than January 2004 with the decision to stay severe or to go to extreme nonattainment for the federal 1-hour ozone standard.

3. **Comment:** What is the frequency of air quality monitoring and how far apart are the monitoring sites?

**Response:** Staff responded that we had pretty high density monitoring during the Central California Ozone Study (CCOS), even on the west side of the San Joaquin Valley Air Basin. A number of parameters were measured, including micrometeorology, ozone and hydrocarbons. For special ozone episodes we had high density monitoring. Hydrocarbon canisters collecting samples were deployed daily. Episodes outside of the CCOS were not done at this high of a density.

4. **Comment:** How do we measure or quantify effectiveness of control measures? How do you get tons/day (tpd) reduction?

**Response:** Staff responded that some of the quantification is done at the stage of rule development; consequently, a measure might be listed as “unable to quantify” in a Plan but is still included in the Plan as a control measure with some as-yet-undefined future air quality benefit.

5. **Comment:** Do we prioritize control measures? How do we know which ones to implement?

**Response:** Staff answered that we look at the inventory to see which source categories are the largest contributors, and then develop measures to address those categories first. Staff added that we look at what other Districts are doing and make adjustments for differences between our activities and those of the District we are using in a comparison.

6. **Comment:** Why wait to go to extreme nonattainment if it doesn't affect development of the ozone attainment demonstration plan?

**Response:** Staff responded that acting too quickly might lock the District into requirements that have minimal air quality benefits at high administrative costs. The District already implements a number of emission control provisions under state law that are functionally equivalent to requirements imposed under extreme nonattainment. Rescheduling the decision to go to extreme nonattainment does not delay the development and implementation of control measures or the development and submittal of the attainment demonstration plan.

7. **Comment:** Are we proposing to incur federal sanctions under the 1-hr ozone standard and live under those sanctions until the 8-hr standard is implemented?

**Response:** Staff responded that we think we can avoid sanctions and that at most we anticipate the offset sanctions being in effect at most for one to two months. Mr. Jones also emphasized that rescheduling the decision to

take action on self-classification to extreme nonattainment is only an option that has been developed by staff for consideration by the Board.

8. **Comment:** How can multiple stakeholders have input into the Plan development process, particularly the development of control measures? Will we be locked into control measures until 2010?

**Response:** Staff responded that we welcome suggestions for control measures from all involved parties. He emphasized that the extreme ozone attainment demonstration plan, and associated control measures, are not locked in stone until 2010. We will be updating the plan to meet rate-of-progress and other requirements every few years, which provides additional opportunity to suggest new control measures or to evaluate current ones.

9. **Comment:** What is it that we seek to do with our ozone attainment demonstration plans? Maybe stringent requirements such as low emissions thresholds would help us improve air quality as it has done in the South Coast Air Basin. The District should seek every possible means to reduce air emissions; self-classifying as extreme would help us implement more stringent measures, which would in turn help us meet the federal 8-hr ozone standard.

**Response:** Staff responded that the current plan and the current severe-vs-extreme classification debate are directed towards attaining the federal 1-hour ozone standard. California thresholds applicable to the District are already as stringent as federal extreme thresholds except for the offset ratio, which would go from 1.3 to 1 to 1/5 to 1.

10. **Comment:** Will the District and the transportation planning agencies revisit the local control measures?

**Response:** Staff responded that the TPAs would at least need to look beyond 2005, which is the current future limit for local control measures [developed for the 2002-2005 Ozone Rate of Progress (ROP) Plan]. Also, the emissions inventory has changed since the 2002-2005 ROP Plan, which necessitates looking at the measures again.

11. **Comment:** Commenter expressed concern over the rapid growth and development in the SJ Valley (mostly through farmland conversion), how it damages air quality, and the resulting increased regulation of agricultural activities because of increased attention to air pollution.

**Response:** Staff reiterated some of the control measures that have been or will be put in place to reduce emissions from all sectors of the economy for which the District has authority. For example, indirect source review will target new growth. He also summarized some of the state and federal measures affecting sources outside of the District's authority.

12. **Comment:** What is EPA's position on delaying the consideration of severe vs. extreme?

**Response:** Staff responded that we have discussed severe vs. extreme with EPA and ARB. EPA would not advise us on the best strategy; however, they did indicate that they would process the reclassification request quickly.

13. **Comment:** Does delaying the decision on extreme vs severe nonattainment endanger public health? Since the 8-hr standard is more protective of public health wouldn't it be better for public health to start on developing the rules for the 8-hr plan now?

**Response:** Staff responded that the 1-hr Extreme Ozone Attainment Demonstration Plan comes first; control measures and rules stemming from this plan would not be tailored to the 8-hr standard but would result in air quality improvements that would move us toward attainment of the 8-hr standards. Our work on rule development is ongoing and will continue. EPA is driving the schedule for implementing the 8-hour standard, and the District will begin preparation of the 8-hour ozone attainment demonstration plan at the appropriate time after EPA finalizes the implementation rule and associated schedule. The state and federal mobile source programs, especially as they apply to diesels, will provide substantial benefit for the 1-hour standard but will be even more effective for the 8-hour standard because more of the benefits accrue after 2010.

14. **Comment:** When will the District unveil proposed control measures?

**Response:** Staff responded that control measures would appear in the Draft 1-hr Extreme ozone attainment demonstration plan, which is scheduled for release in the Fall of 2003. The current published list of ozone attainment control measures is in the Amended 2002 and 2005 Rate of Progress Plan for San Joaquin Valley Ozone available on the District's web site. The District welcomes input and suggestions for new control measures.

15. **Comment:** What will the extreme ozone attainment demonstration plan do differently to control motor vehicle emissions?

**Response:** Staff responded that the plan would look at some new measures such as indirect source review and diesel emissions that are within its authority to implement (e.g., fleet rules, idling restrictions, and additional incentive programs for reducing emissions). ARB is responsible for mobile source measures and they are taking another look at possible controls.

16. **Comment:** How are emissions from landscaping equipment addressed?

**Response:** Staff responded that most of the reductions result from equipment change-out. The ARB has significantly reduced emissions from lawn equipment engines. Using all electric equipment may not be feasible for commercial landscaping operations. Mr. Jones also noted that the District would be looking at emissions from leaf blowers.

17. **Comment:** Do we know if we can attain the federal 1-hr ozone standard by 2010, and do we know if we can attain the federal 8-hr ozone standard by 2013?

**Response:** Staff noted that we need to complete photochemical modeling in order to answer these questions. At present the 1-hr modeling is underway and the 8-hr modeling would begin in conjunction with development of the 8-hr plan.

#### **Written Comments Submitted**

18. **Comment:** How is it that more time is available for the air district to request a reclassification to extreme non-attainment?

**Response:** In June 2002 District staff identified September 2003 as the latest date for deciding to request reclassification to extreme nonattainment. This projection was based on two key assumptions, both of which have since changed: (1) that EPA would issue a Finding of Failure to Submit SIP Revisions effective July 2002 (actual date was September 2002) and (2) that EPA would need at least six months to process the request for reclassification (current estimates are now about three months). In addition, the timing of the proposed revocation of the 1-hr standard in conjunction with implementation of the 8-hr standard could have long-term effects on the District's emission control programs, and understanding these effects as much as possible would be beneficial to all stakeholders. EPA plans to finalize the rule implementing the 8-hour standard by December 31, 2003.

19. **Comment:** If we continue as "severe" non-attainment our attainment deadline is for 2005, if we change to "extreme" our deadline is extended to 2010, and when the 8-hour ozone standard is implemented (and we are then classified as "serious") we may then have a 2013 attainment deadline. Is this correct? If this is correct then are these delays necessary?

**Response:** The dates are correct given current information. Congress anticipated the need for an area to reclassify from serious to extreme nonattainment. A nonattainment area must demonstrate continued

progress even if the attainment date shifts. The District is moving ahead on controls and is not delaying those controls for a later attainment date. EPA is proposing to revoke the 1-hour standard and to give us a new attainment date for the 8-hour standard. These are not local decisions.

- 20. Comment:** Is it correct to say that rule development, control measure development, and rule enforcement will not be affected or delayed by 1) reclassification to “extreme” or 2) the change from a 1 hour ozone standard to an 8 hour standard?

**Response:** Yes. District control measures, rule development and rule enforcement are proceeding regardless of the nonattainment classification or the averaging period of the ozone standard in effect at the time. The District is pursuing all feasible measures.

- 21. Comment:** If the 8 hour standard is implemented without revoking the 1 hour standard for air districts like ours that have not yet attained the 1-hour standard, how will that affect our 1) classification; 2) attainment deadline; 3) control measure and rule development; and 4) possible imposition of a FIP?

**Response:** The question can best be answered after reviewing the proposed rule language for implementing the 8-hour ozone standard; based on the proposed rule and draft regulatory text available to date, the District’s classification would likely be extreme under the 1-hour standard and serious under the 8-hour standard. The attainment deadlines for these classifications would be 2010 for the 1-hour standard and 2013 for the 8-hour standard. Control measure and rule development would continue regardless of the state of revocation of the 1-hour standard. Imposition of a FIP is driven by the District’s attainment status and SIP revisions approved by EPA. If the 8-hour standard is implemented without revoking the 1-hour standard, then the only mechanisms for removing the FIP is for EPA to approve the District’s ozone attainment demonstration plan before the FIP deadline. Bumping up to “extreme” status could stay the FIP, but no clear guidance or precedent is available at present to evaluate the validity of this scenario.

- 22. Comment:** How will the rules or control measures developed and put in place before the 8 hour ozone standard implementation be affected by the change from a 1-hour to an 8-hour ozone standard?

**Response:** Control measure development and implementation is proceeding independent of the schedule for implementing the 8-hour ozone standard. Control measures developed to attain the 1-hour ozone standard would be helpful in also attaining the 8-hour standard. The 8-hour standard is a much more stringent standard and will require reductions beyond those needed to attain the 1-hour standard. These

additional reductions will take time, and ARB and EPA will also have to develop new controls.

- 23. Comment:** Are the same type of control measures used for achieving both the 1-hour and 8-hour standards? If not, what type of control measures work best for each?

**Response:** Current evidence for the San Joaquin Valley Air Basin suggests that control measures developed to attain the 1-hour ozone standard will be helpful in attaining the 8-hour standard.

- 24. Comment:** How would it be beneficial for the health of our communities to delay reclassification to “extreme?”

**Response:** Deciding to request reclassification to “extreme” is an important decision for the SJVAB’s future air quality, and should be undertaken with as complete an understanding of future ramifications as is possible. The District’s strategy is to proceed with control measure development and implementation and with plan development regardless of EPA’s schedule for implementing new standards or phasing out current standards, so delaying the request to reclassify to extreme is neutral with respect to the timing of achieving healthy air quality.

- 25. Comment:** How would it be beneficial for the health of our communities to have an 8 hour standard vs. a 1 hour standard?

**Response:** The 8-hour standard is more stringent. According to EPA, the updated standard recognizes the current scientific view that exposure to ozone levels at and below the current 1-hour standard (0.12 ppm) causes significant adverse health effects in children and in healthy adults engaged in outdoor activities. The new 0.08 ppm 8-hour standard is much stronger and more protective than the old standard of 0.12 ppm.

- 26. Comment:** What would be the most beneficial for safeguarding the health of our communities by reducing exposure to pollutants in the air: 1) maintaining the 1 hour standard; 2) simultaneously implementing the 1 hour and 8 hour standards; or 3) revoking the 1 hour standard and implementing the 8 hour standard?

**Response:** The 8-hour standard is the more stringent. It will drive plans for ozone in the San Joaquin Valley. For a few areas on the coast, this is not true because of meteorological factors creating favorable dispersion.

27. **Comment:** What is a realistic date that we can expect to achieve attainment for ozone?

**Response:** Based on currently available (July 2003) technical information, the District believes that it can demonstrate attainment of the 1-hr ozone standard by 2010. The District has not yet begun photochemical dispersion modeling to demonstrate attainment for the 8-hr standard, so no data are available for predicting future attainment dates. However, given the large number of violations of the 8-hour standard in the SJ Valley Air Basin (which in recent years have exceeded the number of violations in the South Coast Air Basin), attainment of the 8-hr standard by 2013 (as would be required under the currently proposed SJVAB classification of “serious” nonattainment) will be very difficult.