

# Emerging Issues

***2003 Ozone Plan***

***Technical Issues Workshop***

***July 23, 2003***

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# 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

|                   |  |
|-------------------|--|
| June 2, 2003      | Publish proposed implementation rule                                   |
| July 15, 2003     | States provide designation recommendations                             |
| December 31, 2003 | Publish final implementation rule                                      |
| April 15, 2004    | EPA signs final nonattainment designations (effective shortly after)   |
| April 15, 2005    | EPA revokes 1-hr ozone standard (preferred option at present)          |
| April-May 2007    | Nonattainment area SIPs submitted to EPA (3 years from effective date) |
| 2007-2021         | Range of attainment dates  |



# 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 4<sup>th</sup> 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<sup>1</sup>

| <b>Statistic</b>             | <b>1997</b>  | <b>1998</b>  | <b>1999</b>  | <b>2000</b>  | <b>2001</b>  | <b>2002</b>  |
|------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b># Days Above 8-hr std</b> | <b>95</b>    | <b>84</b>    | <b>117</b>   | <b>103</b>   | <b>109</b>   | <b>125</b>   |
| <b>Design Value</b>          | <b>0.115</b> | <b>0.115</b> | <b>0.113</b> | <b>0.111</b> | <b>0.109</b> | <b>0.115</b> |

<sup>1</sup> Source: California Air Resources Board, *ADAM Database*, July 22, 2003



**TABLE 2**  
**TABLE 1 OF SUBPART 2 1-HOUR OZONE CLASSIFICATION TABLE**  
**TRANSLATION TO 8-HOUR DESIGN VALUES**

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

\* 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

| <b>Subpart 1</b> | <b>Subpart 2</b> |                   |                               |
|------------------|------------------|-------------------|-------------------------------|
|                  | <b>Class</b>     | <b>1-hr Dates</b> | <b>8-hr Dates<sup>1</sup></b> |
| <b>2009-2014</b> | <b>Marginal</b>  | <b>1993</b>       | <b>2007</b>                   |
|                  | <b>Moderate</b>  | <b>1996</b>       | <b>2010</b>                   |
|                  | <b>Serious</b>   | <b>1999</b>       | <b>2013</b>                   |
|                  | <b>Severe</b>    | <b>2005-2007</b>  | <b>2019-2021</b>              |
|                  | <b>Extreme</b>   | <b>2010</b>       |                               |

<sup>1</sup> Proposed

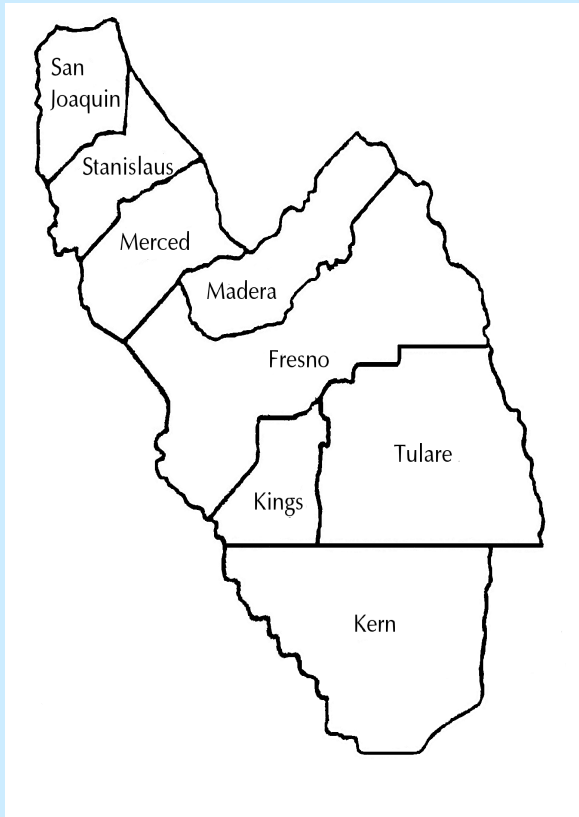


# California's 8-hr Designations

- **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**



# SJVAB and 8-hr Standard



- **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 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 1<sup>st</sup> 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 1<sup>st</sup> sanction, but before the FIP or 2<sup>nd</sup> 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**

