

April 19, 2018

Requesting EPA approval for the San Joaquin Valley Unified Air Pollution Control District portion of the California State Implementation Plan revision certifying that the current District Nonattainment New Source Review program meets the requirements for the implementation of the 2008 Ozone National Ambient Air Quality Standards

This document and attached certification serve to demonstrate that the San Joaquin Valley Unified Air Pollution Control District's (District's) current federally-approved Nonattainment New Source Review (NNSR) program, covering the San Joaquin Valley nonattainment area for the 2008 Ozone National Ambient Air Quality Standards (NAAQS), is at least as stringent as the requirements at 40 CFR 51.165 for ozone and its precursors, as amended by the final rule titled *Implementation of the 2008 National Ambient Air Quality Standard for Ozone: State Implementation Plan Requirements* (80 FR 12264, March 6, 2015). The District will request the California Air Resources Board (ARB) to forward this certification to the United States Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP).

EPA previously approved an NNSR program SIP revision that covered the nonattainment area for the 2008 Ozone NAAQS under the District's jurisdiction. EPA approved that SIP revision on September 17, 2014 (79 FR 55637). The District's SIP-approved NNSR program has not been amended since that time. However, since the 2014 SIP revision preceded EPA's 2015 release of their Implementation Rule for the 2008 ozone standard, EPA is requiring the District to submit another official, Board adopted, NNSR program SIP revision demonstrating compliance with the provisions of the Implementation Rule. Upon review of the Implementation Rule, the District finds and certifies that no changes are necessary to comply with the 2008 Ozone NAAQS NNSR requirements or the Implementation Rule. Attached is a table listing the requirements necessary for the District to implement its NNSR program and the corresponding rule provisions that satisfy these requirements.

In addition to the enclosed table detailing compliance with the aforementioned 40 CFR Part 51.165 requirements, it is also hereby certified that the current SIP-approved NNSR program met the procedural requirements of the Clean Air Act (CAA) Section 110(a)(2)(A) through the District's normal public hearing process, including proper 30-day notification prior to the convening of the public hearing. It is the position of the San Joaquin Valley Air Pollution Control District that all minimum requirements set forth in the CAA have been met.

Certification that the San Joaquin Valley Unified Air Pollution Control District's Current NNSR Program Addresses the 2008 Ozone NAAQS SIP Requirements Rule

The San Joaquin Valley Air Unified Air Pollution Control District is certifying that its current NNSR program, covering the San Joaquin Valley nonattainment area for the 2008 Ozone NAAQS, is at least as stringent as the requirements at 40 CFR 51.165 for ozone and its precursors, as amended by the final rule titled *Implementation of the 2008 National Ambient Air Quality Standard for Ozone: State Implementation Plan Requirements* (80 FR 12264, March 6, 2015).

The requirements necessary to appropriately implement San Joaquin Valley APCD's NNSR program include the following:

Table: 2008 Ozone NAAQS NNSR SIP Requirements	
40 CFR 51.165	SJVUAPCD Rule 2201 <i>New and Modified Stationary Source Review Rule</i>
(a)(1)(iv)(A)(1)(i)-(iv) and (2): Major source thresholds for ozone – VOC and NOx	<p>(a)(1)(iv)(A)(1)(iv): Section 3.24 provides a VOC major source threshold of 20,000 lb/year which is equivalent to the 10 ton/year VOC major source threshold for an extreme ozone nonattainment area in paragraph (a)(1)(iv)(A)(1)(iv).</p> <p>(a)(1)(iv)(A)(2)(vi): Section 3.24 provides a NOx major source threshold of 20,000 lb/year which is equivalent to the 10 ton/year NOx major source threshold for an extreme ozone nonattainment area in paragraph (a)(1)(iv)(A)(2)(vi).</p>
(a)(1)(iv)(A)(3): Change constitutes a major source by itself	(a)(1)(iv)(A)(3): Section 3.24 provides that any stationary source with post-project emissions equal to or greater than the major source threshold is a major source. Thus, a project change in emissions equal to or greater than the major source thresholds constitutes a major source by itself.
(a)(1)(v)(E): Significant net emissions increase of NOx is significant for ozone	(a)(1)(v)(E): Section 3.31 provides that NOx is a precursor to the formation of ozone. Any NSR requirements for NOx are applicable to ozone.

<p>(a)(1)(v)(F): Any emissions change of VOC in Extreme area triggers NNSR</p>	<p>(a)(1)(v)(F): Section 3.18 provides that a Federal Major Modification is the same as Major Modification in § 51.165 and that any increase in VOC emissions at a major stationary source greater than 0 lb/year constitutes a Federal Major Modification. This satisfies the requirement from paragraph (a)(1)(v)(F) that any change in VOC in an ozone extreme nonattainment area is considered a significant net emissions increase and thus is a Major Modification.</p> <p>Section 3.31 provides that VOC is a precursor to the formation of ozone. Any NSR requirements for VOC are applicable to ozone.</p>
<p>(a)(1)(x)(A)-(C) and (E): Significant emissions rates for VOC and NOx as ozone precursors</p>	<p>(a)(1)(x)(E): Section 3.18 provides 0 lb/year significance thresholds for Federal Major Modifications (same as a Major Modification in 51.165) for VOC and NOx. Thus, any increase in VOC or NOx is significant.</p> <p>Section 3.31 provides that VOC and NOx are precursors to the formation of ozone. Any NSR requirements for VOC and NOx are applicable to ozone.</p>
<p>(a)(3)(ii)(C)(1)-(2): Provisions for emissions reduction credits</p>	<p>(a)(3)(ii)(C)(1)(i): Section 3.2.1 satisfies this requirement that Actual Emissions Reductions (AER) used as offsets be surplus, permanent, quantifiable, and federally enforceable.</p> <p>(a)(3)(ii)(C)(1)(ii): the District demonstrated in Appendix L of its 2016 Plan for the 2008 8-Hour Ozone Standard that a sufficient portion of pre-baseline ERCs were explicitly included in the emission inventory used for the Plan.</p> <p>(a)(3)(ii)(C)(2):the requirements of this section are not applicable since the District meets the requirements in paragraph (a)(3)(ii)(C)(1)(ii).</p>
<p>(a)(8): Requirements for VOC apply to NOx as ozone precursors</p>	<p>Section 3.31 provides that VOC and NOx are precursors to the formation of ozone. Any NSR requirements for VOC and NOx are applicable to ozone.</p> <p>All NSR requirements in the Rule (e.g., major source thresholds, federal major modification significance thresholds, and offsets thresholds) are equivalent for VOC and NOx; thus all requirements for NOx are the same as the requirements for VOC.</p>

<p>(a)(9)(i)-(iv): Offset ratios for VOC and NOx for ozone nonattainment areas [subparagraphs (a)(9)(i)-(iii) were changed to (a)(9)(ii)-(iv)]</p>	<p>(a)(9)(ii)(E): Section 4.8.1 provides the distance offset ratio for NOx and VOC offsets is 1.5:1 for all new major and federal major modifications. This ratio is equivalent to the ratio in paragraph (a)(9)(ii)(E) for an extreme ozone nonattainment area.</p> <p>(a)(9)(iii) and (iv): These paragraphs are not applicable since the District is an extreme ozone nonattainment area that is subject to Subpart 2, Part D, Title I of the federal CAA.</p>
<p>(a)(12): Anti-backsliding provision(s), where applicable</p>	<p>San Joaquin Valley APCD continues to implement its NNSR program at the major source threshold and offset requirements as an extreme ozone nonattainment area for San Joaquin Valley, including revoked ozone standards, and therefore demonstrates compliance with the anti-backsliding provisions.</p>