

Re Ozone Attainment Plan and RACT Demonstration)
Air Pollution Control District)
of San Diego County)

RESOLUTION APPROVING THE 2020 PLAN FOR ATTAINING THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE IN SAN DIEGO COUNTY AND THE 2020 REASONABLY AVAILABLE CONTROL TECHNOLOGY DEMONSTRATION FOR THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE IN SAN DIEGO COUNTY, AND CERTIFYING THE NEGATIVE DECLARATION FOR THE 2020 PLAN FOR ATTAINING THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE IN SAN DIEGO COUNTY

On motion of Member _____, seconded by Member _____, the following Resolution is adopted:

WHEREAS, the federal Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to establish health-protective national ambient air quality standards (NAAQS) for common outdoor air pollutants, including ozone; and

WHEREAS, the EPA established a national eight-hour-average ambient air quality standard for ozone in 2008 at a level of 0.075 parts per million (“2008 Ozone NAAQS”); and

WHEREAS, the EPA established a more stringent national eight-hour-average ambient air quality standard for ozone in 2015 at a level of 0.070 parts per million (“2015 Ozone NAAQS”); and

WHEREAS, the CAA requires any area that does not meet either national ambient air quality standard for a pollutant to be designated nonattainment for that pollutant; and

WHEREAS, both national eight-hour ozone standards are not yet attained in San Diego County, notwithstanding the achievement of significant progress over the past two decades in improving the region’s ozone air quality; and

WHEREAS, the EPA has designated San Diego County as a Serious nonattainment area for the 2008 Ozone NAAQS, and a Moderate nonattainment area for the 2015 Ozone NAAQS; and

WHEREAS, pursuant to federal requirements for the 2008 Ozone NAAQS, by August 3, 2020, the San Diego County Air Pollution Control District (District) was required to submit to the EPA, through the California Air Resources Board (CARB), a State Implementation Plan (SIP or Attainment Plan) outlining the combination of local, state, and federal emission control regulations necessary to provide for attainment by July 20, 2021; and

WHEREAS, pursuant to federal requirements of the 2015 Ozone NAAQS, by August 3, 2020, the District was required to submit to the EPA, through the CARB, various SIP

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elements, including but not limited to, a Reasonably Available Control Technology (RACT) Demonstration satisfying CAA §182(b)(2) requirements; and

WHEREAS, pursuant to federal requirements for the 2015 Ozone NAAQS, no later than August 3, 2022, the District must submit to the EPA, through the CARB, a SIP outlining the combination of local, state, and federal emission control regulations necessary to provide for attainment by August 3, 2024; and

WHEREAS, to satisfy federal requirements for both the 2008 and 2015 Ozone NAAQS, the District is obligated to prepare two costly and resource-intensive plans for the same pollutant (ozone) within a two-year period; and

WHEREAS, to optimize staff time and leverage state resources for mandatory air quality modeling, the District has prepared a combined State Implementation Plan (SIP), consisting of the proposed Attainment Plan, RACT Demonstration, and other supporting documentation, satisfying CAA requirements for both the 2008 and 2015 Ozone NAAQS; and

WHEREAS the District has prepared a proposed Attainment Plan for the 2008 Ozone NAAQS and 2015 Ozone NAAQS, as well as a companion RACT Demonstration applicable to both ozone standards, meeting or exceeding applicable requirements of the CAA for each standard, which include but are not limited to: (1) a baseline emission inventory (CAA §182(a)(1)); a major source emission statement rule and certification (CAA §182(a)(3)(B)); a New Source Review rule and certification (CAA §182(a)(2)); implementation of RACT in applicable source categories (CAA §182(b)(2)); implementation of Reasonably Available Control Measures (CAA §172(c)(1)); demonstration of Reasonable Further Progress (CAA §182(b)(1)); an attainment demonstration (CAA 182(c)(2)(A)); identification of contingency measures (CAA §179(c)(9)); and a motor vehicle emission budget for transportation conformity (CAA §176); and

WHEREAS, the forecasted attainment dates of 2026 for the 0.075 ppm standard and 2032 for the 0.070 ppm standard are consistent with Federal Clean Air Act attainment deadlines for a Severe nonattainment area, and as such, as part of its submittal to the EPA, CARB intends to include a request for the EPA to reclassify the region to a Severe ozone nonattainment area; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21092 and California Code of Regulations Title 15 Section 15072, the District prepared an Initial Study for the proposed SIP and RACT Demonstration, and determined there was no substantial evidence that such actions would have a significant effect on the environment, and as such prepared a proposed Negative Declaration; and

WHEREAS, to comply with federal RACT requirements, the District must submit four existing local rules, amend and submit three existing local rules, and adopt and submit one new local rule, as denoted in the proposed RACT Demonstration, into the federal State Implementation Plan to be federally enforceable; and

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WHEREAS, CAA Section 182(b)(2)(A) requires nonattainment areas like San Diego County to adopt RACT rules for each industrial category covered by a Control Technique Guideline (CTG) issued by the EPA, and for which one or more businesses in that category emit major amounts of volatile organic compounds or oxides of nitrogen; and

WHEREAS, in some cases, San Diego County has no sources applicable to specific CTGs, and pursuant to federal RACT requirements, must prepare CTG Negative Declarations certifying there are no applicable sources in the area subject to the applicable CTG; and

WHEREAS, the District has reviewed the emission inventory of air pollution sources in San Diego County and determined there are no major sources, or in some cases no sources whatsoever, present for the CTG categories included in Attachment B of the proposed RACT Demonstration for the 2008 and 2015 Ozone NAAQS; and

WHEREAS, a notice of a public hearing and opportunity for public comment on the proposed SIP, companion RACT Demonstration, and proposed CTG Negative Declarations, for both the 2008 and 2015 Ozone NAAQS, was published at least 30 days prior to the public hearing; consistent with requirements of the CAA and federal regulation; and

NOW, THEREFORE, BE IT RESOLVED that the Air Pollution Control Board approves the proposed SIP (i.e. “2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County” and companion RACT Demonstration (i.e. “2020 Reasonably Available Control Technology Demonstration for the National Ambient Air Quality Standards for Ozone in San Diego County”); and

BE IT FURTHER RESOLVED that the Air Pollution Control Board approves the proposed CEQA Initial Study and Negative Declaration, determining the proposed project could not have a significant effect on the environment; and

BE IT FURTHER RESOLVED that the Air Pollution Control Board certifies that there are no applicable or major sources in the categories included in Attachment B of the proposed RACT Demonstration (i.e. “2020 Reasonably Available Control Technology Demonstration for the National Ambient Air Quality Standards for Ozone in San Diego County”, and that this Resolution further constitutes CTG Negative Declaration for those source categories; and

BE IT FURTHER RESOLVED that the Air Pollution Control Board directs the Air Pollution Control Officer to submit this Resolution and the accompanying proposed SIP and companion RACT Demonstration to the CARB for expeditious submittal to the EPA as a SIP revision.

BE IT FURTHER RESOLVED that the Air Pollution Control Board authorizes the Air Pollution Control Officer to submit a letter to CARB requesting to withdraw consideration of the previous Attainment Plan (i.e. “2008 Eight-Hour Ozone Attainment Plan for San Diego County”) submitted to the EPA on April 12, 2017, as a Moderate Nonattainment Area.

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PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this _____ day of _____, 2020, by the following votes:

AYES:
NOES:
ABSENT: