

**AIR POLLUTION CONTROL DISTRICT  
COUNTY OF SAN DIEGO**

**DRAFT PROPOSED PLAN FOR ATTAINING THE NATIONAL AMBIENT AIR  
QUALITY STANDARDS FOR OZONE IN SAN DIEGO COUNTY**

**RESPONSE TO COMMENTS**

The San Diego County Air Pollution Control District (District or APCD) conducted public outreach in July and August 2020, including hosting two public webinars, to gather feedback on the draft proposed plan to attain the 2008 and 2015 national ozone standards throughout the San Diego region. Advance notice of the webinars was sent to air quality permit holders, environmental groups, industry associations, economic development corporations, chambers of commerce, the military, tribal nations, local governments, the California Air Resources Board (CARB), the U.S. Environmental Protection Agency (EPA), and other interested parties. The District conducted additional outreach to the San Diego Region Conformity Working Group, APCD Advisory Committee, Portside Community Steering Committee, and the APCD/Industrial Working Group. In total, 200 people attended these outreach events representing elected officials, government agencies, local businesses, members of the environmental community, military, the general public and other stakeholders. Both written and verbal comments were received. Following is a summary of those comments and the District's responses:

**1. COMMENT**

How will natural gas-fueled and zero-emission heavy-duty trucks assist in attainment of the ozone standards in San Diego County?

**DISTRICT RESPONSE**

Heavy-duty diesel trucks are a significant source of air pollution, and therefore the ongoing development and deployment of cleaner truck technologies is critical to achieving attainment of the ozone standards in San Diego County. Natural gas-fueled trucks with low emissions of nitrogen oxides (NOx) are commercially available and are more prevalent than battery-powered or other zero-emission trucks. As such, low-NOx natural gas-fueled trucks are expected to play a role in achieving air quality milestones in the nearer term, including San Diego County's forecasted attainment of the 2008 ozone standard in 2026. CARB's Heavy-Duty Low-NOx Omnibus rulemaking was adopted by CARB's Board in August 2020 and includes a very low-NOx engine standard that will be phased in starting in 2024. The introduction of zero-emission trucks will also play a critical role in reducing emissions and achieving air quality goals in San Diego County and throughout the state. The Advanced Clean Trucks Rule was adopted by the CARB Board in June 2020 and will implement manufacturer sales requirements beginning in 2024. These rules, along with the Heavy-Duty Vehicle Inspection and Maintenance Program, are expected to result in the reduction of four tons of NOx per day in San Diego County by 2032 to help the region attain the ozone standards.

**2. COMMENT**

Page 28 of the draft Attainment Plan specifies new CARB statewide actions for additional emission reductions that go beyond the measures included in the current State Implementation Plan (SIP). Are these additional emissions reductions quantified and accounted for in the draft Attainment Plan for the region?

**DISTRICT RESPONSE**

Page 28 of the draft Attainment Plan references additional future actions CARB may take to further reduce emissions and exposure to air pollution from freight facilities. These actions, if adopted, would reduce emissions beyond what is reflected in the emissions inventories and emissions projections in Attachment A of the draft Attainment Plan. In some cases, the emissions reductions resulting from these additional CARB actions may not be sufficiently quantifiable to be included in the SIP, such as those resulting from the development and implementation of an informational Freight Handbook that provides guidance for minimizing community exposure to freight-related air pollution.

**3. COMMENT**

The District indicated that a Severe nonattainment classification would result in tighter New Source Review (NSR) emissions thresholds for proposed new or modified major sources. Would these more stringent thresholds apply to permit applications that are being processed but have yet to be approved by the District when reclassification to Severe occurs?

**DISTRICT RESPONSE**

Yes. Pursuant to federal law, the tighter NSR emissions thresholds would take effect on the effective date of a reclassification and would apply to permit applications for proposed new or modified major sources that have yet to receive District approval by that date. The District will notify permit applicants in advance of EPA's reclassification notice if proposed projects may require revision or expedited review by the District.

**4. COMMENT**

What are the District's next steps and timeline to submit the proposed documents to EPA?

**DISTRICT RESPONSE**

The District made warranted changes to the draft documents based on the public comments received and then presented final proposed documents to the APCD Advisory Committee on August 12, 2020. The APCD Board will then consider the proposed documents at its meeting on October 14, 2020. If approved by the APCD Board, the CARB Board will consider approval of the documents at its meeting on November 19, 2020. If approved by CARB, the documents would then be transmitted to EPA for consideration of federal approval.

**5. COMMENT**

What is the expected timeline for San Diego County to be reclassified to a Severe nonattainment area?

**DISTRICT RESPONSE**

According to the EPA, reclassification to a Severe nonattainment area may occur within 18 months after CARB's submittal of the proposed Attainment Plan to EPA.

**6. COMMENT**

Section 1.3.1 of the draft Attainment Plan states that pollution transported from Mexico and South Coast can impact air quality in San Diego County. Are emissions from Mexico accounted for in the proposed Attainment Plan?

**DISTRICT RESPONSE**

Yes, air pollution transported into the region from Mexico is accounted for in the modeling and emission inventories prepared as part of the proposed Attainment Plan. Section L.3.7 and Section L.3.7.1 in Attachment L of the proposed Attainment Plan describe the emissions datasets utilized by CARB and how they were incorporated into the modeling results.

**7. COMMENT**

Does air pollution that is transported (i.e., blown into) San Diego from more polluted areas, such as Los Angeles or Mexico, factor into the request to reclassify the region to a Severe ozone nonattainment area?

**DISTRICT RESPONSE**

No, the region's ozone nonattainment status is driven primarily by local emission sources. Days with the highest ozone levels in San Diego County are often associated with stagnant weather conditions, higher temperatures, and lower meteorological mixing heights. Under these conditions, air pollution transported into San Diego from other areas is typically minimal. Nonetheless, the demonstrations of attainment of both ozone standards account for transported ozone pollution from the regions of Los Angeles and northern Mexico.

**8. COMMENT**

Does the District expect sufficient availability of Emission Reduction Credits (ERCs) to accommodate project development upon reclassification to a Severe ozone nonattainment area?

**DISTRICT RESPONSE**

The District cannot predict whether its existing registry of ERCs will fully meet the future demand for ERCs by proposed new or modified major sources that are subject to emission offset requirements. Accessing and selling ERCs is at the full discretion of the ERC owner. The District will monitor the quantity of registered ERCs leading up to and after the reclassification to Severe occurs. The District's ERC registry is listed in Attachment F of the proposed Attainment Plan, and can be found on the APCD website at:

[https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/APCD\\_ERC\\_Banking\\_Registry\\_Summary.pdf](https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/APCD_ERC_Banking_Registry_Summary.pdf).

**9. COMMENT**

Is the District considering developing a rule to control emissions from vacuum truck operations? This subject is mentioned on Page G-9 of the draft Attainment Plan.

**DISTRICT RESPONSE**

No such rule is being considered for development at this time. However, the feasibility and cost-effectiveness of such a measure will be evaluated in the future pursuant to the "every feasible measure" requirement of State law.

Vacuum trucks are used to clean out residual volatile organic compound (VOC)-laden fluids in storage tanks. Two air districts (Bay Area AQMD and South Coast AQMD) have adopted rules to control VOC emissions from vacuum truck operations, although these rules are focused primarily on petroleum refinery operations. Because San Diego County has no such refinery operations, additional analysis is necessary to determine whether this possible measure would provide sizable, cost-effective VOC emission reductions in San Diego County.

**10. COMMENT**

The number of electric vehicles is expected to increase over time in San Diego County, which will result in more electric vehicle batteries degrading and requiring replacement. Are these used batteries recycled, and how will their expected growth impact landfills?

**DISTRICT RESPONSE**

Today, electric vehicle batteries are typically reused in second life application or recycled. Examples of second life applications include energy storage (for regulating and backing up the electric grid) and backup power (for home use and cell phone towers). Because each battery pack includes expensive commodities such as nickel and cobalt, recyclers attempt to recover as much of these elements as possible, though many recycling programs are still in their infancy. If battery packs are not able to be recycled or used in a second life, they are considered universal waste until they are broken down into their constituent parts. At that point, the materials are disposed of as municipal solid waste or at hazardous waste landfills in accordance with federal and State law.

In 2018, Assembly Bill 2832 (Dahle) created a Lithium-ion Car Battery Recycling Advisory Group (Group) to advise the California Legislature on policies pertaining to the recovery and recycling of battery packs. The Group is jointly led by the California Environmental Protection Agency (CalEPA), the Department of Toxic Substances Control (DTSC), and the Department for Resources Recycling and Recovery (CalRecycle), and consists of auto dismantlers, recyclers, public and private entities, members of the environmental community, and other State agencies to guide their recommendations. The Group plans to assess and recommend specific actions to the Legislature that could be implemented in California.

**11. COMMENT**

Where can I download a copy of the workshop presentation?

**DISTRICT RESPONSE**

The presentation is available for download on the APCD website at <https://www.sandiegocounty.gov/content/sdc/apcd/en/air-quality-planning.html>.

**12. COMMENT**

The District is proposing to remove the small container exemption from the District's Architectural Coatings rule (Rule 67.0.1) to satisfy federal contingency measure requirements. Instead, can the District consider adopting the 2019/2020 CARB Suggested Control Measure (SCM) for Architectural Coatings as the District's contingency measure?

**DISTRICT RESPONSE**

No. The District intends to propose the local adoption of the SCM in 2021 to satisfy State requirements to adopt all feasible measures. The SCM would not qualify as a federal contingency measure, which must be based on a measure that is not already being implemented.

**13. COMMENT**

Are emission reductions from CARB's Advanced Clean Trucks and Low-NOx regulations included in the District's attainment demonstrations?

**DISTRICT RESPONSE**

Yes, the District's demonstration of attainment for the 2015 ozone standard includes estimated emission reductions for three future CARB regulations. These include the Heavy-Duty Low-NOx Engine Standard, the Advanced Clean Trucks Rule, and the Heavy-Duty Vehicle Inspection and Maintenance Program. Further information can be found in Section 4.3.5 of the proposed Attainment Plan.

**14. COMMENT**

Warmer temperatures associated with climate change are expected in future years, which could lead to increased ozone formation and build-up. Are such impacts accounted for in the proposed Attainment Plan, and can additional modeling be done to estimate ozone levels due to climate change impacts on temperature?

**DISTRICT RESPONSE**

The modeling used in the attainment demonstrations adheres to federal guidance issued by the EPA in 2018. Pursuant to this guidance, the modeling relies upon meteorological data from recent years (2014-2017) in which the region experienced record high temperatures (see Section 1.2.3.1 of the proposed Attainment Plan). As such, the modeling conducted by CARB already accounts for warmer temperatures and is appropriate for the attainment timelines established in the proposed Attainment Plan. Although warmer temperatures facilitate ozone production, they can also lead to greater mixing heights that result in lower ground-level ozone levels overall. Given this uncertainty, ozone modeling does not typically attempt to predict future meteorology, nor is doing so required.

**15. COMMENT**

Does the Vehicle Miles Traveled (VMT) Demonstration in the Attainment Plan consider cross-border (United States – Mexico) vehicular impacts?

**DISTRICT RESPONSE**

Yes, CARB utilized VMT and speed distribution data from the San Diego Association of Government's (SANDAG) 2019 Federal Regional Transportation Plan. This transportation plan includes travel demand models that capture traffic movement from passenger and freight vehicles at the border.

**16. COMMENT**

Section 2.1.3.1 of the draft Attainment Plan includes military emission estimates but does not identify specific future military projects, including the Navy's "Pivot to the Pacific" realignment. Is the realignment reflected in these emission estimates and can the District provide more detailed information for all such projects?

**DISTRICT RESPONSE**

The military provided the District with a report of emission estimates from future military projects through 2037 for use in the District's preparation of the proposed Attainment Plan. These emission estimates account for the Navy's "Pivot to the Pacific" realignment. The military's report can be made available to the public upon request.

**17. COMMENT**

The District should evaluate Attachment G and I of the proposed Attainment Plan for possible measures that can also reduce particulate matter (PM) in disadvantaged communities such as Portside, and propose those strategies in the District's Assembly Bill (AB) 617 Community Emissions Reductions Program (CERP).

**DISTRICT RESPONSE**

Attachment G identifies possible measures to reduce ozone-forming emissions throughout the region. Not all of these same measures may reduce PM emissions or benefit a specific community. Nonetheless, the District will evaluate potential measures to reduce PM, toxics, and cancer risk in the Portside Community as part of the upcoming CERP. The District will also notify CARB of this comment for sources under CARB's authority (identified in Attachment I).

**18. COMMENT**

Are there additional regulations that would apply to on-road transportation sources upon the region being reclassified to a Severe ozone nonattainment area?

**DISTRICT RESPONSE**

No. However, in plans for attaining each ozone standard, the District is required to demonstrate that the region has adopted sufficient transportation control measures to offset predicted regional growth in VMT. These demonstrations are found in Section 3.1.3, Sections 4.1.3, and Attachment N of the proposed Attainment Plan.

**19. COMMENT**

Temperatures were lower in San Diego County between 2018-2019, in contrast to record-high temperatures experienced between 2014-2017. If ozone levels were to decline in the future because of cooler weather trends, could San Diego County be reclassified back to a Moderate or Serious ozone nonattainment area?

**DISTRICT RESPONSE**

Pursuant to federal requirements, the region cannot improve its classification to a Moderate or Serious nonattainment area once it has been reclassified by EPA to a Severe nonattainment area. However, when the region attains an ozone standard, it can then be redesignated to an Attainment/Maintenance area for that standard, in which case the Severe nonattainment classification would no longer apply.

**20. COMMENT**

What is the currently applicable ozone SIP in San Diego County, and when was it approved by EPA?

**DISTRICT RESPONSE**

The currently applicable ozone SIP in San Diego County is the “Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County.” This Plan was approved by EPA effective July 5, 2013 (78 FR 33230).

**21. COMMENT**

Are other regions in California taking a similar approach to controlling and reducing ozone as San Diego County?

**DISTRICT RESPONSE**

Yes, most ozone nonattainment areas in California are taking similar approaches to attaining the ozone standards. These efforts include local NO<sub>x</sub> reductions resulting from CARB’s statewide regulation of mobile sources, in addition to NO<sub>x</sub> and VOC reductions resulting from District regulation of stationary and areawide sources such as power plants, factories, and coatings. Additionally, the District’s proposed RACT Demonstration demonstrates that air quality rules in San Diego County for all major sources of VOC or NO<sub>x</sub> and on each VOC source subject to federal Control Techniques Guidelines, are as stringent as the corresponding rules in these other regions.

Though each major metropolitan area of California is nonattainment for at least one ozone standard, all regions have made substantial progress in reducing ozone overall. It is the goal of each air district to further reduce ozone-forming emissions in order to attain the standards and protect public health.

**22. COMMENT**

The District may want to highlight their initiative for being the first in the nation to submit a plan to EPA for attainment of the 2015 ozone standard.

**DISTRICT RESPONSE**

The District will provide this context in the information that will be presented to the APCD Board for their consideration.