

August 23, 2024

Martha Guzman
Regional Administrator
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, California 94105
guzman.martha@epa.gov

Dear Administrator Guzman:

The California Air Resources Board and the San Diego County Air Pollution Control District are coordinating with the U.S. Environmental Protection Agency to speed action on revisions to the California State Implementation Plan. Per the enclosed letter, California Air Resources Board worked with San Diego County Air Pollution Control District and U.S. Environmental Protection Agency to determine that, due to circumstances that have arisen since it was submitted, the *2020 Reasonably Available Control Technology Demonstration for the National Ambient Air Quality Standards for Ozone in San Diego County* (2020 Reasonably Available Control Technology Demonstration) is no longer appropriate for inclusion in the California state implementation plan.

The Clean Air Act requires reasonably available control technology analyses for stationary sources and applicable rules for which U.S. Environmental Protection Agency has published Control Techniques Guidelines and for major non-Control Techniques Guidelines stationary sources in nonattainment areas classified as Moderate or above. The 2020 Reasonably Available Control Technology Demonstration was developed by the San Diego County Air Pollution Control District to meet the reasonably available control technology requirements of Clean Air Act section 182(b)(2) and followed all guidance available at the time. On December 29, 2020, the California Air Resources Board submitted the 2020 Reasonably Available Control Technology Demonstration to the U.S. Environmental Protection Agency for inclusion in the California State Implementation Plan.

U.S. Environmental Protection Agency has not acted upon the 2020 Reasonably Available Control Technology Demonstration within the timeframe required; in the time since it was submitted, U.S. Environmental Protection Agency staff's interpretation of the reporting requirements for rules subject to reasonably available control technology has changed due to a legal case in the State of Colorado. U.S. Environmental Protection Agency's most recent interpretation of the requirements may not be in line with certain reporting provisions in the reasonably available control technology rules that were evaluated within the 2020 Reasonably Available Control Technology Demonstration. U.S. Environmental Protection Agency staff has conveyed that they are convening an internal working group to begin the process to develop a rulemaking or written guidance for reporting requirements, but until

such guidance is released, there is little direction from U.S. Environmental Protection Agency as to how the reporting issues can be resolved. Therefore, as the agency designated under State law to revise the State Implementation Plan, the California Air Resources Board now formally withdraws the 2020 Reasonably Available Control Technology Demonstration, excluding the Negative Declaration for the Oil and Natural Gas Industry Control Techniques Guideline included in Section 1.2.2.2 of the 2020 Reasonably Available Control Technology Demonstration, from consideration for inclusion in the California State Implementation Plan.

If you have any questions, please have your staff contact me at (916) 201-8968, or [Sylvia Vanderspeck](#), Branch Chief, at (916) 324-7163.

Sincerely,



Michael Benjamin, Chief, Air Quality Planning and Science Division
California Air Resources Board

Attachment

cc: Matt Lakin, Director, Air and Radiation Division, U.S. Environmental Protection Agency, Region 9
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