

EPA Final State Implementation Plan Requirements Rule for the 2008 Ozone Standard

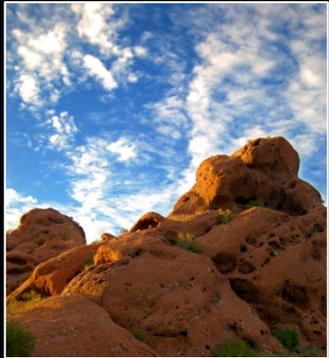
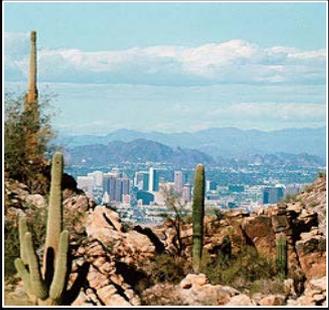


MAG Air Quality Technical Advisory Committee
March 26, 2015

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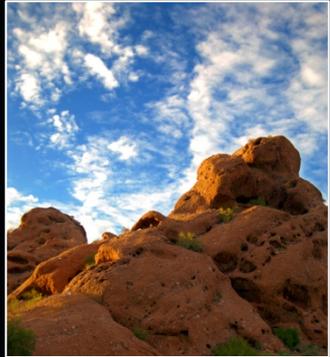
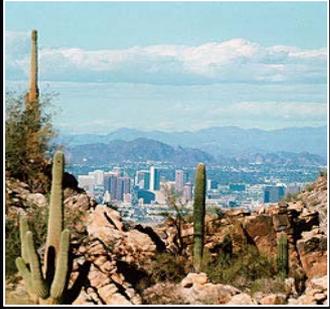
EPA Final Rule

- On March 6, 2015, EPA published a notice of final rulemaking, *Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements*, which addresses a range of nonattainment area state implementation plan (SIP) requirements for the 2008 ozone standard (0.075 parts per million)
- The final rule is effective on April 6, 2015



Overview

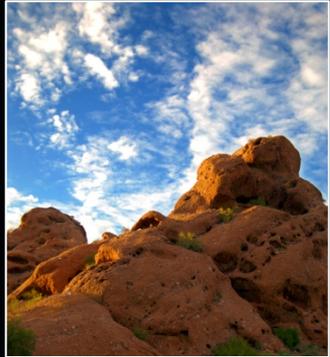
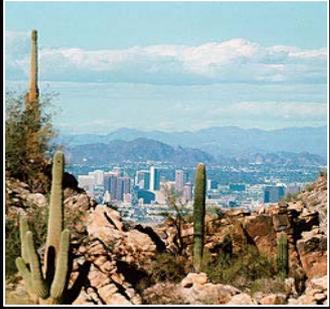
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- **The final rule establishes due dates and provides guidance for nonattainment area planning requirements including, but not limited to:**
 - **Attainment demonstrations**
 - **Reasonable further progress (RFP)**
 - **Reasonably available control technology (RACT)**
 - **Reasonably available control measures (RACM)**
 - **New source review (NSR)**
 - **Emissions inventories**
 - **Contingency measures**
 - **Motor Vehicle Emissions Budgets (MVEB)**

Overview

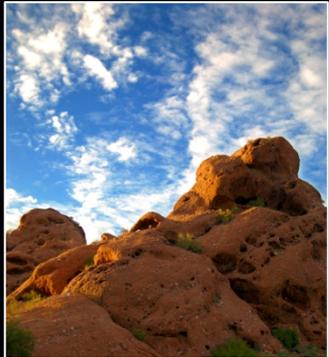
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- **The final rule revokes the 1997 eight-hour ozone standards (0.08 parts per million) for all purposes, including transportation conformity, effective April 6, 2015**
- **The final rule establishes anti-backsliding measures for areas that remain nonattainment for the 1997 eight-hour ozone standard after the 1997 standard is revoked, ensuring that emission controls remain in place and air quality in the nonattainment areas does not get worse after the 1997 standard is revoked**

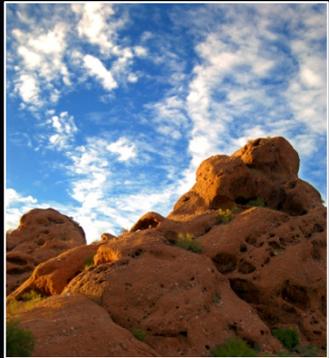
Revised Attainment Dates

- In response to the December 23, 2014, U.S. Court of Appeals for the D.C. Circuit decision to vacate the attainment dates previously established in EPA's 2012 Classifications Rule for the 2008 ozone standard, the final rule revised the attainment dates for nonattainment areas based upon the effective date of their classification
 - For Marginal Areas the maximum attainment date is revised to July 20, 2015, from December 31, 2015
 - For Moderate Areas the maximum attainment date is revised to July 20, 2018, from December 31, 2018



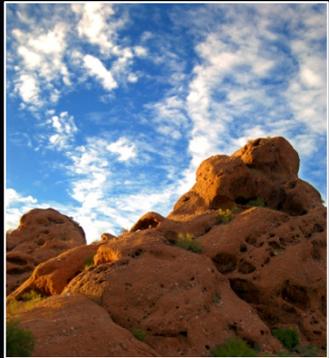
Impact of Revised Attainment Dates

- **The Maricopa nonattainment area is classified as a Marginal Area for the 2008 ozone standard. Attainment determinations for Marginal Areas are now based on 2012-2014 air quality data, rather than 2013-2015 data**
 - **Based upon 2012-2014 data, the Maricopa area does not attain the 2008 ozone standard (0.075 parts per million) and does not qualify for an extension of the attainment date based upon 2014 data**
 - **Per Clean Air Act Section 181(b)(2), within 6 months following July 20, 2015, EPA will reclassify the Maricopa nonattainment area to a Moderate Area with a maximum attainment date of July 20, 2018 (attainment to be based on 2015-2017 data)**



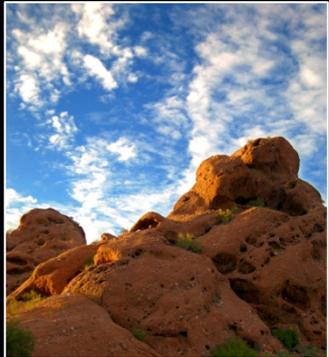
Moderate Area Requirements

- **When EPA publishes the reclassification of the Maricopa nonattainment area to a Moderate Area, the EPA Administrator will include a due date for a Moderate Area plan**
- **Moderate Areas must meet specific nonattainment area planning requirements in addition to meeting the requirements for Marginal Areas**
- ***The MAG 2014 Eight-Hour Ozone Plan – Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area* addressed the Clean Air Act Marginal Area requirements and was submitted to EPA for approval by ADEQ on July 2, 2014**



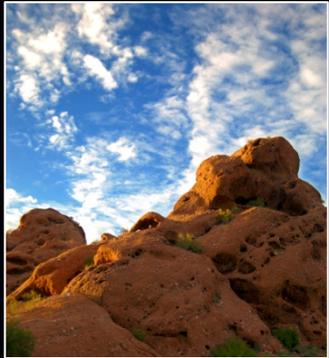
Moderate Area Requirements

- **The MAG 2014 Eight-Hour Ozone Plan addressed Marginal Area requirements including:**
 - **Baseline emissions inventory and periodic inventory updates – CAA § 182(a)(1) and § 182(a)(3)(A)**
 - **Corrections to pre-1990 reasonably available control technologies and pre-1990 vehicle inspection and maintenance programs – CAA § 182(a)(2)(A-B)**
 - **Nonattainment area preconstruction permit program and New Source Review – CAA § 182(a)(2)(C) and CAA Title I, Part D**
 - **Emissions statement – CAA § 182(a)(3)(B)**
 - **VOC offset requirement (1.1 to 1) – CAA § 182(a)(4)**
 - **Conformity requirements – CAA § 176(c)**



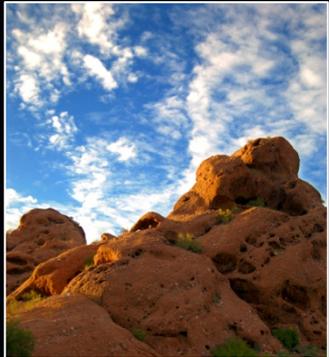
Moderate Area Requirements

- The specific nonattainment area planning requirements for Moderate Areas are as follows:
 - Plan provisions for reasonable further progress (RFP), including a rate of progress (ROP) plan to provide for a 15 percent reduction in VOC emissions over a 6-year period from baseline anthropogenic emissions – CAA § 182(b)(1)
 - Attainment demonstration – CAA § 182(b)(1)(A)(i)
 - Reasonably available control technology (RACT) – CAA § 182(b)(2)
 - Motor vehicle inspection and maintenance programs – CAA § 182(b)(4)



Moderate Area Requirements

- The specific nonattainment area planning requirements for Moderate Areas are as follows (continued):
 - VOC offset requirement (1.15 to 1) – CAA § 182(b)(5)
 - Reasonably available control measures (RACM) analysis to determine if the attainment date can be advanced by at least one year – CAA § 172(c)(1)
 - Contingency measures – CAA § 172(c)(9)
 - Motor Vehicle Emissions Budget – CAA § 176(c)





**For more information
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