



## Legislation Text

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**File #:** 15-1316, **Version:** 1

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El Dorado County Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors, adopt and authorize the Chair to sign Resolution **010-2016** approving an Ozone Emergency Episode Plan.

**FUNDING:** AQMD annual operating budgets. (Permit Fees and State Funds)

### **DEPARTMENT RECOMMENDATION**

AQMD recommends the Board approve an Ozone Emergency Episode Plan and direct staff to forward the Plan to the California Air Resources Board for submittal to the U.S. Environmental Protection Agency (EPA) to comply with the Ozone Infrastructure State Implementation Plan (SIP) requirements for California.

### **DISCUSSION / BACKGROUND**

The requirement for emergency episode planning was included in the 1970 Federal Clean Air Act. In 1972, EPA classified western El Dorado County as being part of a Priority I Air Quality Control Region. Under Code of Federal Regulations (40 CFR 51.150 and 51.151), areas that do not attain the federal National Ambient Air Quality Standards (NAAQS) and have 1-Hour ozone concentrations above 0.10 parts per million (ppm) are required to develop an Ozone Emergency Episode Plan (Plan). Due to recent litigation, EPA is now requiring fulfillment of this and other requirements applicable to other air Districts.

The Clean Air Act allows EPA to halt air pollutant emissions during extremely high ozone episodes to protect the public health. This authority is vested in the California Air Resources Board (ARB) and local air districts via Section 42400 of the CA Health and Safety Code (H&SC). H&SC §41700 states sources are prohibited from emitting any pollutants that could cause public injury, detriment, nuisance or annoyance, or that endanger the public's comfort, repose, health or safety. H&SC §42450, et seq., gives districts authority to abate emissions from sources violating H&SC §41700 or any other applicable order, rule or regulation.

Western El Dorado County has been designated as severe nonattainment for 1997 and 2008 8-hour ozone NAAQS. As new NAAQS are adopted by EPA, states are required to submit revisions to their SIPs if determined necessary to achieve and maintain the new NAAQS. These SIP revisions are called Infrastructure SIPs.

In fall 2015, EPA partially approved and partially disapproved California's latest Infrastructure SIP. The partial disapproval was due to several monitoring, rule making and planning requirements not yet completed by California air districts. Among those deficiencies was the need for an ozone emergency episode plan (40 CFR 52) in El Dorado County. No sanction clocks have been triggered by the partial disapproval.

Placer County Air Pollution Control District (APCD) recently drafted a Plan to address this deficiency. That Plan was approved by the Placer County APCD Board and has received tentative approval from

EPA. The Placer Plan was used as a template in the development of the EDC Plan. California ARB staff have reviewed the EDC Plan and provided informal, cursory approval.

The Plan includes actions necessary to prevent 2-Hour average ozone concentrations from reaching the "Significant Harm Level" of 0.6 ppm. As illustrated in Plan Figure 2, since ozone monitoring began, El Dorado County's highest maximum 1-hour ozone concentrations were 0.16 ppm in 1978 and 0.16 ppm in 1998. The lowest Plan level, the "Alert Level" of 0.2 ppm, has not been reached. Even with the recent wildfires contributing to ozone precursors, the 0.2 ppm concentration has not been reached. Had the plan been in place during the last 43 years, it would not have been activated. As stationary and transportation emission sources in California continue to become cleaner, ozone levels will likely continue to decline.

### **ALTERNATIVES**

Alternatives the Board may take in lieu of approving the recommendation include:

Not adopting the Resolution. This alternative would prevent EPA from fully approving the California Infrastructure SIP and trigger EPA to develop of a Federal Implementation Plan for El Dorado County.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

El Dorado County Office of Emergency Services (OES)

OES staff have reviewed the Plan and met with AQMD staff to discuss the Plan activation and implementation process. Changes recommended by OES staff have been incorporated into the final draft. Should the 0.2 ppm Alert Level be reached, OES would employ the Reverse 911 notification system to advise residents to reduce ozone precursor generation activities and take actions to minimize potential adverse effects of exposure to elevated ozone concentrations.

### **CAO RECOMMENDATION**

Adopt the Resolution approving an Ozone Emergency Episode Plan.

### **FINANCIAL IMPACT**

Adoption of the proposed resolution has no financial impact. Implementation of the Plan will be accommodated within the annual operating budget for AQMD.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Clerk to obtain the Board Chair's signature on two (2) original Resolutions and provide AQMD with one signed copy.

### **STRATEGIC PLAN COMPONENT**

This Plan supports the Healthy Communities strategic plan goal.

### **CONTACT**

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