



County of El Dorado

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Legislation Text

File #: 08-0141, Version: 2

Environmental Management Department, Air Quality Management District, recommending Resolution **23-2008** requesting a voluntary reclassification (bump-up) of the Sacramento Federal Nonattainment Area (SFNA) from serious to severe for the federal 8-hour ozone classification.

FUNDING: Not applicable.

BUDGET SUMMARY:		
Total Estimated Cost		\$0
Funding		
Budgeted	\$0	
New Funding	\$0	
Savings	\$0	
Other	\$0	
Total Funding Available	\$0	
Change To Net County Cost		\$0

Fiscal Impact/Change to Net County Cost: No impact to net county cost.

Background:

In June 1995, the Sacramento Federal Nonattainment Area (SFNA), consisting of Sacramento and Yolo counties and parts of El Dorado, Placer, Solano, and Sutter counties, voluntarily reclassified from a serious to a severe nonattainment area under the 1-hour federal ozone standard. In July 1997, the Environmental Protection Agency (EPA) promulgated a new national ambient air quality standard for 8-hour ozone. EPA classified the SFNA as a serious nonattainment area under this new standard effective June 15, 2004. The Clean Air Act and EPA rules require nonattainment areas to submit a Reasonable Further Progress Plan (RFP), demonstrating 3% emission reductions per year, and an ozone attainment plan (SIP), demonstrating 8-hour clean air standards attainment by a June 15, 2013 deadline. Both plans were due June 15, 2007.

The SFNA did not meet that deadline for three reasons: (1) the SIP must include the final state emission control measures and the state did not complete and approve those measures until October 2007, (2) the SIP must include air quality modeling results from analyses prepared by California Air Resources Board (CARB) staff and these staff experts were not available until after the South Coast and San Joaquin SIPs were completed in the fall of 2007, and (3) the SFNA air districts and the Sacramento Area Council of Governments (SACOG) agreed, with the concurrence of the CARB and EPA planners, to include the latest vehicle activity data from the SACOG's Metropolitan Transportation Plan (MTP2035) and that information was not available until late December 2007.

Additionally, preliminary CARB modeling results and staff analyses have established that the SFNA will not be able to attain the federal standard by June 15, 2013, because attainment is largely dependent on implementation of state and federal vehicular control measures, which will not go into effect until after 2012. The SFNA air districts anticipated submitting the RFP and SIP in August 2008 and planned to concurrently request a bump-up to the severe classification to extend the attainment deadline to June 15, 2019.

The federal Clean Air Act authorizes EPA to issue a finding of a failure to submit, when submittal deadlines for the RFP and SIP are not met. This finding triggers potential sanctions, of which the most serious one gives EPA the authority to assume local powers and establish a federal air quality plan for the region, if the local SIP is not submitted and approved within two years after the findings. Until recently, it was understood by the SFNA and CARB that EPA did not plan to issue the findings prior to our scheduled SIP adoption. On January 11, 2008, staff learned that EPA intends to make these findings on February 15, 2008. We understand this urgent and unexpected action was triggered by a settlement of a legal action in another part of the country. The SFNA may avoid receiving a finding letter if the anticipated bump-up request is submitted by February 14, 2008 and the RFP is submitted by April 30, 2008. The other SFNA air districts will request that their boards approve a reclassification request at their next meetings scheduled between January 24, 2008 and February 14, 2008. If authorized by all SFNA air district boards, the reclassification request will be submitted to CARB for their approval and submittal to EPA. If the reclassification request is not submitted, the SFNA will be the only region in California that will receive a finding of failure to submit, along with other areas in the country that will have findings made: Chicago, Boston, St. Louis, Cleveland, Milwaukee, and New York.

At this late date, just months before the SIP is completed, a failure to submit letter would unfairly cast a negative light on the SFNA, when in fact a majority of the work is done and an early RFP for 2008 progress demonstration was submitted in 2006 as a bridging action.

As discussed above, all the developed data and preliminary computations indicate that the SFNA will not be able to attain by the 2013 deadline and that a request to reclassify the region to extend the attainment deadline is unavoidable. Although the deadline will be extended to 2019, analysis shows that many parts of the SFNA may attain earlier. A reclassification to severe will not impose any additional restrictions on the SFNA, since the severe area requirements and regulations have been in place since 1995, when SFNA reclassified to severe 1-hour ozone nonattainment designation.

Reason for Recommendation:

Attainment of the 8-hour ozone NAAQS was evaluated for the SFNA serious and severe classifications, based on preliminary CARB modeling for the peak ozone site within SFNA located at Cool. The photochemical modeling results were used to estimate the percent reductions required to achieve the federal 8-hour ozone standard by the serious (June 15, 2013) and severe (June 15, 2019) nonattainment deadlines. These results are summarized in Table 1.

Table 1
Summary of Preliminary Attainment Evaluation for 8-Hour Ozone NAAQS

SFNA Emissions (tpd)	6-15-13	6-15-19
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	VOC	NOx	VOC	NOx
A) Emission Inventory Forecasts	128	139	121	103
B) Additional Percent Reductions Needed for Attainment	30%	30%	0%	3.3%
C) Reductions Estimated to Meet Attainment Targets	38.4	41.7	0	3.4
D) Proposed New Local Control Emission Reductions	2.3	2.1	3.2	3.0
E) Additional Reductions Needed to Attain	36.1	39.6	-3.2	0.4

As noted, the modeling input data are preliminary and major pieces of the SIP are unfinished. These pieces include final motor vehicle emissions forecasts through 2018 using updated SACOG motor vehicle activity data, the associated air quality modeling, and final local control measure evaluations.

The proposed local reductions (Line D) are substantially less than the amount needed for attainment by the serious area attainment deadline, but may be sufficient for attainment by the severe deadline (Line E) , due to vehicular and other state and federal emission reductions expected to occur after 2012. There are simply no feasible measures available to achieve attainment by the serious deadline. For example, even the following draconian and unrealistic strategies, which air districts lack the authority to implement, would not be sufficient to demonstrate attainment: (1) closing all businesses that emit air contaminants, (2) prohibiting the use of all passenger vehicles, and (3) prohibiting the use of all heavy duty trucks. Only prohibiting the use of all motor vehicles could result in attainment by the serious classification deadline.

Given the preliminary attainment emissions targets, the magnitude of the shortfall in emission reductions, and the schedule for implementing new control measures, the air districts in the SFNA have no choice but to ask CARB to request a voluntary reclassification to a severe 8-hour ozone nonattainment area. Therefore, staff recommends the Board authorize it to request a voluntary reclassification of the SFNA from a serious to a severe federal 8-hour ozone classification. The SFNA anticipates submitting a RFP before April 30, 2008, although, submission of the plan is dependent upon receipt of information from other agencies. We anticipate submitting a severe area SIP later this year.

Action to be taken following Board approval:
AQMD Board to forward adopted resolution to the AQMD for further processing.

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Concurrences: County counsel has approved the resolution.