

BOARD MEETING DATE: March 6, 2015

AGENDA NO. 27

PROPOSAL: Proposed Comments on U.S. EPA's Proposed Ozone Standard

SYNOPSIS: In November of 2014, U.S. EPA proposed to tighten the National Ambient Air Quality Standard (NAAQS) for 8-hour ozone from the current 75 ppb to a range of 65-70 ppb. The proposal also includes potential changes to the monitoring requirements for ozone and its precursors. Staff is recommending submitting comments to U.S. EPA similar to Board-approved comments submitted in 2010 when U.S. EPA proposed a similar standard that was never finalized. Additional comments are also recommended. This action is to seek Board approval to resubmit the original Board-approved comments, as well as the new supplemental comments, to U.S. EPA regarding their proposed revision to the NAAQS for ozone.

COMMITTEE: Mobile Source, February 20, 2015; Recommended for Approval, with suggested changes

**RECOMMENDED ACTION:**

Approve resubmittal of original Board-approved comments, as well as new supplemental comments, to U.S. EPA on the proposed revision to the National Ambient Air Quality Standards for ozone (Attachment).

Barry R. Wallerstein, D.Env.  
Executive Officer

BB EC:PF:MK

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**Background**

Draft comment letter is attached.

**Attachment**

Draft March 2015 Comment Letter with original March 2010 Board-approved comment letter as an Exhibit

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**ATTACHMENT**

*Office of the Executive Officer  
Barry R. Wallerstein, D.Env.  
909.396.2100, fax 909.396.3340*

March 11, 2015

Docket ID No. EPA-HQ-OAR-2008-0699  
U.S. Environmental Protection Agency  
Mailcode 28221T  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

*Via internet:* <http://www.regulations.gov/>  
*Via email:* [A-and-R-Docket@epa.gov](mailto:A-and-R-Docket@epa.gov)

Re: Comments of the South Coast Air Quality Management District Staff concerning Proposed Rule for Revision of the National Ambient Air Quality Standards for Ozone published in the Federal Register (FR 75233; December 17, 2014)

The South Coast Air Quality Management District (SCAQMD) is the air pollution control agency for the Los Angeles metropolitan region comprised of Orange County, the non-desert portions of Los Angeles and San Bernardino counties and Riverside county to the eastern edge of the Coachella Valley. Our jurisdiction is home to 16 million people which constitute approximately five percent of the U.S. population. The SCAQMD staff has reviewed the proposed revisions to the primary and secondary National Ambient Air Quality Standards (NAAQS) for Ozone and is providing the following comments.

The need to retain or revise the current ozone standard relies on available scientific evidence for ozone-attributable health effects and on analyses of population exposures and health risks. The Clean Air Scientific Advisory Committee (CASAC), U.S. EPA's statutorily-established advisory group, unanimously concluded "the evidence from controlled human and epidemiological studies strongly supports the selection of a new primary ozone standard within the 60-70 ppb range for an 8-hour averaging time." The current proposed rule will lower the ozone NAAQS to a level in the range of 65 to 70 ppb. The SCAQMD supports setting the standard at a level consistent with the scientific evidence.

On March 19, 2010, the SCAQMD staff submitted a Governing Board-approved comment letter on the previous proposed revision to the ozone NAAQS that was never finalized by the U.S. EPA. The SCAQMD is resubmitting those comments as they are still applicable to the current proposed

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rule to revise the ozone NAAQS. The March 2010 comment letter is attached (Exhibit) and includes the items below.

- Support for setting the standards based on the scientific evidence and the recommendations from CASAC
- Implementation rules need to be re-evaluated to ensure:
  - ✓ Workable attainment dates
  - ✓ Fair-share reductions from federal sources
  - ✓ Research, development and deployment of zero-emitting technologies
  - ✓ Integrated State Implementation Plan (SIP) for all-pollutants

**It is important to note that the “workable attainment dates” and “fair share reductions from federal sources” are critical issues and must be ensured through the implementation rule.**

Specifically, as stated in the March 2010 comment letter, “If there is one thing that is absolutely clear, it is that the SCAQMD cannot demonstrate attainment with the proposed ozone standard range without fair share reductions in federal source emissions. These include emission reductions from ships, railroads, aircraft, and 49 state heavy-duty trucks. These reductions must be enforceable commitments.”

In addition to the attached letter, SCAQMD staff is providing the following additional comments on the proposed rule.

### **Exceptional Events**

SCAQMD staff appreciate the language in the proposed rule recognizing the applicability of the Exceptional Events Rule to ozone exceedances, especially those related to wildfire and stratospheric intrusions. However, SCAQMD staff would like to reiterate the need for streamlining and flexibility in the exceptional event submittal and review process. Given the complex nature of ozone exceptional events and the potential for more events with the proposed lower ozone standard, additional streamlining of exceptional event review process is required. SCAQMD stands ready to work with U.S.EPA in this regard.

### **International Transport/Background Ozone**

SCAQMD staff also appreciate the acknowledgement of the importance of pollutant transport, especially international transport, and background concentrations to measured ozone levels. Background concentrations will be a more significant factor given a lower ozone standard in many areas, including the South Coast Air Basin. We would like to stress the need for clear and consistent guidance as to how to address background transport in air quality plan submittals, both in the treatment of measured air quality data and in protocols for attainment demonstration modeling.

### **Monitoring Requirements (PAMS Program)**

SCAQMD staff are supportive of the proposed changes to the Photochemical Assessment Monitoring Stations (PAMS) program, especially the flexibility provided by enhanced monitoring plans designed to meet local objectives and achieve a better understanding of photochemical precursors. We support the prioritization of non-attainment areas based on the greatest human

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health impacts and thus support the threshold of 1 million people or more to be included as a criteria for PAMS site locations. Also, consistent with human health impact as a priority, SCAQMD staff recommend the inclusion of the severity of non-attainment as a consideration for PAMS resource allocations. Ozone non-attainment areas that are projected to attain the standard without additional state-level actions may not need the PAMS resources and additional monitoring to develop a better understanding of their ozone issues.

SCAQMD staff support the movement towards hourly PAMS VOC speciated measurements, with flexibility to use canisters if programmatic or logistical needs indicate. We support a mechanism within the annual network plan or written correspondence with U.S. EPA regional offices to be sufficient for approval of changes to monitoring plans. As there may be some limitations to the hourly speciated VOC measurements, the required target compound lists should be consistent with the capabilities of the instrumentation.

SCAQMD staff appreciate that the proposed PAMS design recognizes the importance of meteorological measurements in fully realizing the potential of the PAMS program. By allowing flexibility in upper air meteorological measurement methods, with mixing height as a minimum requirement, local agencies can provide reasonably useful data for modeling and analysis. Areas with complex ozone problems or complex terrain will likely need more upper air measurements.

Regarding the deadlines for submitting the proposed requirements in the annual network plans by July 2016, SCAQMD staff suggest that the PAMS funding allocations be defined with enough time for agencies to develop an appropriate plan, at least a few months before the plans are due. Furthermore, according to the proposed rule, the enhanced monitoring plan needs to be implemented by January 1, 2017, giving very little time from network plan approval (expected by November 2016) to actually implement the plan.

Meeting the proposed ozone standard in the South Coast Air Basin will be a significant challenge. SCAQMD is committed to providing the public a healthy environment and economy. If you have any questions, please feel free to contact me at (909) 396-2100 or Dr. Elaine Chang, Deputy Executive Officer, at (909) 396-3186.

Sincerely,

Barry R. Wallerstein, D.Env.  
Executive Officer

Attachment: Exhibit

cc: Elaine Chang, SCAQMD  
Barbara Baird, SCAQMD  
Philip Fine, SCAQMD

EXHIBIT



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

*Office of the Executive Officer  
Barry R. Wallerstein, D.Env.  
909.396.2100, fax 909.396.3340*

March 19, 2010

Docket ID No. EPA-HQ-OAR-2005-0172  
U.S. Environmental Protection Agency  
Mail code 6102T  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Via internet: [www.regulations.gov](http://www.regulations.gov)  
Via email: [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov)

Re: Comments of the South Coast Air Quality Management District Staff concerning the Proposed Rule for Revision of the National Ambient Air Quality Standards for Ozone published in the Federal Register (FR 172938; January 19, 2010).

The South Coast Air Quality Management District (SCAQMD) staff is pleased to present these comments regarding the Proposed Rule for the National Ambient Air Quality Standards for Ozone.

The SCAQMD is the air pollution control agency for Orange County and non-desert portions of Los Angeles, San Bernardino, and Riverside counties. The SCAQMD is home to more than 16 million people – about 5% of the U.S. population.

### **SCAQMD Staff Supports U.S. EPA's Health-based Air Quality Standard Setting**

It is the long-standing policy of the SCAQMD that ambient air quality standards should be set to protect public health, as called for by Congress in the Clean Air Act. We concur with the Administrator's evaluation of currently available health studies.

In comments provided in 2007 regarding the ozone standards review, SCAQMD staff strongly urged the then Administrator to adopt a new, protective standard that was consistent with the recommendations of the U.S. EPA's Clean Air Scientific Advisory Committee. We do so again.

This would mean a primary standard averaged for 8 hours of no greater than 0.070 ppm. We note that a not-to-be-exceeded standard at this level has already been adopted by the California Air Resources Board to protect public health.

### **Once the Standard is Set, Current Implementation Rules Need to be Re-evaluated**

Although we support the proposed revision of the ozone standards based on the body of scientific information, we wish to convey to the Administrator several opportunities to better meet the challenges of implementing the standard within the proposed range of 0.060 to 0.070 ppm in the South Coast Air Basin (SCAB). The issues are listed below, and briefly expanded upon in the following discussion.

- Attainment dates based on air quality classification under the current Clean Air Act timetable may not be workable when the standard approaches the background level
- The standards cannot be attained without fair-share reductions from federal sources of ozone precursors
- EPA should foster opportunities for coordinated research and development to move toward zero emitting technologies in the transportation sector
- State Implementation Plan (SIP) preparation should be integrated for all pollutants, rather than a piecemeal, pollutant by pollutant approach

### **Background**

The SCAB is known to have the worst ozone air quality in the nation, and 25% of nation-wide unhealthful ozone exposure based on the 1997 8-hour standard occurs in the SCAQMD. Current and projected ozone levels are shown in the following table. The design value for the primary 8-hour standard is 119 ppb. Based on the modeling analysis used in the SCAQMD's 2007 Air Quality Management Plan (AQMP), we estimate the background (without anthropogenic emissions) 8-hour value at 48 ppb. In order to address both PM2.5 and ozone standards, the 2007 AQMP focuses on a NOx control strategy. We calculate that to demonstrate attainment of the proposed standard range would require 88 to 91% reductions in NOx emissions. This preliminary analysis means that we need to essentially transition out of fossil fuel combustion and move toward zero-emission technologies.

### **Attainment Dates**

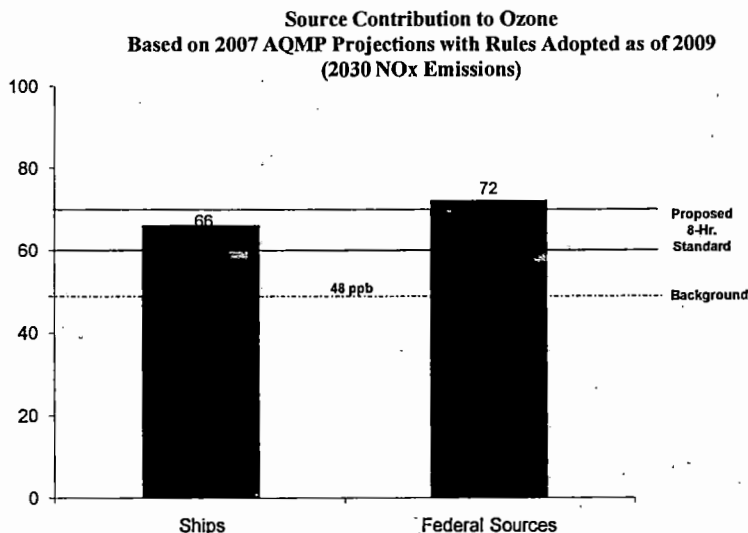
The traditional approach to set the attainment date for ozone based on air quality classification may not be workable for areas such as SCAB when the standard is revised. As currently envisioned, the attainment date allowable for SCAB under the federal Clean Air Act is 2031, which may not provide adequate time for transformative measures (e.g., electrification of goods movement and transportation systems) to be planned and implemented. We request that U.S. EPA address this pending issue.

### **Federal Fair Share Emissions Reductions**

If there is one thing that is absolutely clear, it is that the SCAQMD cannot demonstrate attainment with the proposed ozone standard range without fair share reductions in federal

source emissions. These include emissions reductions from ships, railroads, aircraft, and 49 state heavy-duty trucks. These reductions must be enforceable commitments.

The chart below shows the contribution from various federal NOx source categories to projected ozone 8-hour design values. The estimates provided are based on the 2007 AQMP modeled projections and include all rules adopted as of 2009.



The ozone concentrations are those predicted if the only source of NOx emissions in the basin were the specific source category noted on the x-axis. For example, eliminating all emissions other than for ships would yield an 8-hour design value of 66 ppb. Including all federal sources, which in addition to ships include railroads, aircraft, and 49 state heavy-duty trucks, gives an estimate of 72 ppb – a level that is not in attainment with the proposed standards range. Therefore, even if emissions from all non-federal sources were entirely eliminated, SCAQMD could not attain even the upper end of the proposed standard.

Clearly, a fair share reduction in emissions is required from all sources to demonstrate attainment with the proposed primary standards. As a result, it is necessary to revisit U.S. EPA's current policy of not accepting federal assignment in the SIP.

### **Research, Development and Deployment of Zero Emitting Technologies**

The path to attain the proposed standards is steep and requires the near elimination of precursor emissions from combustion sources in the SCAB. This necessitates substantial support for research, development, and deployment to foster the move toward zero emission technologies, including electrification and renewable energy sources. This would also produce co-benefits regarding greenhouse gas emissions and air toxics. We urge the Administrator to champion the use of federal transportation funds as a source of support for such development and deployment

of zero and near-zero emission technologies.

### **Integrated SIP Planning**

As required by the federal Clean Air Act, current planning and development of SIPs focuses on one air quality standard at a time. This is clearly inefficient, and control plans to meet a particular pollutant have significant impacts on the levels of other pollutants. Controlling NO<sub>x</sub> emissions, for example, has implications for air quality standards pertaining to nitrogen dioxide, ozone, and fine particulates as well as potentially reducing greenhouse gases and toxic air pollutants.

The table below shows the schedule for SIP development in the next five years for current and for proposed standards. As can be seen, such a piecemeal approach also increases uncertainty in the regulated community in that requirements for emissions controls from particular sources may change when moving from one pollutant to the next in the SIP process. This makes it harder for businesses to plan for future requirements related to complying with air quality regulations and may also result in stranded investment in pollution control.

**Estimated SIP Due Dates for Current and Proposed Standards**

<b>Standard</b>	<b>Estimated SIP Due Date</b>	<b>Comment</b>
PM <sub>2.5</sub> 24-Hour Standard	2012	
Proposed Ozone Standard Revision	2013	Based on attainment designations August, 2011
Proposed Sulfur Dioxide 1-Hour Standard	Winter 2014	Based on 2010 standard revision
Potential PM <sub>2.5</sub> Annual Standard Revision	2015	Based on standard revised April, 2011
Nitrogen Dioxide 1-Hour Standard	2017	Based on attainment re-designations January 2016

We strongly encourage the Administrator to adopt a framework where an integration of plans for SIPs can be accomplished.

While the challenges ahead are substantial, the SCAQMD staff stands ready to work with U.S. EPA to develop and to implement new, clean technologies that will be required to achieve healthful air quality in our region.

Sincerely,



Barry R. Wallerstein, D.Env.  
Executive Officer