

CHAPTER 9

CONTINGENCY MEASURES

Introduction

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The federal CAA requires contingency measures to be implemented in the event of failure to meet milestone emission reduction targets (i.e., RFP) and/or failure to attain the standard by the attainment date (i.e., 2014 for PM2.5, 2023 for ozone). In providing inadequate progress in meeting the interim emission reduction goals or failing to meet attainment, the District must take action to bring forward measures that are scheduled for later adoption or implementation, or to implement certain "contingency" control measures. These contingency measures are control options that could be instituted in addition to the AQMP control measures. Both state and federal Clean Air Acts require that district plans include contingency measures.

CONTINGENCY MEASURES

The Final 2007 AQMP contains 4 contingency control measures (Table 9-1). Although implementation of these measures is expected to reduce emissions, there are issues that limit the viability of these measures as AQMP control measures at this time. Issues surrounding these measures include, but are not limited to the availability of District resources to implement and enforce the measure, cost-effectiveness of the measure, potential adverse environmental impacts, potential economic impacts, effectiveness of emission reductions, and availability of methods to quantify emission reductions. A complete discussion of the control measures is included in Appendix IV-A, Section 2; however a summary is provided in this chapter.

**TABLE 9-1
Contingency Control Measures**

AQMP Measure	Title
CTY-01	Offsetting The Potential Emission Increase Due to the Change In Natural Gas Specifications [All Pollutants]
CTY-02	Clean Air Act Emission Fees For Major Stationary Sources [NOx, VOC]
CTY-03	Banning Pre-Tier 3 Off-Road Diesel Engines During High Pollution Days [NOx, PM, VOC]
CTY-04	Accelerated Implementation of CARB’s Mobile Source Control Measures [All Pollutants]

CTY-01 – OFFSETTING THE POTENTIAL EMISSION INCREASE DUE TO THE CHANGE IN NATURAL GAS SPECIFICATIONS [ALL POLLUTANTS]

The proposed control measure proposes to offset any potential emission increases at RECLAIM facilities due to the introduction of natural gas with a Wobbe Index greater than 1360. For further information, refer to Control Measure CMB-04. The emission reductions, costs and cost effectiveness associated with this contingency control measure have not yet been determined.

CTY-02 – CLEAN AIR ACT EMISSION FEES FOR MAJOR STATIONARY SOURCES [NO_x, VOC]

The 1990 federal Clean Air Act requires that the AQMP include all control measures, means or techniques, including economic incentives such as fees, as may be necessary to reach attainment. Further, the Act requires that all stationary sources of VOC or NO_x emissions (greater than 10 tons per year) in an extreme nonattainment area that has failed to attain the ambient air quality standard for ozone pay a fee as a penalty for such failure (Title I, Section 185). This control measure proposes that if the federal ambient air standards are not met by the year 2024, the District shall impose an emissions fee of \$5,000 per ton of any pollutant emitted by each major source in excess of 80 percent of the sources baseline emissions. The fee rate will be adjusted annually to reflect increases in the consumer price index. The fee shall be paid for each calendar year after the year 2024 and until the area is redesignated as an ozone attainment area. This fee will be in addition to the annual emission fee required by District Rule 301.

CTY-03 – BANNING PRE-TIER 3 OFF-ROAD DIESEL ENGINES DURING HIGH POLLUTANT DAYS [NO_x, PM, VOC]

CARB is currently proposing to establish declining fleet average emission levels for off-road equipment over 25 horsepower (Control Measure ARB-OFRD-04) and CARB staff is currently in the process of developing a statewide regulation to implement this measure. The District is also proposing a complementary strategy for this source category to achieve additional reductions (Control Measure SC-OFFRD-01). CARB control measure can be augmented to include replacement of all Tier 0 through Tier 2 off-road engines with Tier 3 or Tier 4 engines. This measure specifically proposes to ban the use of pre-Tier 3 off-road diesel engines after 2023 during high pollution days should the Basin fail to meet the 8-hour ozone standard.

CTY-04 – ACCELERATED IMPLEMENTATION OF CARB’S MOBILE SOURCE CONTROL MEASURES

This contingency control measure proposes to accelerate the adoption and implementation dates of the mobile source control measures by one year. Upon determining that an RFP milestone target has not been reached, or the air basin fails to demonstrate attainment with the PM2.5 standard by 2015 or the ozone standard by 2024, the District will request that CARB proceed with accelerating the adoption and/or implementation of the remaining control measures by one year for those measures that have not yet been adopted or fully implemented, to the extent feasible.