

BOARD MEETING DATE: June 5, 2015

AGENDA NO. 10

PROPOSAL: Withdrawal of South Coast Air Basin Transportation Conformity SIP Submittals

SYNOPSIS: This action is to request that CARB withdraw an outdated Transportation Conformity SIP Submittal and its associated Consultation MOU from the California SIP. The Transportation Conformity SIP and associated Consultation MOU in question are incorporated in Rule 1902, which was last amended by Board actions on August 14, 1998. U.S. EPA Region IX notified CARB and the SCAQMD that the outdated Transportation Conformity SIP submittal is no longer approvable. After discussions with staff from CARB and U.S. EPA, the SCAQMD staff concurs with the proposed approach to withdraw the outdated Transportation Conformity SIP submittal and its associated interagency Consultation MOU from the California SIP.

COMMITTEE: Mobile Source, May 15, 2015; Recommended for Approval

RECOMMENDED ACTION:

Direct staff to request CARB to withdraw the Transportation Conformity SIP submittals and the associated Consultation MOU as included in Rule 1902, which were last amended by Board actions on August 14, 1998.

Barry R. Wallerstein, D.Env.
Executive Officer

PF:JC

Background

The U.S. Environmental Protection Agency (U.S. EPA) Administrator has directed U.S. EPA staff to eliminate the backlog of State Implementation Plan (SIP) submittals which have not been acted on to date and for technical reasons are not approvable in their submittal form. To this end, following discussions with U.S. EPA Region IX and California Air Resources Board (CARB) staff, the preferred option is to have CARB withdraw the outdated Transportation Conformity SIP from the California SIP since it is currently outdated and is not approvable as it does not address current air pollution standards.

The South Coast Air Quality Management District (SCAQMD) Board first approved the Transportation Conformity Rule 1902 on September 9, 1994 as a component of Regulation XIX, Federal Conformity Regulations. Rule 1902 was amended on May 10, 1996. The rule and associated Consultation MOU were last amended by the Board on August 14, 1998. Upon amendment, the Board, as with the previous adoption and amendment actions, directed staff to forward Rule 1902 and the Consultation MOU to CARB for inclusion in the California Transportation Conformity SIP to be submitted to U.S. EPA.

U.S. EPA's transportation conformity rules have undergone significant revisions over the past years and transportation conformity SIPs that were adopted in the 1990's do not conform to current requirements. Most notably, Rule 1902 language was drafted prior to establishment of the state and federal PM2.5 standards. Rule 1902 addresses transportation-related emissions contributing to PM10 non-attainment but does not address PM2.5. Furthermore, the South Coast Air Basin has since been designated attainment for PM10.

As a consequence, if the U.S. EPA acts on the SIP submittals, the most likely outcome would be disapproval. After discussions with staff from CARB and U.S. EPA, SCAQMD staff concurs with the proposed approach to withdraw from the California SIP the outdated Transportation Conformity SIP submittals and associated interagency Consultation MOU listed below. Staff proposes to initiate the process to adopt amendments to update Rule 1902. Until updated Rule 1902 is amended by the Board and approved into the SIP, the region will use the federal conformity regulation.

Proposal

Staff is proposing that the Board authorize the SCAQMD staff to request that CARB withdraw the Transportation Conformity Plan submittals and Consultation MOU from the California State Implementation Plan. The aforementioned submittals are listed in the following table.

| Item | Adopted | Submitted | Comment |
|------------------|---------------------|------------------|---|
| Rule 1902 | 9/9/1994 | 11/30/94 | |
| | 5/10/1996 (amended) | 10/18/1996 | Replaces 9/9/1994 version |
| | 8/14/1998 (amended) | 12/3/1998 | Replaces 5/10/1996 version |
| Consultation MOU | May 10, 1996 | 10/18/1996 | MOU dated 6/1/1995. Replaces section (f) of Rule 1902 with approved MOU to implement interagency consultation |
| | 8/14/1998 (amended) | 12/3/1998 | |

Resource Impacts

Existing staff resources are adequate to implement the proposed action.