

# FINAL 2015 OZONE NAAQS IMPLEMENTATION RULE

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# Background

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- **December 28, 2015** – EPA revised Ozone NAAQS from 75 ppb to 70 ppb
- **August 3, 2018** – EPA designated Washington DC-MD-VA region as marginal nonattainment area
- **December 6, 2018** – EPA published 2015 ozone NAAQS implementation rule (also called “SIP Requirements Rule”), rule effective February 4, 2019
- **Purposes of Rule**
  - Provides final rules and guidelines for planning to meet 2015 ozone NAAQS
  - Does not revoke the 2008 ozone NAAQS and establish anti-backsliding requirements, which EPA will take up in a separate rulemaking



# Marginal Nonattainment Area Requirements

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- **Washington, DC-MD-VA 2015 Ozone NAAQS Marginal Nonattainment Area Requirements**
  - A comprehensive emissions inventory for Base Year
  - Transportation conformity demonstration (using MVEBs found adequate by EPA from 2008 ozone NAAQS maintenance plan)
  - Periodic emission inventory updates (NEI)
  - Major source emission statements
  - RACT determination (Required for OTR states irrespective of NA class)
  - New Source Review (NSR) program

# Deadlines & Extensions

- Attainment date: August 3, 2021 (3 years from the effective date of designation)
  - Attainment evaluation based on 2018-2020 design value
  - Clean Air Act section 181(a)(5) allows up to two 1-year extensions of attainment dates. Criteria for extension are:
    - First extension: If the 4<sup>th</sup> highest daily max 8-hour avg ozone concentration is  $\leq 70$  ppb in attainment year (2020),
    - Second extension: If the area's 4<sup>th</sup> highest daily max 8-hour avg ozone concentration, averaged over both the original attainment year (2020) and the first extension year (2021), is  $\leq 70$  ppb. For the second 1-year extension, the area's 4<sup>th</sup> highest daily max 8-hour avg for each year (the attainment year and the first extension year) must be determined using the monitor which, for that year, has the 4<sup>th</sup> highest daily max 8-hour avg of all the monitors that represent that area (i.e., the area's 4<sup>th</sup> highest daily max 8-hour avg for each year could be derived from a different monitor),
    - Region has met all applicable SIP requirements and commitments
  - Failure to attain will lead to redesignation (bump-up) to Moderate nonattainment area in 2021 unless states request an extension of the attainment date.
- Base Year emission inventory, emission statement, and RACT SIP submissions: August 3, 2020 (2 years from effective date of designation)

# US Background Ozone

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- No adoption of requirements regarding US Background Ozone in this rulemaking
- No revision of Exceptional Events Rule and Guidance in this rulemaking
- Revisions to the Exceptional Events Rule to facilitate review and approval of exceptional events that contribute to USB, such as stratospheric ozone intrusions and wildfires (81 FR 68216; October 3, 2016)
- Guidance on the preparation of exceptional events demonstrations for wildfire events that may influence ozone concentrations (September 16, 2016)
- Guidance on the preparation of exceptional events demonstrations for stratospheric ozone intrusions (November 8, 2018)

# Multi-pollutant Planning

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- Energy Efficiency & Renewable Energy (EERE) programs can be included in attainment and Reasonable Further progress (RFP) demonstrations
- States already implementing cost-effective EE/RE requirements that reduce power generation related emissions for NO<sub>x</sub>, PM<sub>2.5</sub>, and SO<sub>2</sub> and hazardous air pollutants
- EPA published documents to help states account for emissions reductions achieved through EE/RE programs in SIPs
  - Roadmap for Incorporating EE/RE Programs and Policies in NAAQS SIPs/TIPs available at: [https://www.epa.gov/sites/production/files/2016-05/documents/eeremanual\\_0.pdf](https://www.epa.gov/sites/production/files/2016-05/documents/eeremanual_0.pdf), released August 2012
  - AVOIDed Emissions geneRATION Tool (AVERT), a tool for quantifying NO<sub>x</sub>, SO<sub>2</sub> and CO<sub>2</sub> avoided emissions (released February 2014)



# Multi-pollutant Planning

- EPA Guidance Document: Roadmap for Incorporating EE/RE Programs and Policies in NAAQS SIPs/TIPs (released August 2012) – provides four pathways EE/RE policies and programs could be included in a SIP
  - Baseline emissions projection
  - Control strategy
  - Emerging/voluntary measures
  - Weight of evidence determination
- Each pathway is appropriate in certain circumstances (existing vs. new EE/RE, control vs. voluntary measures etc.)
- Roadmap can help decision-makers consider their options as they decide which pathway(s) to pursue for incorporating EE/RE policies and programs into SIP/TIP demonstrations
- Roadmap’s Appendix I also presents several methods available for quantifying the avoided NO<sub>x</sub> emissions from fossil fuel generation as a result of electricity savings from EE/RE policy/program implementation (released July 2012)
- EPA’s tool, AVERT, can help in quantifying emissions reductions resulting from EE/RE policies and programs (released February 2014)

# Land Use Planning

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- Foster more efficient urban and regional development patterns as a long-term air pollution control measure
  - Resources: U.S. Department of Housing and Development-DOT-EPA Partnership for Sustainable Communities
  - Policy and technical guidance documents on land use and related travel efficiency – EPA’s OTAQ web-site



# Travel Efficiency

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- Travel efficiency strategies can be incorporated into SIP
  - New or expanded mass transit options
  - Commuter strategies
  - System operations (e.g., ramp metering)
  - Pricing (e.g., parking fees, congestion pricing, roadway tolls)
  - Real-time travel information
  - Multimodal freight strategies
- EPA Documents: Provide info- on analysis methods and potential effectiveness of different combinations of travel efficiency measures for reducing emissions
- EPA Report : Transportation control measures for reducing criteria pollutant emissions
- EPA documents: OTAQ web-site