

9.0 MODERATE AREA PLAN COMMITMENTS

Achieving the results shown in this Plan requires a commitment to implement the regulatory measures upon which the plan is based. The locally adopted measures included in the analysis are those included in Table A. Chapter 6 provides documentation of the reductions achieved by those measures. The States and the District are also taking action to implement regional measures to reduce ozone transport. Tables 9-1, 9-2, 9-3 and 9-4 provide information on the implementation of each measure by Maryland, Virginia and the District of Columbia.

Commitments for regulations required by the CAAA Section 182 (b) for moderate nonattainment areas are shown in Tables 9-5, 9-6, and 9-7.

9.1 Schedules of Adopted Control Measures

Table 9-1
District of Columbia Schedule of Adopted Control Measures
Washington Nonattainment Area

No.	Control Measure	Regulation Number	Effective Date
	<i>Federally Mandated Measures</i>		
7.2.1	High Tech Inspections & Maintenance	18 DCMR** Chapters 4, 6, 7, 10, 11; 26 DCMR Chapter 26	4/30/99
7.2.2	State II Vapor Recovery Nozzle	20 DCMR Sec. 705	2/1/85
7.2.3	Federal Tier I Vehicle Standards and new Car Evaporative Standards	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
7.2.4	Tier 2 Motor Vehicle Emission Standards	65 FR 6698	2/10/2000
7.2.5	Non-CTG RACT	20 DCMR Sec 715	10/2/98
7.2.6	Phase II Gasoline Volatility Controls	N/A	N/A
7.2.7	EPA Non-Road Gasoline Engines Rule	40 CFR parts 90 and 91	12/3/96
7.2.8	EPA Non-Road Diesel Engines Rule	40 CFR Part 9 et al.	Model Year 2000-2008 depending on engine size
7.2.9	State NOx RACT Requirements	20 DCMR Sec. 805	11/19/93

No.	Control Measure	Regulation Number	Effective Date
7.2.10	EPA Nonroad Spark Ignition Marine Engine Rule	40 CFR Parts 89, 90, 91	1998 Model Year
7.2.11	EPA Large Spark Ignition Engines Rule	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002
	<i>Federal Programs</i>		
7.3.1	Reformulated Surface Coatings	63 FR 48849 64 FR 34997 65 FR 7736	9/11/98 6/30/99 2/16/00
7.3.2	Reformulated Consumer Products	63 FR 48848	9/11/98
7.3.3	National Low Emissions Vehicle Program	20 DCMR, Sec 915	1/20/2000
7.3.4	Reformulated Industrial Cleaning Solvents	20 DCMR Sec 708	10/2/98
7.3.5	Emissions Controls for Locomotives	63 FR 18998	6/15/98
7.3.6	Heavy-Duty Diesel Engine Rule	62 FR 54694	12/22/97
	<i>State and Local Measures</i>		
7.4.1	Reformulated Gasoline (on-road)	Federal - local opt-in	1/1/95
7.4.2	Reformulated Gasoline (off-road)	Federal - local opt-in	1/1/95
7.4.3	Surface Cleaning/Degreasing for Machinery/Automobile Repair	20 DCMR Sec. 708.9-708.12	5/1/99
7.4.4	Landfill Regulations	N/A	N/A
7.4.5	Seasonal Open Burning Restrictions	20 DCMR Sec. 604	2/1/85
7.4.6	Stage I Expansion	N/A	N/A
7.4.7	Expanded Point Source Regulations to 25 tpy	N/A	N/A
7.4.8	Graphic Arts Controls	20 DCMR Sec. 716	5/1/99
7.4.9	Auto and Light Duty Truck Coating Operations	[Adopting Federal Regulation]	

No.	Control Measure	Regulation Number	Effective Date
7.4.10	Mobile Equipment Repair and Refinishing Rule	20 DCMR Sec. 718	2/04
7.4.11	Portable Fuel Containers Rule: Phase I	20 DCMR Sec. 720	2/04
7.4.12	Architectural and Industrial Maintenance Coatings Rule	20 DCMR Sec. 722	2/04
7.4.13	Reformulated Consumer Products Rule: Phase I	20 DCMR Sec. 719	2/04
7.4.14	Solvent Cleaning Operations Rule	20 DCMR Sec. 721	2/04
7.4.xx	Industrial Adhesives and Sealants Rule	[data]	[date]
7.4.xx	Portable Fuel Containers Rule: Phase II	[data]	[date]
7.4.xx	Reformulated Consumer Products Rule: Phase II	[data]	[date]
	<i>Regional Control Measures</i>		
7.2.9	Regional Transport NOx Reductions	20 DCMR Ch. 10	1/20/2000

* This information was obtained from the District Department of the Environment.

**District of Columbia Municipal Regulations.

*** [For measures not yet adopted, an anticipated schedule for adoption is provided.]

Table 9-2
Maryland Schedule of Adopted Control Measures
Washington Nonattainment Area

No.	Control Measure	Regulation Number	Effective Date
	<i>Federally Mandated Measures</i>		
7.2.1	High Tech Inspections & Maintenance	11.14.08	1/2/95
7.2.2	State II Vapor Recovery Nozzle	26.11.24	2/15/93
7.2.3	Federal Tier I Vehicle Standards and new Car Evaporative Standards	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
7.2.4	Tier 2 Motor Vehicle Emission Standards	65 FR 6698	2/10/2000
7.2.5	Non-CTG RACT	See Table 9-3	-
7.2.6	Phase II Gasoline Volatility Controls	03.03.03.05	10/26/92
7.2.7	EPA Non-Road Gasoline Engines Rule	40 CFR parts 90 and 91	12/3/96
7.2.8	EPA Non-Road Diesel Engines Rule	40 CFR Part 9 et al.	Model Year 2000-2008 depending on engine size
7.2.9	State NOx RACT Requirements	26.11.29.08	5/10/93
7.2.10	EPA Nonroad Spark Ignition Marine Engine Rule	40 CFR Parts 89, 90, 91	1998 Model Year
7.2.11	EPA Large Spark Ignition Engines Rule	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002
	<i>Federal Programs</i>		
7.3.1	Reformulated Surface Coatings	63 FR 48849 64 FR 34997 65 FR 7736	9/11/98 6/30/99 2/16/00
7.3.2	National Volatile Organic Compound Emission Standards for Consumer Products	63 FR 48819	9/11/98
7.3.3	National Low Emissions Vehicle Program	26.11.20.04	3/22/99
7.3.4	Reformulated Industrial Cleaning Solvents	[Proposed]	[Not determined, Schedule Proposed]
7.3.5	Emissions Controls for Locomotives	63 FR 18998	6/15/98

No.	Control Measure	Regulation Number	Effective Date
7.3.6	Heavy-Duty Diesel Engine Rule	63 FR 54694	12/22/97
	<i>State and Local Measures</i>		
7.4.1	Reformulated Gasoline (on-road)	Federal - local opt-in	1/1/95
7.4.2	Reformulated Gasoline (off-road)	Federal - local opt-in	1/1/95
7.4.3	Surface Cleaning/Degreasing for Machinery/Automobile Repair	26.11.19.09	6/5/95
7.4.4	Landfill Regulations	26.11.19.20	3/9/98
7.4.5	Seasonal Open Burning Restrictions	26.11.07	5/22/95
7.4.6	Stage I Expansion	26.11.13.04C	4/26/93
7.4.7	Expanded Point Source Regulations to 25 tpy	26.11.19.01B(4)	5/8/95
7.4.8	Graphic Arts Controls	26.11.19.11 & .18	6/5/95 & 11/7/94
7.4.9	Auto and Light Duty Truck Coating Operations	26.11.19.23	5/22/95
7.4.10	Control of VOC Emissions from Vehicle Refinishing	26.11.19.23	5/22/95
7.4.11	Portable Fuel Containers Rule: Phase I	26.11.13.07	1/21/02
7.4.12	Architectural and Industrial Maintenance Coatings Rule	26.11.33	3/29/04
7.4.13	Reformulated Consumer Products Rule: Phase I	26.11.32	8/18/03
7.4.14	Control of VOC Emissions from Cold and Vapor Degreasing	26.11.19.09	6/5/1995
7.4.xx	Industrial Adhesives and Sealants Rule**	[data]	[date]
7.4.xx	Portable Fuel Containers Rule: Phase II**	[data]	[date]
7.4.xx	Reformulated Consumer Products Rule: Phase II**	[data]	[date]
	<i>Regional Control Measures</i>		
7.2.9	NOx Phase II Controls	26.11.27 & .28 26.11.29 & 30	10/18/99

*This information was obtained from the Maryland Department of the Environment.

** [For measures not yet adopted, an anticipated schedule for adoption is provided.]

Table 9-3
Maryland Non-CTG RACT
Washington Nonattainment Area

Overall requirement in COMAR 26.11.19.02G effective 4-26-93 (20: Md. R 726)

The following case-by-case RACT regulations have been adopted to ensure consistency.

RACT Regulation	Regulation Number	Effective Date	MD Register
Definition of Gasoline to include JP-4	26.11.13.01	8-11-97	24:16 Md R. 1161
Plastic Parts Coating	26.11.19.07E	6-5-95	22:11 Md R 823
Printing on Plastic	26.11.19.07F	9-8-97	24:18 Md R 1298
Aerospace Coating Operations	26.11.19.13-1	9-22-97	24:19 Md R 1344
Yeast Manufacturing	26.11.19.17	11-7-94	21:22 Md R 1879
Expandable Polystyrene Operations	26.11.19.19	7-3-95	22:13 Md R 970
Commercial Bakery Ovens	26.11.19.21	7-3-95	22:13 Md R 970
Vinegar Generators	26.11.19.22	8-11-97	24:16 Md R 1161
Leather Coating	26.11.19.24	8-11-97	24:16 Md R 1161
Explosives and Propellant Manufacturing	26.11.19.25	8-11-97	24:16 Md R 1161
Reinforced Plastic Manufacturing	26.11.19.26	8-11-97	24:16 Md R 1162
Marine Vessel Coating Operations	26.11.19.27	10-20-97	24:21 Md R 1453

**Table 9-4
Virginia Schedule of Adopted Control Measures
Washington Nonattainment Area**

No.	Control Measure	Regulation Number	Effective Date
	<i>Federally Mandated Measures</i>		
7.2.1	High Tech Inspection & Maintenance	9 VAC 5 Chapter 91	4/2/97
7.2.2	Stage II Vapor Recovery Nozzle	9 VAC 5-40-5220	1/1/93
7.2.3	Federal Tier I Vehicle Standards and new Car Evaporative Standards	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
7.2.4	Tier 2 Motor Vehicle Emission Standards	65 FR 6698	2/10/2000
7.2.5	Non-CTG RACT - VOC	9 VAC 5-40-5220	1/1/93
7.2.6	Phase II Gasoline Volatility Controls	2 VAC 5 420-10	7/28/93
7.2.7	EPA Non-Road Gasoline Engines Rule	40 CFR parts 90 and 91	12/3/96
7.2.8	EPA Non-Road Diesel Engines Rule	40 CFR part 9 et al.	Model Year 2000-2008 depending on engine size
7.2.9	State NOx RACT Requirements	9 VAC 5-40-310; 9 VAC 5-40-311	1/1/93
7.2.10	EPA Nonroad Spark Ignition Marine Engine Rule	40 CFR Parts 89, 90, 91	1998 Model Year
7.2.11	EPA Large Spark Ignition Engines Rule	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002
	<i>Federal Programs</i>		
7.3.1	Reformulated Surface Coatings	63 FR 48849 64 FR 34997 65 FR 7736	9/11/98 6/30/99 2/16/00
7.3.2	Reformulated Consumer Products	62 FR 44672 (CTG)	[Per regulatory calendar]
7.3.3	National Low Emissions Vehicle Program	9 VAC 5-200	4/14/99
7.3.4	Reformulated Industrial Cleaning	[data]	[Per regulatory

No.	Control Measure	Regulation Number	Effective Date
	Solvents		calendar]
7.3.5	Emissions Controls for Locomotives	63 FR 18998	6/15/98
7.3.6	Heavy-Duty Diesel Engine Rule	63 FR 54694	12/22/97
	<i>State and Local Programs</i>		
7.4.1	Reformulated Gasoline (on-road)	Federal - local opt-in	1/1/95
7.4.2	Reformulated Gasoline (off-road)	Federal - local opt-in	1/1/95
7.4.3	Surface Cleaning/Degreasing for Machinery/Automobile Repair	9 VAC 5-40-3260 et. seq.	4/1/96
7.4.4	Landfill Regulations	9 VAC 5-40-5800 et. seq.	4/1/96
7.4.5	Seasonal Open Burning Restrictions	9 VAC 5-40-5630	4/1/96
7.4.6	Stage I Expansion	9 VAC 5-40- 5200	1/1/99
7.4.7	Expanded Point Source Regulations to 25 tpy - VOC	9 VAC 5-40-300	4/1/96
7.4.8	Graphic Arts Controls	9 VAC 5-40-7800 et. seq.	4/1/96
7.4.9	Auto and Light Duty Truck Coating Operations	9 VAC 5 40-3860 et. seq.	7/1/91
7.4.10	Mobile Equipment Repair and Refinishing Rule	9 VAC 5-40-6970 et. seq.	3/24/04
7.4.11	Portable Fuel Containers Rule: Phase I	9 VAC 5-40-5700 et. seq.	3/24/04
7.4.12	Architectural and Industrial Maintenance Coatings Rule	9 VAC 5-40-7120 et. seq.	3/24/04
7.4.13	Reformulated Consumer Products Rule: Phase I	9 VAC 5-40-7240 et. seq.	3/9/05
7.4.14	Solvent Cleaning Operations Rule	9 VAC 5-40-6820 et. seq.	3/24/04
7.4.xx	Industrial Adhesives and Sealants Rule**	In progress	5/1/2009
7.4.xx	Portable Fuel Containers Rule: Phase II**	In progress	5/1/2009
7.4.xx	Reformulated Consumer Products Rule: Phase II**	In progress	5/1/2009
	<i>Regional Control Measures</i>		
7.2.9	Regional Transport NOx Reduction Controls	By permit or compliance agreement	6/25/98

*This information was obtained from the Virginia Department of Environmental Quality.

** [For measures not yet adopted, an anticipated schedule for adoption is provided.]

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9.2 Stationary Source Threshold Revisions

[Virginia DEQ recommends deleting this section, it duplicates 9.4]

The Clean Air Act Amendments, Section 182 (d) required the states in severe nonattainment areas to adopt lower permit thresholds for point sources from 50 tons per year to 25 tons per year. Maryland, Virginia and the District of Columbia adopted these measures, listed in Table 9-5, on the schedule shown.

Under the moderate designation for the 8-hour ozone standard, the permit threshold is 50 tons per year VOC and 100 tons per year NOx. Virginia will adopt the thresholds corresponding to the moderate designation. Maryland and the District are committed to maintaining the permit threshold at 25 tons per year [for both VOC and NOx?].

Table 9-5
Schedule of Stationary Source Revisions
Washington Nonattainment Area

No.	State	Control Measure	Regulation Number	Effective Date
7.2.9	Maryland	Control of NOx Emissions for Major Stationary Sources	COMAR 09.08	Adoption: 10/03
7.2.5 and 7.2.9	Virginia	Emissions Standards for General Process Operations	9 VAC 5-40-240 of Part II of 9 VAC 5 Ch.40, specifically 9 VAC 5-40-300 (VOCs), 9 VAC 5-40-310 (NOx)	Adopted: 4/7/03 Effective: 6/4/03
7.2.5 and 7.2.9	District of Columbia	Major Source Thresholds	20 DCMR Sections 715.2,715.3,715.4 (VOC RACT)	8/29/03

10.3 New RACT Rules Applicability

When the Washington, DC region was designated as severe nonattainment for ozone, Virginia, Maryland and the District adopted additional reasonably available control technology (RACT) rules for sources subject to the lower major source applicability size threshold of 25 tpy. The requirements for VOCs have been in the regulations for some time due to earlier regulatory actions. The RACT threshold will remain at 25 tpy for Virginia, Maryland and the District. The states are also recertifying RACT for facilities that have the potential to emit more than 50 tpy VOC or 100 tpy NO_x.

**Table 9-6
New RACT Rules Applicability
Washington Nonattainment Area**

No.	State	Control Measure	Regulation Number	Date
7.2.9	Virginia	Non-CTG RACT	9 VAC 5-40-240 of Part II of 9 VAC 5 Ch.40, specifically 9 VAC 5-40-300 (VOCs), 9 VAC 5-40-310 (NO _x)	Adopted: 4/7/03 Effective: 6/4/03
7.2.9	Maryland	Control of NO _x Emissions	COMAR 9.08	10/03
7.2.9	District of Columbia	Major Source Thresholds	20 DCMR sections 805.1,805.6,805.7 (NO _x RACT)	8/29/03

10.4 Revision of New Source Review (NSR) Regulations

When designated as severe nonattainment of the ozone standard, the states were required to lower the thresholds for defining “Major” sources to require controls for facilities with the potential to emit more than 25 tons per year (from 50 tons per year) and to revise New Source Review (NSR) regulations to apply the 1.3:1 offset requirement to major stationary sources of VOC and NO_x.

The Washington, DC region is designated as moderate nonattainment for the 8-hour ozone standard. Under the current moderate designation, the NSR thresholds are 50 tpy VOC and 100 tpy NO_x.

The New Source Review permit regulations in Virginia are structured so that the pertinent requirements such as major source threshold and offset ratio are self-implementing depending upon changes to the nonattainment area classification. The NSR threshold will remain at 25 tpy for both VOC and NO_x for Maryland and the District.

Table 9-7
Schedule for Revision of NSR Regulations
Washington Nonattainment Area

State	Control Measure	Regulation Number	Effective Date
Maryland	Requirements for Major New Sources and Modifications: Definitions and General Conditions	COMAR 17.01 and COMAR 17. 03	Adoption: 10/03
Virginia	Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas	9 VAC 5-80-2000 of Part II of 9 VAC 5 Chapter 80	Adopted: 6/31/81 Effective: 12/1/04
Virginia	Nonattainment Areas (NSR permit regulations)	9 VAC 5-20-204	Effective: 5/4/2005
District of Columbia	Nonattainment Areas (NSR Permit Regulations)	20 DCMR sections 715.2,715.3,715.4,805.1,805.6,805.7,20 DCMR section 204.4	8/29/03