

Draft Questions for EPA related to the Planned Redesignation Request & Maintenance Plan for the Washington DC-MD-VA 2015 Ozone NAAQS Nonattainment Area

Based on EPA's published data for the period 2021 through 2023, the ozone design value for the Washington, DC-MD-VA 2015 ozone NAAQS nonattainment area is 0.071 ppm. However, EPA indicated that they intend to grant an Exceptional Events Waiver to the District for the McMillan monitor's ozone data for June 29, 2023, in a letter (dt. July 17, 2024). This action brings down the design value for the above period to 0.070 ppm and the region attains the 2015 ozone NAAQS.

As the region has attained the above NAAQS, the Washington region is currently planning to submit a Redesignation Request & Maintenance Plan. In this respect, we have a few questions related to the requirements for redesignation of the area to attainment and related milestone year and emissions inventories for which we need your response.

Questions related to Redesignation Requirements

Following are the questions along with the related parts of the Clean Air Act Section 107 (d) (3) (E), which outlines various requirements for redesignation of a nonattainment area to attainment.

"The Administrator may not promulgate a redesignation of a nonattainment area (or portion thereof) to attainment unless –

- (i) the Administrator has fully approved the applicable implementation plan for the area under section 110(k);

Question – Does the submittal of the Washington region's Redesignation Request & Maintenance Plan for the 2008 ozone NAAQS in 2018 and the subsequent approval by EPA (May 15, 2019 – MD & VA; August 15, 2019 - DC) satisfy this requirement or do the following requirements also need to be submitted and approved by EPA first before the redesignation request can be submitted?

(Please note that the District, Maryland, and Virginia submitted, and EPA approved the base year 2017 emissions inventory (approved in 2022) and emission statement (approved in 1994/95) as part of the 2015 ozone NAAQS implementation.)

District

*Infrastructure SIP requirements - Section 110 (a)(2)D(i)-II Prong 3: Interstate Transport PSD
Maintenance Plan requirements – Moderate Nonattainment NSR rule, Emission Statement
Regulations (182(a)(3)(B)), RACT*

OTR requirements - RACT

Maryland

*Maintenance Plan requirements – Moderate Nonattainment NSR rule, Emission Statement
Regulations (182(a)(3)(B)), RACT, I/M Basic, Emission Inventories 182(a)(1) (submitted in
2020, not on SIP status website)*

OTR requirements - RACT

Virginia

Maintenance Plan requirements – I/M Basic, Moderate Nonattainment NSR rule, RACT Infrastructure SIP requirements - Section 110 (a)(2)D(i)-I Prong 1: Interstate Transport Significant Contribution, Section 110 (a)(2)D(i)-I Prong 2: Interstate Transport Interfere with Maintenance

OTR requirements - RACT

Note to MWACQ-TAC: The above submittals are required for the 2015 ozone NAAQS. Requirements related to the attainment plan were due in January 2023 following the reclassification to moderate nonattainment area.

Questions related to Milestone Years & Emissions Inventories

- (i) Base Year – The base year for the 2015 ozone NAAQS is 2017. A comprehensive emissions inventory submitted to EPA for the base year 2017 was approved in 2022.

Question – Would we need to update the onroad and nonroad portions of the 2017 BY inventory using the MOVES4 (or the latest model available at the time of the development of those inventories) or do those emissions inventories developed and submitted using the MOVES2014b model (EPA approved model at that time) meet the requirements for the 2017 BY emission inventories for the proposed Redesignation Request & Maintenance Plan for the 2015 ozone NAAQS?

- (ii) Attainment Year – The EPA memorandum titled “Procedures for Processing Requests to Redesignate Areas to Attainment,” by John Calcagni, Director, Air Quality Management Division, September 4, 1992 provides the guidance for the selection of the attainment year. Section 5a (Attainment Inventory), pages 8-9 of this memorandum says that the attainment year emission inventory should include the emissions during the period associated with the monitoring data showing attainment. It also says that “For ozone nonattainment areas the inventory should be based on actual typical summer day emissions of ozone precursors (volatile organic compounds and nitrogen oxides) during the attainment year. This will generally correspond to one of the periodic inventories required for nonattainment areas to reconcile milestones.”

Question – The Washington area is considering using the year 2022 as an attainment year for the proposed redesignation request and maintenance plan. It seems to meet the first requirement outlined in the above memorandum. It is in the middle of the three-year period (2021-2023) of the air quality data, which shows attainment. However, it is not a periodic emissions inventory year. The more recent periodic inventory was submitted for 2020, which does not seem to be a typical inventory given the pandemic induced emissions decline. The next periodic inventory year is 2023, but that won't be published until March 2026. EPA is currently in the advanced stage in the development of the 2022 modeling inventory. Therefore, using 2022 as the attainment year inventory seems most appropriate. Are you OK with 2022 being used as an attainment year?

- (iii) Interim & Maintenance Year – The maintenance of the attainment status in the future needs to be demonstrated by showing that future emissions of ozone precursors will not exceed the level of the attainment inventory over the 10-year period following EPA’s approval of the redesignation request. For his purpose, a future maintenance year and an interim year (between attainment year and maintenance year) needs to be identified.

Question – Is 2032 acceptable as the interim year and 2038 as the maintenance year? There are several reasons why the area prefers to use 2032 and 2038 as the interim and the maintenance year respectively. First, the CAA requires that the maintenance be demonstrated over the 10-year period following EPA’s approval of the Redesignation Request & Maintenance Plan and EPA has 18 months to decide on the plan since its submission. Therefore, the maintenance year must be at least 12 years apart from the year of the expected submission. For this reason, 2038 seems a good choice for the maintenance year as it is about 12 years apart from the expected late 2026 timeframe of the submission. Second, the year 2032 lies close to the middle of 2022 and 2038. Third, 2032 and 2038 are part of the 2022 emissions modeling platform. Therefore, parts of the inventories required for those two years will be available from EPA and this will help the region develop the plan relatively quickly.

Question related to Emission Reduction Credits for retired power plants

Morgantown, Chalk Point and Dickerson power plants shut down and are considering applying for Emission Reduction Credits (ERCs). How are ERCs accounted for in the Redesignation Request & Maintenance Plan emissions inventory? Are they added in as line items there?

Please let us know any additional information we should consider as we develop the Redesignation Request & Maintenance Plan.