

## MWAQC-TAC Item #4 (Brief Updates)

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February 12, 2013

### a. Public Comment/Hearing Schedule - PM<sub>2.5</sub> Redesignation Request & Maintenance Plan

#### District of Columbia

Public Hearing Date: February 20, 2013, 5:30 pm

Location: DDOE (5th floor, Room 555), 1200 First Street NE, Washington, DC 20002

Public Notice Web-site: <http://ddoe.dc.gov/node/411182>

#### Maryland

Public Hearing Date: February 19, 2013, 10 am

Location: Montgomery County Park and Planning Headquarters (8787 Georgia Ave, Silver Spring, Maryland 20910, Room location: 1st Floor Auditorium)

Public Notice Web-site:

<http://www.mde.state.md.us/aboutmde/AboutMDEHome/Pages/aboutmde/reqcomments.aspx>

#### District of Columbia

Public Hearing Date: February 25, 2013, 7 pm

Location: Fairfax County Government Center (12000 Government Center Parkway, Fairfax, Virginia 22035)

Public Notice Web-site:

<http://www.deq.state.va.us/Portals/0/DEQ/Air/PublicNotices/Drafts/notpro.pdf>

#### MWCOG

Public Comment Web-site: <http://www.mwcog.org/environment/air/public/default.asp>

### b. RICE rule changes finalized

EPA previously proposed changes to the National Emission Standards for Hazardous Air Pollutants for the Reciprocating Internal Combustion Engines (RICE). This proposal allowed an increase in the number of hours the generators can be used for the Emergency Demand Response (EDR) during emergencies. In addition, peak shaving was also allowed for the existing RICE at area sources through April 16, 2017. While EPA allowed the EDR engines to use all 100 hours of operation allowed as originally proposed, it also introduced some new requirements to alleviate the resulting increase in emissions from these engines on January 14.

In 2015, emergency engines will be required to use cleaner fuel -- ultra low sulfur diesel (ULSD) -- if they operate, or commit to operate, for more than 15 hours annually as part of the emergency demand response. Switching to cleaner fuel will reduce emissions of HAP, particulate matter and sulfur dioxide.

Starting in 2015, entities with 100 horsepower (hp) or larger engines that operate, or commit to operate, for more than 15 hours and up to 100 hours per year for emergency demand response will need to collect and submit an annual report including location, dates and times of operation.

Emergency engines that commit to run less than 15 hours for emergency demand response can operate without meeting federal control requirements or numeric emission limits.

### c. Court denies EPA rehearing of CSAPR vacature

On January 24, the U.S. Court of Appeals for the District of Columbia Circuit issued orders denying the petitions of EPA and others for a rehearing en banc on vacature for EPA's Cross-State Air Pollution Rule (CSAPR). On August 21, 2012, in a 2 to 1 decision, the court vacated EPA's Cross-State Air Pollution Rule (CSAPR), deciding that EPA exceeded its statutory

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authority in promulgating the rule. In its October 5, 2012 petition for a rehearing en banc, EPA challenged the court panel's majority decision citing several reasons.

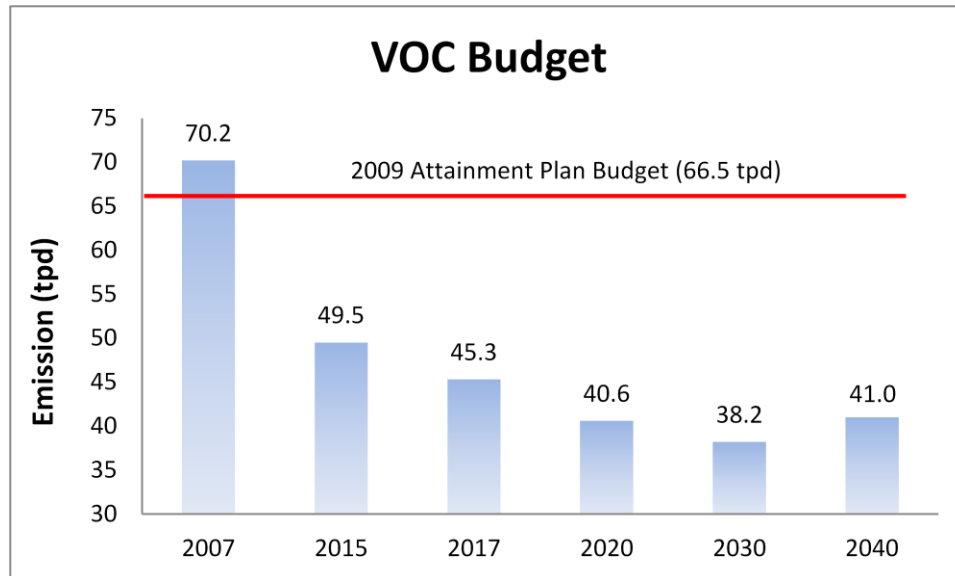
**d. Adequacy finding for Ozone Mobile Budgets (2009 & 2010)**

On February 7, 2013, EPA published the notice of adequacy finding for the mobile budgets contained in the 2009 attainment plan and the 2010 contingency plan submitted in April 2007 as part of the State Implementation Plan (SIP) revision for the Washington DC-MD-VA 8-Hour Ozone Nonattainment Area for the 1997 NAAQS.

The above motor vehicle emissions budgets for VOCs and NOX become effective starting February 22, 2013. The transportation conformity analysis for the 2013 CLRP will be based on these two mobile emissions budgets for ozone.

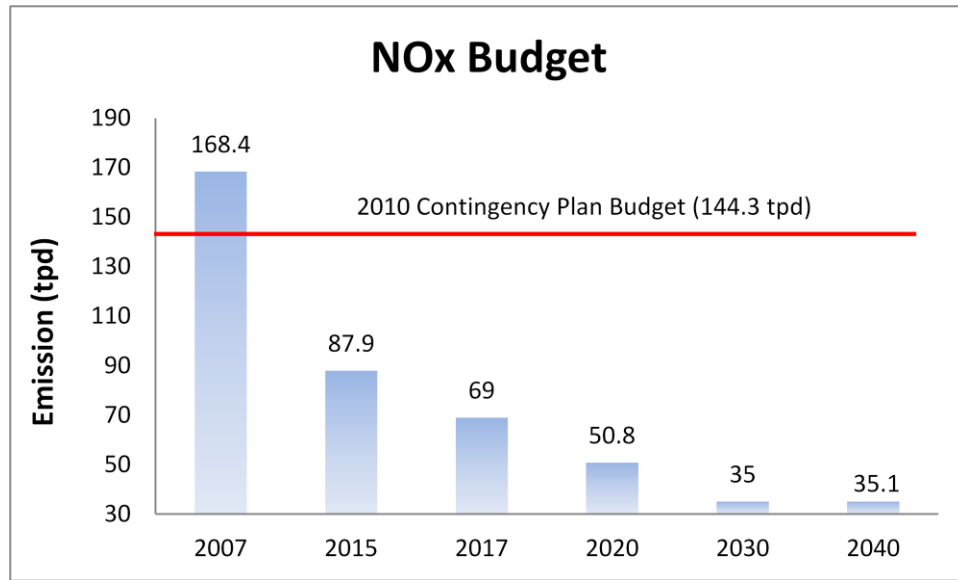
Metropolitan Washington Area Motor Vehicle Emissions Budgets		
Milestone year	VOCs (tons per day)	NOX (tons per day)
2009	66.5	146.1
2010	N/A	144.3

### Comparison of Mobile Emissions and Mobile Budgets



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Emissions for different milestone years in the two charts above were taken from the approved 2012 CLRP document.