

EPA Region 3 Staff

Subject: **Information on Issues related to the Planned Redesignation Request & Maintenance Plan for the Washington DC-MD-VA 2008 Ozone NAAQS Nonattainment Area**

Dear ---:

Based on the draft data for the period 2013 through 2015, the ozone design value for the Washington, DC-MD-VA 2008 NAAQS nonattainment area is 0.070 ppm. Therefore, the area is currently planning to submit a redesignation request and a maintenance plan for the 2008 ozone NAAQS. 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.

Requirements for Redesignation

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 determines that the area has attained the national ambient air quality standard;

Questions –

- a. *How does the Administrator determine that the area has attained the 2008 ozone NAAQS? Does EPA need to publish a “Clean Data Determination” for the region or is the certification of the 2015 ozone data by states sufficient for this purpose?*
- b. *Based on the Washington region’s ozone design value for the period 2012-14 (0.076 ppm), the region did not meet the 2008 ozone NAAQS (0.075 ppm) by the attainment date (July 20, 2015). However, based on the data for the period 2013-15, the region’s current design value is 0.070 ppm. Therefore, it currently meets the 2008 NAAQS. Since EPA has not finalized the proposed rule to extend the attainment date to July 20, 2016 yet, is it timely to submit the redesignation request and maintenance plan?*
- c. *When does EPA expect to finalize the proposal for extending the attainment date? Also, when might EPA be looking to publish a clean data determination? This summer, maybe?*

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

Question – Does the approval of the 1997 ozone NAAQS attainment SIP by EPA on April 10, 2015 satisfy this requirement or do states also need to meet the requirements for the 2008 ozone NAAQS? In case of latter, the District, Maryland, and Virginia submitted and EPA approved the base year 2011 emissions inventory (approved in 2015) and emission

statement (approved in 1994/95) as part of the 2008 ozone NAAQS implementation. However, the Nonattainment NSR rules (Marginal Area) due for submission by states by July 20, 2015 is pending for Maryland and Virginia for the 2008 ozone NAAQS. Do they need to be submitted and approved by EPA before the redesignation request could be submitted?

- (v) the State containing such area has met all requirements applicable to the area under section 110 and part D.”

Question – Have the District, Maryland, and Virginia met all requirements for Section 110 and part D for the 2008 ozone NAAQS? Does the CSAPR-08 rule address the 110(a)(2)(D) FIP requirements for the 2008 ozone NAAQS?

Milestone Years & Emissions Inventories

- (i) Base Year – The base year for the 2008 ozone NAAQS is 2011. A comprehensive emissions inventory submitted to EPA for the base year 2011 was approved in 2015.

Question – Would we need to update the onroad and nonroad portions of the 2011 BY inventory using the MOVES2014a model or do those emissions inventories developed and submitted using the MOVES2010a model and NMIM model (EPA approved models at that time) respectively meet the requirements for the 2011 BY emission inventories for the proposed redesignation request and maintenance plan for the 2008 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. The Section 5a (Attainment Inventory), pages 8-9 of this memorandum says that the attainment year emission inventory should include the emissions during the time 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 to use the year 2014 as an attainment year for the proposed redesignation request and maintenance plan as it seems to meet both requirements outlined in the above memorandum. It is in the of the three year period (2013-2015) of the air quality data, which shows attainment and it is also a periodic emissions inventory year. The Washington region submitted annual emissions inventories for 2014 as part of the NEI2014 process in December 2015. Are you OK with 2014 being used as an attainment year?

- (iii) Milestone Years (Intermediate & Maintenance Year) - 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 intermediate year (between attainment year and maintenance year) needs to be identified.

Question – Assuming the redesignation request & maintenance plan is submitted in late 2017 and EPA approves it in 2018, could 2025 be acceptable as the intermediate year and 2030 as the maintenance year? There are a number of reasons why the area prefers to use these two years as intermediate and maintenance years. First, 2030 is more than 10 years apart from 2018, the year of the expected redesignation approval. Therefore, even if there is a delay in the approval of the plan by couple years (say 2020) 2030 would still remain valid as a final maintenance year. Second, the year 2025 lies close to the middle of 2018 and 2030. Third, both 2025 and 2030 are currently milestone years for the transportation conformity analysis and so the emissions analysis frame-work is ready.

We look forward to your response. Please let us know if you have any questions.