



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

February 7, 2005

Ms. Catherine Witherspoon
Executive Officer
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Dear Ms. Witherspoon:

We have found adequate for transportation conformity purposes the motor vehicle emission budgets in the San Joaquin Valley Unified Air Pollution Control District's Extreme Ozone Attainment Demonstration Plan ("Plan") (October, 2004) submitted to EPA by the California Air Resources Board ("CARB") on November 15, 2004. As a result of our adequacy finding, the various San Joaquin Valley County Regional Transportation Commissions and the Federal Highway Administration can use these budgets in future conformity analyses.

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision on *Environmental Defense Fund v. Environmental Protection Agency*, No. 97-1637, that we must make an affirmative determination that the submitted motor vehicle emission budgets contained in State Implementation Plans ("SIPs") are adequate before they are used to determine the conformity of Transportation Improvement Programs or Long Range Transportation Plans. In response to the court decision, we are making any submitted SIP revision containing a control strategy plan available for public comment and responding to these comments before announcing our adequacy determination. The conformity rule was revised last year to reflect the procedures we have been using since the court decision. See 69 FR 40004 (July 1, 2004) and related correction notice at 69 FR 43325 (July 20, 2004).

In April 2004, in response to a request by CARB, EPA reclassified the San Joaquin Valley Air Basin ("SJVAB") from severe to extreme nonattainment for the national one-hour ozone standard. (69 FR 20550). Under the extreme classification, EPA required the State, on behalf of the San Joaquin Valley Unified Air Pollution Control District ("SJVUAPCD"), to submit a plan by November 15, 2004, demonstrating attainment of the national ozone standard by the applicable attainment date for extreme areas November 15, 2010. In addition, a new Rate of Progress ("ROP") plan was required demonstrating reduction of ozone precursor emissions at a rate of three percent per year, between 2005 and 2008, and 2008 to 2010.

On October 8, 2004, the SJVUAPCD Governing Board adopted the Plan for the SJVAB that was developed to address requirements under the Clean Air Act for ozone nonattainment areas classified as extreme. The Plan was submitted to EPA by CARB on November 15, 2004 and identifies regional motor vehicle emissions budgets for each county under the District's

jurisdiction in terms of tons of VOC and NOx per day for years 2008 and 2010. On December 7, 2004, we announced receipt of the Plan on the Internet and requested public comment by January 6, 2005. We did not receive any comments during that comment period.

This letter transmits our decision that the motor vehicle emissions budgets in the Extreme Ozone Attainment Demonstration Plan for San Joaquin Valley are adequate for transportation conformity decisions. These budgets are provided in the following table:

Transportation Conformity Budgets¹
 Reproduced from Table 3-4 of the San Joaquin Valley's Extreme Ozone Attainment
 Demonstration Plan

County	VOC Emissions (tons/day)		NOx Emissions (tons/day)	
	2008	2010	2008	2010
Fresno	15.8	13.0	33.7	27.7
Kern (SJVAB)	11.5	9.6	32.7	27.2
Kings	2.5	2.1	6.2	5.4
Madera	3.9	3.3	8.4	7.2
Merced	5.0	4.0	11.4	9.1
San Joaquin	9.3	7.7	22.4	17.9
Stanislaus	8.5	7.0	17.4	14.0
Tulare	8.5	6.9	18.8	15.3
Total	65.0	53.6	151.0	123.8

¹All emissions are expressed as summer tons/day and were derived using EMFAC2002, Version 2.2 (April 2003) with updated vehicle population and vehicle miles traveled data. Emissions totals reflect the emission reductions benefits from motor vehicle inspection and maintenance (I/M), state measure reductions, and reductions from the District's Indirect Source Rules (ISR) and mobile source incentive programs; consequently, totals will not match those in Table 3-1 which do not reflect these additional control measures. The budget was established by taking the EMFAC results, subtracting the emissions reductions benefits, rounding up to the nearest tenth if the hundredths place was "1" or higher. Appendix A of the District's Plan contains the county-specific breakdown of on-road motor vehicle emissions and emission reduction benefits.

Source: CARB, Submitted Extreme Ozone Attainment Plan.

In reaching this decision, we have reviewed the extreme ozone attainment demonstration plan including responses to public comments on the plan, and have preliminarily determined that it meets the necessary attainment demonstration and rate of progress requirements for extreme ozone nonattainment areas. The plan indicates that efforts have been made to incorporate the SJVAB Metropolitan Planning Organizations updated vehicle miles traveled into the emissions budgets. These emissions budgets, therefore, reflect not only the latest Vehicle Miles Traveled ("VMT") data, but also reflect the additional impact of those data on emissions from evaporative losses and vehicle starts. As indicated in the footnote to the table above, EMFAC2002 results

were reduced to account for any emissions controls that were not included in the model runs. When showing conformity to these new budgets, transportation agencies in the San Joaquin Valley should use this methodology to ensure that the latest VMT data be used, per 40 CFR §93.110.

We have enclosed a table that summarizes our adequacy determination. We will soon post this information on the Internet at: <http://www.epa.gov/oms/transp/conform/pastsips.htm>. We will also announce this adequacy determination in the Federal Register. This determination will become effective 15 days after the Federal Register announcement.

If you have any questions regarding this decision, please contact David Wampler at (415) 972-3975.

Sincerely,

// signed //

Deborah Jordan
Director, Air Division

Enclosure (Adequacy Review)

cc: Mr. Jesse Brown
Executive Director
Merced County Association of Governments
369 West 18th Street
Merced, California 95340-6305

Ronald Brummett
Executive Director
Kern County Council of Governments
1401 19th Street, Suite 300
Bakersfield, California 93301

Mr. David Crow
Executive Director
San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysberg Avenue
Fresno, California 93726

Mr. Gary Dickson
Executive Director
Stanislaus Council of Governments
900 H Street, Suite D
Modesto, California 95354-6443

Mr. George Finney
Executive Secretary
Tulare County Association of Governments
Tulare County Government Plaza
5961 South Mooney Boulevard
Visalia, California 93277-6237

Ms. Barbara Goodwin
Executive Director
Council of Fresno County Governments
2100 Tulare, Suite 619
Fresno, California 93721

Ms. Julia E. Greene
Executive Director
San Joaquin Council of Governments
6 South El Dorado Street, Suite 400
Stockton, California 95202

Ms. Patricia Taylor-Maley
Executive Director
Madera County Transportation Commission
1816 Howard Road, Suite 8
Madera, California 93637-6341

Mr. William Zumwalt
Executive Director
Kings County Association of Governments
Kings County Government Center
1400 West Lacey Boulevard
Hanford, California 93230-6323

Ms. Lynn Terry
California Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Ms. Cynthia Marvin
California Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Ms. Cari Anderson
Earth Matters
1023 E. Montebello Ave.
Phoenix, AZ 85014

Ms. Sue Kiser
Chief, Planning, Environment and ROW Team
Federal Highway Administration, Sacramento Office
980 Ninth Street, Suite 400
Sacramento, California 95814

Ms. Sharon Scherzinger
Supervising Transportation Planner
California Department of Transportation
Division of Transportation Planning MS -32, Room 5302
1120 N Street, P.O. Box 942874
Sacramento, California 94274-0001

Enclosure

Transportation Conformity Adequacy Review

Control Strategy SIP Under Review: Extreme Ozone Attainment Demonstration Plan and Rate of Progress		Date of SIP Revision Receipt by EPA: November 16, 2004	
Reviewers: David Wampler		Date: 1/20	
Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(i)	The plan was endorsed by the Governor (or designee) and was subject to a public hearing.	Y	The November 15, 2004 SIP transmittal letter from CARB to Wayne Nastri indicates endorsement from CARB (which is the agency designated by the Governor to adopt and submit plans). Also, included in the letter is ARB Resolution 04-29 dated October 28, 2004, adopting the 2004 Ozone Plan as a revision to the California SIP. The resolution also discusses CARB's authority as the State agency responsible for the preparation of any SIP required by the Act. The information submitted to CARB by the District and forwarded to EPA contains documentation of the public hearing on October 8, 2004, that was held to adopt the Extreme Ozone Attainment Demonstration Plan.
Sec. 93.118(e)(4)(ii)	The plan was developed through consultation with federal, state and local agencies; full implementation plan documentation was provided and EPA's stated concerns, if any, were addressed.	Y	We understand that consultation with federal, state and local agencies and the public was undertaken. An overview of the Regional TPA RACM analysis is included in Section 4.6 of the Plan and identifies the Valleywide committee as being composed of each RTPA, the District, Caltrans, ARB, EPA, the Federal Highway Administration, and Federal Transit Administration. EPA did not provide comments on the proposed plan.

Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(iii)	The motor vehicle emission budget(s) is clearly identified and precisely quantified.	Y	The motor vehicle budgets are clearly identified and summarized in section 3.5 of the Plan (pages 3-23 and 3-24) and precisely quantified in Appendix A. Appendix A shows which adjustments were made to the EMFAC2002 results to account for further reductions in ROG, CO and NOx emissions predicted for 2008/2010 due to I/M adjustments, State Measures, Indirect Source Rules (ISR) and Mobile Source Incentives.

<p>Sec. 93.118(e)(4)(iv)</p>	<p>The motor vehicle emissions budget(s), when considered together with all other emission sources, is consistent with applicable requirements for reasonable further progress, attainment, or maintenance (whichever is relevant to the given plan).</p>	<p>Y</p>	<p>The motor vehicle emissions budgets are consistent with the attainment plan and ROP plan requirements. The attainment plan demonstrates attainment of the 1-hour ozone standard by 2010 and the ROP plan provides for all the control measures and emission reductions necessary to show required Rate of Progress reductions.</p> <p>The ROP demonstration shows that VOC reductions alone are not enough to meet ROP milestones by 2008 and 2010. The predicted shortfall is 98.4 tpd VOC for 2008 and 126.8 tpd VOC by 2010. Thus, the District substituted NOx reductions for VOC reductions. NOx substitution is allowed by the statute and is explained in EPA's 1993 NOx Substitution Guidance. In general, substituting NOx for VOC is allowed if the resulting reduction in ozone concentration is at least equivalent to that which would result from VOC emissions reductions. Additional 1994 EPA Guidance explains how NOx substitution can be found acceptable for ROP purposes prior to completion of modeling supporting an area's attainment demonstration. NOx reductions in San Joaquin Valley have been shown to be beneficial to reducing ambient ozone concentration (see Figure 5-5 Carrying Capacity Diagram on p. 5-10 of the plan).</p>
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Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(v)	The plan shows a clear relationship among the emissions budget(s), control measures and the total emissions inventory.	Y	The emission inventory for all point, area and motor vehicles, is described and summarized in Chapter 3 (see Table 3-1). Adjustments to the MVEB inventory to account for ISR and incentive programs, I/M adjustments and State Measures were made and are described in section 3.5. More detailed inventories are provided in Appendix A – County Emission Inventories for On-Road Motor Vehicles (2008 and 2010 inventories for VOC, NOx and CO).

<p>Sec. 93.118(e)(4)(vi)</p>	<p>Revisions to previously submitted control strategy or maintenance plans explain and document any changes to any previous submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see §93.101 for definition), and reasons for the changes (including the basis for any changes to emission factors or estimates of vehicle miles traveled).</p>	<p>Y</p>	<p>The most recent attainment demonstration SIP for the San Joaquin Valley was approved by EPA in 1997 (62 FR 1150 at page 1172, January 8, 1997) including the emissions inventory (and MVEBs) for San Joaquin Valley. Since that time, the SJVAB has been reclassified from serious to severe (66 FR 56476, November 8, 2001), and in 2004, reclassified to extreme (69 FR 20550, April 18, 2004). The November 15, 2004 submitted 1-hour ozone extreme area plan also included a ROP plan demonstrating required reductions by 2008 and 2010. Together the attainment and ROP plans reflects the latest VMT data and additional impacts that the VMT data have on emissions from vehicle starting and fuel evaporation. Further, local and state control strategies have been updated to provide sufficient emission reductions to demonstrate attainment by 2010.</p> <p>The State's prior ROP plan submittal for milestone years 2002 and 2005 occurred on April 10, 2003, and demonstrated required NOx and VOC reductions by 2002 and 2005. EPA found the MVEB budgets contained in the 2003 ROP plan adequate effective August 8, 2003. (68 FR 43724). In general, the budgets in both the current ROP (and ozone) plan and the April 2003 ROP rely on EMFAC version 2.2 and include benefits from I/M improvements.</p>
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Sec. 93.118(e)(5)	EPA has reviewed the State's compilation of public comments and response to comments that are required to be submitted with any implementation plan.	Y	The Draft extreme area plan was released for public review on July 30 and workshops were held on August 12 and 13, 2004. The District's 30-day formal comment period began on September 7, 2004 and the District Board adoption hearing was held on October 8, 2004. In addition to comments received during the workshops, the District received public comments on the plan during this 30-day public notice period prior to the District Board hearing. Also, public comments were received by CARB prior to and during its public hearing which was held on October 28, 2004. EPA has reviewed the public comments and the State's and District's response to the comments.
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