

Meeting Date: 7/23/2020
Report Type: PUBLIC HEARINGS
Report ID: 2020-0723-4.



Title: Reasonably Available Control Technology Demonstration for the 2015 Ozone National Ambient Air Quality Standard

Recommendation: Conduct a public hearing and 1) determine that the adoption of the Reasonably Available Control Technology State Implementation Plan is exempt from the California Environmental Quality Act, and 2) adopt a resolution approving the Demonstration of Reasonably Available Control Technology for the 2015 Ozone National Ambient Air Quality Standards.

Rationale for Recommendation:

The federal Clean Air Act requires states and districts in nonattainment areas for the federal ozone air quality standard to implement Reasonably Available Control Technology (RACT) for the emissions of volatile organic compounds (VOC) and oxides of nitrogen (NOx). The RACT requirements apply to all major stationary sources of VOC or NOx as well as all source categories for which the U.S. Environmental Protection Agency (EPA) has published Control Techniques Guidelines (CTG).

In 2015, the District was designated a moderate nonattainment area for the 2015 primary National Ambient Air Quality Standard (NAAQS) for ozone. In May 2020, the air districts of the Sacramento Metropolitan Area requested a voluntary reclassification to a serious nonattainment area. The reclassification to serious will extend the attainment deadline to August 3, 2027. Federal regulations require the District to submit a revision to the State Implementation Plan (SIP) that meets the federal Clean Air Act RACT requirements as they apply to the 2015 standard by August 2020.

Staff is proposing adoption of a plan document, known as a "RACT SIP," to meet the federal requirements. The document presents a detailed analysis of District rules and includes: 1) negative declarations for CTG source categories for which the District has no sources and 2) certification that the District has met the RACT requirements for applicable CTG source categories and major stationary sources that have a potential to emit of 50 tons per year or more of either VOC or NOx. Title 40 of the Code of Federal Regulations, Section 51.102 requires SIP revisions to be adopted at a public hearing. If approved by the District's Board of Directors, the RACT SIP will be submitted to EPA for approval.

Contact: Kevin J. Williams, Program Supervisor, 916-874-4851

Presentation: Yes

ATTACHMENTS:

[Attachment 1: RACT SIP Resolution](#)
[Attachment 2: Exhibit A - Proposed RACT SIP](#)
[Attachment 3: RACT SIP Written Comments](#)
[Attachment 4: RACT SIP Evidence of Public Notice Presentation](#)

Approvals/Acknowledgements

Executive Director or Designee: Alberto Ayala, Report Approved 7/16/2020

District Counsel or Designee: Kathrine Pittard, Approved as to Form 7/14/2020

Discussion / Justification:

In 2018, EPA promulgated a rule to implement the 2015 ozone NAAQS, which requires the District to submit several plan elements to EPA, including revisions to the SIP that meet the RACT requirements of Clean Air Act Sections 182(b)(2) and 182(f) for VOC and NOx.

EPA defines RACT as "the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility." Staff performed a detailed analysis of CTG source categories and major stationary sources of VOC or NOx to demonstrate compliance with RACT requirements. The analysis consisted of the following steps:

- For each CTG, identify whether the District has sources to which the CTG applies.
- If the District has no sources to which a CTG applies, submit a negative declaration.
- If the District has sources to which a CTG applies, identify the applicable District rule and perform a detailed comparison of the rule requirements with the CTG, other federal and state guidance, and rules for other nonattainment areas.
- For non-CTG categories that are applicable to emission units located at one or more major stationary sources, perform a detailed comparison of the rule requirements for those emission units with relevant RACT guidance.

- For major stationary sources, determine the types of emission units at the facility and determine which District rules apply to these sources. The RACT requirement for a major stationary source is met when all units that emit VOC or NOx are subject to rules that have been determined to satisfy RACT.

Summary of Plan / Rule / Amendment:

Staff prepared a RACT SIP document presenting the analysis and demonstrating that the District meets RACT requirements for all CTG source categories and all 5 major stationary sources. For 22 CTG source categories, there are no sources in the District to which the CTGs apply.

The RACT SIP is comprised of these key elements

- Negative declarations for the CTG source categories for which the District has no sources.
- Certification that the District has met the RACT requirements for the CTGs that are applicable to sources in the District.
- Certification that RACT is being fully implemented at all 5 major stationary sources.
- Supporting material that includes Staff's detailed analysis of each CTG source category and each major stationary source.

Financial Considerations: Staff has determined that there are no changes needed to any District rules as a result of the RACT SIP analysis. Therefore, adoption of the RACT SIP will not result in additional costs to the District.

Emissions Impact: Staff has determined that there are no changes needed to any District rules as a result of the RACT SIP analysis. Therefore, adoption of the RACT SIP will not affect emissions.

Economic Impact: Staff has determined the following: 1) that no changes are needed to any District rules as a result of the RACT SIP analysis, and 2) all major stationary sources subject to the RACT SIP analysis are already in compliance with applicable RACT standards. Therefore, no compliance costs or impacts to employment or the economy of the region are expected.

Public Outreach/Comments:

The noticing for today's hearing included:

- A notice posted on the District website with a link to the proposed RACT SIP.
- Email notices to:
 - The California Air Resources Board (CARB) and EPA;
 - Interested parties; and
 - All persons who have requested SIP planning notices.

CARB stated they had no comments. EPA identified two minor errors: 1) an incorrect Federal Register citation in a footnote, and 2) a reference to the incorrect District rule number for gasoline dispensing operations. Both errors have been corrected in the version of the RACT SIP attached to this agenda item.

As of July 3, 2020, no comments from the public have been received. Any written comments received prior to the public hearing will be distributed to the Board before the hearing.

Environmental Review: In this SIP revision, the District is not proposing any changes to any District rules as a result of the RACT SIP analysis. Staff has determined that the adoption of this RACT SIP is exempt from the California Environmental Quality Act (CEQA) as an action by a regulatory agency for the protection of the environment (Class 8 Categorical Exemption, Section 15308, State CEQA Guidelines) and because it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment (Section 15061(b)(3), State CEQA Guidelines).