Central Valley Air Quality (CVAQ) SIP Committee

May 20, 2008

VIA ELECTRONIC MAIL

Chair Nichols and Members of the Board
C/o Clerk of the Board
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

RE: San Joaquin Valley PM 2.5 State Implementation Plan (SIP)

Dear Chair Nichols and Members of the Board:

We the undersigned organizations write to express our concerns and recommendations to improve the proposed San Joaquin Valley Particulate Matter (PM) 2.5 State Implementation Plan (SIP).

Considering the severity of the air pollution crisis in the San Joaquin Valley, we strongly believe the region deserves an aggressive soot clean up plan. Unfortunately, we have several concerns with the proposed soot clean up plan for the Valley, including: (1) concerns that the plan will not meet required reasonable further progress (RFP) milestones requirements and attainment; (2) its heavy reliance on emission reductions from the state diesel truck rule; (3) neglect to plan for more health protective standards; and (4) failure to include adequate required contingency measures. We are deeply concerned that the plan's lack of adequate clear, specific and measurable contingency measures is setting this plan on a path for failure.

Over the course of the development of the plan, we have repeatedly raised the above concerns and provided solutions to these issues including outlining additional control measure commitments to accelerate the reduction of particulate matter (PM), including contributing emissions such as nitrogen oxides (NOx) and volatile organic compounds (VOC). Unfortunately, as of the time of the submittal of this letter we have not received the proper documentation requested to have the confidence that the current proposal demonstrates attainment and meets the required RFP milestones. **Assuming the plan does not meet attainment or RFP, the measures outlined below should be included as control measures and additional contingency measures should be outlined prior to the approval of the plan. If the plan does meet attainment and RFP milestones, we strongly urge you to amend the plan to include clear, specific and measurable control contingency measures.**

Health Impacts of PM 2.5

Studies have shown that the tiniest of particles can be the most deadly. PM 2.5 is known to cause premature death, heart disease, heart attacks, cancer, asthma and other respiratory problems. The health impacts from air pollution take an economic toll. A 2006 study by Dr. Jane Hall, et al, conservatively showed the economic benefits of attaining the federal air quality standards in the San Joaquin Valley are well over $3 billion a year. These costs include premature deaths, missed work and school days, emergency room visits, etc. We recognize that the economic costs are greater considering the study did not account for other costs including diminished lung function, reduced ability to recruit employers and employees to the region, tourism and agricultural impacts, etc. If the San Joaquin Valley is to be a healthy and thriving region, we must clean up the air. We can not afford further delay.

Concerns that the Plan Does Not Demonstrate Reasonable Further Progress (RFP) Milestones or Attainment

The current proposed PM 2.5 plan relies almost exclusively on the upcoming, not-yet-adopted, Air Resources Board (ARB) Heavy Duty Diesel Truck Rule. While we acknowledge the importance of this rule to reduce PM 2.5 and ozone levels in the Valley, we are concerned that most of the emission reductions will not be actualized until 2014 at the earliest, assuming that the latest revised draft proposal for the rule is adopted this fall. The timing of the Truck Rule implementation poses a significant challenge to the Valley's ability to demonstrate Reasonable Further Progress (RFP) milestones and attainment as required by the Federal Clean Air Act, since the Valley must meet these milestones in 2009 and 2012 and attainment in 2014. Based on analysis by International Sustainable Systems Research Center (ISSRC) the current plan does not account for a gap of 10-60 tons per day to meet these milestones. Furthermore, we disagree with the claims in the plan that there are no other options. Below we outline opportunities for the San Joaquin Valley to reduce PM 2.5 pollution.

Plan Fails to Note Progress on the More Health Protective State Standard and New Federal PM 2.5 Standard

We have repeatedly requested of the District to include information about the plan's progress towards the more health-protective California PM 2.5 Standard and the 2006 Federal PM 2.5 Standard. The public deserves to know how its local Air Pollution Control Agency is making progress towards the more health protective standards. We urge the San Joaquin Valley Air Pollution Control

District (SJVAPCD) and ARB to put specific information about how and by when this plan makes progress towards the more health-protective standards on the books.

Plan Lacks Adequate Contingency Measures

The current plan lacks adequate contingency measures. This is especially disturbing since the plan relies heavily on the ARB's not-yet-adopted Heavy Duty Truck Rule for the bulk of the emission reductions. We urge amendments to the plan that include better defined contingency measures. Estimations from the International Sustainable Systems Research Center (ISSRC) indicate 30 tons per day of NOx is needed in contingency measures. Providing detailed information will ensure the Valley meets its clean air targets.

As noted above, should the plan demonstrate attainment and RFP milestones, the measures outlined below should be incorporated as contingency measures. If the plan doesn't demonstrate RFP and attainment, then additional contingency measures should be defined before the plan is approved.

Contingency measures should provide leverage to ensure that reductions are occurring as anticipated, both in terms of when and by how much. Additionally, contingency measure options should consider operational controls including limiting the use of industrial equipment on high-pollution days. The plan already includes similar provisions for residents by further restricting the use of fireplaces. Furthermore, the plan should include details about when and how contingency measures would be implemented. Currently the proposed plan only mentions vague contingency measures which don't provide much confidence that the plan will meet its clean air goals (RFP and attainment).

Opportunities to Reduce Direct PM

We are not confident that all opportunities to further reduce direct PM emissions have been exhausted. This includes limiting the exceptions for open-burning activities and controlling for agriculture operations. We also urge the District to consider backstop measures should ARB's measures on direct PM emitting sources not be actualized in time to meet RFP milestones or attainment date. The District has an opportunity to exhibit leadership to tackle the Valley's air pollution crisis. Backstop measures should be considered in the District's arsenal to clean up the Valley's air.

Opportunities to Reduce NOx Emissions – a contributing PM source

The District has jurisdiction over several NOx emitting sources that contribute to the Valley's PM 2.5 problems. As such we strongly urge additional reductions from the following sources: IC Engines, Glass-melting Furnaces, Boilers and Dryers. Recognizing that the ARB's 2007 staff report on the Valley's ozone plan

mentioned a several sources that could provide additional reductions, there are more sources that can also be reduced. We are pleased that in the case of glass melting furnaces the current staff rule proposal is taking a more aggressive approach to reducing NOx. We urge the District to commit to these reductions in its plan and take similar approaches to the aforementioned sources. The timing of these reductions is critical to achieving clean air targets, preventing further health impacts, and making strides towards achieving the newest PM 2.5 standard.

Opportunities to Reduce VOC Emissions – a contributing PM source
Unfortunately, the current plan fails to account for volatile organic compounds (VOC) emissions as a contributing PM source. VOCs contribute to direct and secondary formation of organic carbon, and as a limiting factor in the formation of ammonium nitrate. We therefore urge the ARB and the District to amend the plan to include measures to reduce VOCs. Many of the District's VOC control measures have not been reviewed or revised in over 10 years and several other air districts in the state now have more protective VOC requirements. Examples of rules that could be improved include the District's controls on composting operations, confined animal facilities, wineries, brandy and controls on sumps and other refinery operations, to name a few.

Better Defined ARB Commitments that are Clear, Specific and Measurable
The U.S. EPA has recently found that the state commitments in the South Coast PM 2.5 and Ozone SIPs are not clear, specific and measurable as they were outlined in the aggregate by the ARB in the 2007 State Strategy. Considering the South Coast commitments are similar to those for the San Joaquin Valley, we urge the ARB to revise the San Joaquin Valley SIPs to better define the measures in the state strategy, including commitments for heavy duty diesel trucks, agriculture equipment and off-road equipment.

The Valley's air pollution crisis must be adequately addressed. Valley residents have repeatedly urged the District and the region's leaders to take more aggressive action to clean up the air. State Implementation Plans are currently one of the few vehicles that provide the public the opportunity to understand how the region will comprehensively plan to reduce air pollution. PM 2.5 is deadly and wreaking havoc on the Valley's communities. We must ensure Valley residents have a plan that will protect them from this pollution. Incorporating the aforementioned actions will secure a more adequate plan to meet the Valley's PM 2.5 challenge.

Sincerely,

Nidia Bautista
Coalition for Clean Air

Liza Bolaños
Central Valley Air Quality Coalition
State Implementation Plan Committee

Catherine Garoupa
Madera Coalition for Community Justice

Daniela Simunovic
Center on Race, Poverty and the Environment

Carolina Simunovic
Environmental Health Director
Fresno Metro Ministry

Allyson Holman, Chair
Merced/Mariposa County Asthma Coalition

Lisa Kayser Grant
MOMS Clean Air Network