



Christine Luther Zimmerman
Regulatory Affairs

January 17, 2022
Via Email

Clerks' Office, California Air Resources Board
1001 I Street, Sacramento, California 95814

RE: Comment on the San Joaquin Valley 2022 Plan for the 2015 Ozone Standard

Chair, California Air Resources Board:

The Western States Petroleum Association¹ (WSPA) recommends that the California Air Resources Board (CARB or Board) adopt the San Joaquin Valley Air Pollution Control District (SJVAPCD) San Joaquin Valley 2022 State Implementation Plan (SIP) for the 70 parts per billion (ppb) 8-hour ozone standard (San Joaquin Valley 70 ppb Ozone SIP) along with the aggregate emission reduction commitment identified in the accompanying California Air Resources Board (CARB) Staff Report.

The emission reductions obtained from the San Joaquin Valley 2022 Ozone Plan and the CARB aggregate emission reduction commitments will ensure that the 70 ppb National Ambient Air Quality Standard (NAAQS) for ozone is attained as expeditiously as is practical. The 2022 Ozone Plan includes all feasible control measures for reducing ozone precursor emissions from stationary sources and mobile sources where the Air District or the CARB have jurisdiction to control these sources.

Within the San Joaquin Valley, the formation of ozone is limited by the ambient concentration of oxides of nitrogen (NOx), and the control of volatile organic compounds (VOC) has little effect on the formation of ozone. Consequently, the Plan's control strategy is primarily focused on reducing emissions of NOx. Nevertheless, SJVAPCD has also included measures for reducing emissions of volatile organic compounds (VOC) from sources where it has been determined to be feasible to achieve such reductions. WSPA agrees with the SJVAPCD control strategy.

¹ WSPA is a non-profit trade association representing a full spectrum of companies which explore for, produce, refine, transport, and market petroleum and petroleum products in the Western United States.

Reducing ozone precursor emissions of NO_x will lead to the attainment of the 2015 National Ambient Air Quality Standard (NAAQS) for ozone by the earliest practical date. The additional reductions in VOC emissions from sources identified by the SJVAPCD in the 2022 Ozone Plan will ensure that the 70 ppb standard is achieved by the applicable date.

The San Joaquin Valley 2022 Plan also recognizes that stationary sources subject to the jurisdiction of the SJVAPCD are for the most part already controlled to the maximum extent feasible. WSPA agrees with the SJVAPCD conclusions regarding the ability to obtain additional emission reductions from these sources. Attainment of the 2015 ozone standard will most likely be achieved through NO_x reductions obtained from mobile sources subject to State and Federal regulations. WSPA supports the CARB strategy for achieving reductions from these sources and the inclusion of the aggregate emission reductions obtained by the CARB.

With respect to contingency measures, WSPA agrees with the conclusions and recommendations in the Plan made by the CARB and the SJVAPCD. They recommend that the U.S. EPA formally update the 1992 guidance on requirements for contingency measures and reevaluate the amount of reductions required for contingency in areas having a mature control program and in extreme ozone nonattainment areas where few options remain available for developing contingency measures.

Implementation plans for nonattainment areas must include contingency measures that are automatically triggered if an area fails to maintain reasonable further progress or to attain the NAAQS by the required date. Current EPA guidance on requirements applicable to contingency measures was published by EPA in 1992 and the guidance is in need of updating to reflect the many changes that have occurred since then.

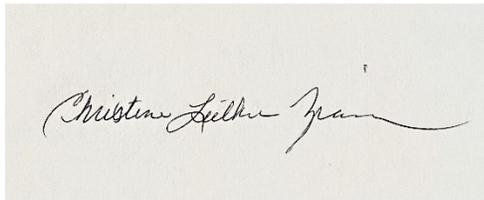
Control programs across the country have matured, as have the health-based standards. Ozone standards were strengthened in 2008 and 2015 and control measures included in state implementation plans now require installation of state of the art controls capable of achieving extremely low levels of emissions. In extreme ozone nonattainment areas almost all sources are now subject to stringent control requirements, which leaves few (if any) options available for developing contingency measures.

Over the last few years, multiple court decisions in the 9th circuit and nation-wide have effectively disallowed the SIP-approved approach which CARB and the districts have historically used to meet contingency requirements. In light of the varying court decisions, the CARB and the SJVAPCD have requested that the U.S. EPA release comprehensive and updated guidance encompassing the full scope of contingency measure requirements.

In the 2022 Ozone Plan, both the CARB and the SJVAPCD have recommended that for states having mature control programs where contingency opportunities are scarce, that the EPA formally update the historic contingency policy and reconsider the amount of reductions needed to be achieved via contingency. WSPA supports these recommendations.

If you have any questions on these comments, please call me at 661-343-5753 (or email me at czimmerman@wspa.org) to further the discussion. We appreciate your consideration of these comments.

Sincerely,

A rectangular image showing a handwritten signature in black ink on a light-colored background. The signature is cursive and reads "Christine Luther Zimmerman".

Christine Luther Zimmerman
Senior Regulatory Affairs Manager

Cc

Samir Sheik, SJVAPCD
Jessie Fierro, SJVAPCD
Morgan Lambert, SJVAPCD