

Wildfires and Clean Air Act Nonattainment Fees in the SJV

September 13, 2013

Breathing ozone can trigger a variety of health problems including chest pain, coughing, emphysema, asthma and reduced lung function, particularly for children, the elderly, and people with existing cardio-pulmonary problems. In 1979, as required by federal law, EPA set a nationwide health-based limit for 1-hour ozone.

The San Joaquin Valley Unified Air Pollution Control District (SJV Air District) is classified as an extreme nonattainment area, a classification for areas with the worst pollution in the nation. Despite the EPA, State, and the SJV Air District's efforts over several decades, SJV failed to reach - or attain - this health-based standard by 2010 as required by federal law.

Because of the very serious health implications, the Clean Air Act requires extreme nonattainment areas that fail to meet their attainment deadline to either require additional ozone related emissions reductions (20% additional reductions) or to impose fees on their major industrial sources of air pollution.

In 2012, the SJV Air District requested and EPA approved an alternative, equivalent approach to fee collection. Rather than collect fees solely from industrial sources, the SJV Air District chose instead to require a \$12 annual vehicle registration fee from motorists in addition to some fees on industrial sources.

These fees have been collected since 2011 and will continue to be collected until the air is cleaner and the area ultimately attains the 1979 health-based ozone standard.

SJV Air District uses all of these collected funds for projects in the SJV to reduce emissions and improve air quality.

The Clean Air Act does not require states to meet the ozone standard during exceptional events that are outside of their control, such as the Rim Fire. Thus, we do not expect the Rim Fire to impact SJV's ability to attain the 1979 health-based ozone standard, nor does it have anything to do with the fees.