

U.S. EPA FACT SHEET

Proposals for California 1-Hour Ozone Plans

August 30, 2012

Summary

- Today, EPA is proposing actions to require California to develop new plans for attainment of the 1-hour ozone air quality standards in the South Coast and San Joaquin Valley (SJV) extreme ozone nonattainment areas.
- These proposals are in response to two Ninth Circuit Court of Appeals decisions remanding EPA's previous actions on California's attainment plans for these two areas and directing EPA to take further action to ensure that both areas have plans demonstrating attainment of the 1-hour ozone standards, consistent with Clean Air Act (CAA) requirements.
- The Ninth Circuit also rejected EPA's longstanding interpretation of the CAAs requirements for offsetting emissions from vehicle miles traveled (VMT). Today, EPA is taking action to assure South Coast and SJV plans for both the 1-hour and 8-hour ozone standards meet this CAA requirement consistent with the Court's decision.
- Although EPA has replaced the 1-hour ozone standard with a more health protective 8-hour standard, the CAA anti-backsliding provisions require that California have approved plans for attaining the 1-hour standard.

Background

- In 2000, EPA approved California's 1997/1999 revised plan for attaining the 1-hour ozone standard in the South Coast. In 2003 and 2008, California submitted updates to that plan, which EPA partially approved and partially disapproved in 2009. The Court found that these revisions called into question the plan's adequacy and obligated EPA to reevaluate it for compliance with the CAAs attainment requirements.
- In March 2010, EPA approved California's 2004 plan for attaining the 1-hour ozone standard in the SJV based, in part, on emissions inventory data submitted in 2004. The Court found that EPA's approval was arbitrary and capricious because EPA failed to consider new emissions data submitted by California in 2007, which called into question the earlier data.
- The CAA requires that plans for extreme ozone nonattainment areas (such as the South Coast and SJV) contain specific enforceable transportation control strategies and transportation control measures to offset any growth in emissions from growth in VMT. Historically, EPA has interpreted this requirement to be met where a plan shows that aggregate emissions from motor vehicles decline each year during the entire period covered by the plan. The Court rejected this interpretation and determined that the CAA

requires additional transportation control strategies and measures whenever vehicle emissions are projected to be higher than they would be had VMT not grown, even if aggregate vehicle emissions are decreasing.

- The SJV Air Pollution Control District has stated its intent to withdraw the SJV 1-hour ozone plan promptly after EPA finalizes the withdrawal of its approval. If California withdraws the SJV 1-hour ozone plan, EPA intends to issue a finding of failure to submit which will subject the State to mandatory sanctions unless it submits SIP revisions correcting the deficiency within 18 months. If California does not promptly withdraw the plan, EPA will commence a new rulemaking to address its approvability.
- Breathing air containing ozone can reduce lung function and increase respiratory symptoms, aggravating asthma or other respiratory conditions. Ozone exposure also has been associated with increased susceptibility to respiratory infections, medication use by asthmatics, and emergency department visits and hospital admissions for individuals with respiratory disease. Ozone exposure may also contribute to premature death, especially in people with heart and lung disease.
- Ground-level ozone is formed when nitrogen oxides (NO_x) and volatile organic compounds (VOCs) react in the atmosphere in the presence of sunlight. NO_x and VOCs are called ozone precursors. Motor vehicle exhaust, industrial emissions, and chemical solvents are the major sources of these chemicals. Ozone pollution is a concern especially when the weather conditions needed to form it, lots of sun and hot temperatures, occur.

Next Steps

- EPA is providing a 30-day public comment period on these proposals. EPA will consider all submitted comments before publishing the final rule.

For More Information

<http://www.epa.gov/region9/air/actions/ca.html>