



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH TRIANGLE PARK, NC 27711

August 13, 1996

**MEMORANDUM**

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

**NOTE TO THE REGIONAL DIVISION DIRECTORS**

Re: Date by which States Need to Achieve all the Reductions Needed for the 15% Plan from I/M and Guidance for Recalculation

As you are aware, the EPA is involved in litigation concerning our actions relative to approval of the 15 percent VOC plans. One major issue centers on the amount of emissions credit that the EPA will allow for future implementation of I/M programs. This issue is particularly pressing because of the pending litigation concerning plans in the Philadelphia, Baltimore, and Washington, D.C. areas. What EPA must show in order to approve plans is that the VOC reductions occur as expeditiously as possible. Timing and phasing of the I/M program is very critical.

In May, when we discussed this issue with you and Mary Nichols, we set the date for May 1999. After further discussions, we came to the conclusion that the 15% plans need to be recalculated with an end date of November 1999 for I/M. We believe that using November 1999 makes the most sense. This is the attainment date for serious areas as well as the date that the next rate-of-progress milestone must be met.

This recalculation has to reflect the reality of I/M programs by November 1999, including, for example, assuming the cutpoint levels that will actually be in place during each part of the cycle(s) immediately preceding November 1999, not tighter cutpoints that may not come into effect until later. July 1999 must be used when recalculating the mobile portion of the 15% target unless the State needs the credit for reductions between July 1999 and November 1999. In this case, January 2000 may be used under our assumption that the difference in the amount of reductions that may occur between November 1999 and January 2000 from I/M is de minimis. For technical reasons, January 2000 is easier to model than November 1999. We will be double-checking on whether the extra amount of reductions between November and January is de minimis. We will let you know as soon as possible if we find that the reductions are NOT trivial.

States should resubmit the 15% plan with a recalculation using this evaluation date, with the goal of achieving 15% VOC reductions by November 1999 from I/M. In certain situations where the State has already completed and adopted its revised 15% plan (which addresses the new I/M submittal), the existing adopted 15% plan does not necessarily need to be resubmitted. The Regional Office should make this determination. In addition, if the State's resubmitted 15% plan does not completely address the recalculation described in this note, the Regional Office must do the recalculation. If the Regional Office (or State) determines that there is a shortfall in the 15% plan due to I/M beyond November 1999, OAQPS and OMS will work with the Regional Office to determine appropriate action. Please note that when recalculating the mobile portion of the 15% plan, the State will get credit for Tier I VOC reductions that occur between 1996 and 1999. Under these circumstances, the availability of post-1996 Tier I reductions should not permit the State to

remove SIP measures that are practicable. Any reductions from pre-1990 Tier Q standards are still not creditable. If you or your States need additional guidance on this recalculation, please contact Phil Lorang of the Assessment and Modeling Division of OMS.

Please note that since States are missing the 1996 end date for achieving 15%, legally, the rulemaking also needs to include an analysis that the submitted I/M program is "the best they can do," meaning that it will be implemented as soon as practicable. That is, the 15% SIP must reach 15% as soon as practicable, taking into account all available measures that would accelerate the date of reaching 15%. We need to ensure that the State's I/M program provides the most expedited path to secure VOC emission reductions. This has been discussed with you and/or your staff in previous conference calls. The OAQPS has provided the Regions with a list of other 15% measures across the country and asked that you evaluate the feasibility of implementing these measures in your States. The OGC believes that this analysis is critical, and we will be providing you with additional information on the demonstration that is needed.

The approach outlined above assumes that there are no other problems with the 15 percent plans. If there are other problems, they will have to be corrected before the plan can be approved. We appreciate your assistance in this matter.

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