Status of 8-hour Ozone Early Action Compacts and Rapid Response Team Issues

Clean Air Act Advisory Committee
Washington, DC
March 24, 2004

What we will discuss

- Status of 8-hour Ozone Early Action Compacts
- What's next for EAC areas?
- Rapid Response Team Issues

Status of 8-hour Ozone Early Action Compacts

- Early Action Compact is a voluntary program to encourage local communities to take early action to reduce ozone levels for the 8-hr ozone standard
- Purpose is to reduce emissions sooner than CAA requires…early SIP, early implementation
- Compacts for 33 areas covering 14 States were signed by 12/31/02
- Series of milestones must be met for EAC areas to be eligible for deferred effective date of nonattainment designation for 8-hr standard

Where are the EACs?

8-hour Early Action Compacts … 33 Areas

- **Abbeville-Greenwood area, SC**
- **Asheville area, NC (Western NC)**
- **Augusta-Aiken area, SC**
- **Austin-San Marcos area,TX**
- **Beaufort area, SC**
- **Charleston area, SC**
- **Chattanooga area, TN**
- **Columbia area, SC**
- **Denver area, CO**
- **Fayetteville area, NC**
- **Florence area, SC**
- **Greensboro-Winston Salem-High Point, NC**
- **Greenville-Spartanburg-Anderson, SC**
- **Haywood County, TN (near Memphis)**
- **Hickory-Morganton-Lenoir, NC**
- **Knoxville area, TN**
- **Johnson City-Kingsport-Bristol area, TN**
- **Lawrence County, TN (Southern TN, between Chattanooga & Memphis) – rural area/ likely attainment, opted out**
- **Longview-Marshall-Tyler area, TX**
- **Martinsburg area, WV (Eastern Pan Handle Region) Memphis area, TN/AR/MS**
- **Myrtle Beach area, SC**
- **Nashville area, TN**
- **Oklahoma City area, OK**
- **Putnam County, TN (between Nashville & Knoxville)**
- **Roanoke area, VA**
- **San Antonio area, TX**
- **San Juan County, NM (Farmington area**
- **Shreveport area, LA**
- **Sumter area, SC**
- **Tulsa area, OK**
- **Washington County, MD**
- **Winchester/Frederick County, VA**
- **York-Chester-Lancaster-Union Counties, SC (part of Charlotte-Gastonia-Rock Hill MSA)**

8-hour Early Action Compacts- Deferred Effective Date of Nonattainment Designation

- **EPA intends to defer the effective date of the nonattainment designation for EAC areas so long as the areas meet agreed-upon milestones.**

- **First deferred effective date (September 30, 2005) was proposed in October/November 2003 and will be promulgated in April 2004 at same time EPA publishes 8-hr ozone designations.**

- **40 CFR Part 81 (list of designated areas) will be revised to include nonattaining EAC areas with deferred effective date**

What's next for EAC areas?

- Local plans, including final list & detailed description of **adopted** measures, will be submitted to State/EPA by March 31, 2004

- These plans should also include—
  - Emission reduction estimates for each measure
  - Implementation schedule, and
  - Modeling analysis that shows compliance with the standard by December 2007

What's next for EAC areas?

(continued)

- States submit local plans and attainment demonstrations as a SIP revision in December 2004
- Semiannual progress reports
- EPA approves SIPs in September 2005
- States submit assessment of progress in air quality improvement & emissions reductions in June 2006
- EAC areas must attain 8-hour ozone standard by December 2007

Issues Addressed by RRT Process

- Communication/websites
- Truckstop electrification/locomotive idling guidance
- Energy efficiency/renewable energy measures and SIP credit
- Cetane additive guidance
- Crediting I/M benefits

Items Addressed by RRT Process
(continued)

- Credit for lower or enforced speed limit
- Lower RVP fuels in EAC areas
- Use of Weight of Evidence in EAC areas
- Process for EPA review of quantification protocols
- Backstops and contingency measures

Communication/Websites

- Matrix of guidance documents added to EAC technical website: http://www.epa.gov/ttn/naaqs/ozone/eac/index.htm#Guidance
- Links to State and Local websites added
- Summary of EAC local measures still under consideration, reported December 2003
- EPA Air Innovation conference for State/Local agencies – Chicago, August 10-12, 2004 (tentative)

Truckstop Electrification/ Locomotive Idling

- EPA issued guidance on January 15, 2004 for diesel truck idling emission reductions, truckstop electrification, and diesel locomotive idling
- Conducting ongoing series of workshops
- Provided implementation support to local officials in Germantown, TN on how to quantify and use emissions reductions achieved from a truckstop electrification project in West Memphis, Arkansas

Energy Efficiency/Renewable Energy (EE/RE) Measures and SIP Credit

- Is it necessary to determine location & benefit of emissions reductions attributable to EE measures in EAC or nonattainment area subject to NOx SIP Call or other mandatory "cap and trade" program with substantial air quality modeling?
  - EPA developed background paper and options for quantifying EE/RE emissions
  - Relationship between SIP Call allowances and SIP credit explored

Energy Efficiency/Renewable Energy (EE/RE) Measures and SIP Credit

- Is it possible for EAC areas that are part of a regional cap program to obtain SIP credit for implementing a “financial incentive program” to encourage lower emissions/operations at stationary sources on ozone action days?
  - EPA provided a one-page summary of issue and response
  - SIP credit problematic (CAA, section 123 issue)
  - Areas would get the benefit of the measure in lower monitored concentrations

Cetane Additive Guidance

- A technical report is available on the web regarding emission reduction potential of cetane additive
- Draft quantification guidance is available and can be used until final guidance is issued

Are I/M areas getting less credit than they should?

- NO
  - I/M credit (in tons per day) is based on the VMT by vehicle type in the nonattainment area multiplied by the MOBILE6 emission factor by vehicle type.
  - I/M areas that multiply total passenger car VMT by an I/M emission factor actually get slightly more credit than they should since some VMT will be from non-I/M passenger cars that are just passing through.
  - I/M areas that are able to apportion some passenger car VMT to vehicles from outside the I/M area, can get a more accurate estimate of I/M credit, by multiplying the out-of-area VMT by a non-I/M emission factor. This reduces the I/M credit to an amount closer to what it actually is.

Are non-I/M areas losing out on I/M credit from vehicles in transit?

- CREDIT IS ALREADY GIVEN
  - Any I/M credit from transit vehicles is already captured in the baseline year air quality data for the area. If you were to more precisely quantify the effect, you would have to subtract it from both the baseline and future inventories, which leaves no net effect.
    - Precisely quantifying the amount of I/M VMT in a non-I/M area is extremely difficult, since it requires one to know where each vehicle in transit is originally from

Low RVP fuels in EAC areas

- Can EAC areas adopt low RVP fuels as a strategy?
- Only certain areas are eligible
  - Nonattainment or formerly nonattainment
  - Showing of necessity
- EAC areas generally will not qualify

Credit for Lower or Enforced Speed Limit

- Is there an air quality benefit to lowering speed limit?
- If an area wants credit, is there a way to estimate credit?
  - Excessive speed must be specifically quantified in the inventory
  - Increased compliance must be demonstrated
- Is there currently a way to quantify the benefit?

Weight of Evidence (WOE)

- **We have posted a Q&A on the EAC technical website describing use of WOE in EAC areas**
- **Use of WOE not intended to be a substitute for implementing quantifiable local measures**
- **EPA's draft 8-hr ozone modeling guidance allows WOE under limited circumstances**
- **Areas must first model local controls to determine attainment prior to considering WOE**
- **When attainment test is not passed or close, draft guidance discusses use of additional analyses (e.g., downward trend in emissions) to support attainment demonstration**

Review of Quantification Protocols (Tennessee request)

- We intend to use a three-tiered approach
- EPA will notify TN of anticipated review time within 2 weeks after receipt of official submission
- Protocols can be reviewed within 45 days, 6 months, or longer than 6 months, depending on how innovative the measures are, the type of source, and emission reduction strategy
- Regions will coordinate with EPA reviewing offices and the States for reviews longer than 45 days

Backstops and Contingency Measures

- EPA cannot require backstops
- We would like the CAAAC subcommittee to join EPA encouraging EAC areas to adopt contingency measures as part of their plans