



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901
FEB 24 2006

Ms. Catherine Witherspoon
Executive Officer
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Dear Ms. Witherspoon:

We have found adequate for transportation conformity purposes the motor vehicle emissions budgets (MVEBs) in the *Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan*. As a result of our adequacy finding, the Sacramento Council of Governments (SACOG) and the Federal Highway Administration must use these budgets in future conformity analyses.

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision on *Environmental Defense Fund v. Environmental Protection Agency*, No. 97-1637, that we must make an affirmative determination that the submitted motor vehicle emissions budgets contained in State Implementation Plans (SIPs) are adequate before they are used to determine the conformity of Transportation Improvement Programs or Long Range Transportation Plans. In response to the court decision, we are making any submitted SIP revision containing a control strategy plan available for public comment and responding to these comments before announcing our adequacy determination.

On April 15, 2004 EPA designated as "nonattainment" areas throughout the country that exceeded the health-based standards for 8-hour ozone. EPA also classified nonattainment areas based on the severity of their ozone problem. The Sacramento Metro area was classified as "serious" nonattainment, effective June 15, 2004. Under the serious classification, EPA requires Sacramento to develop a Reasonable Further Progress (RFP) plan demonstrating reduction of ozone precursor emissions at a rate of three percent per year for six years (from 2002 to 2008), and a plan demonstrating attainment of the national ozone standard by the applicable attainment date (June 15, 2013). Although both plans are due by June 15, 2007, EPA encouraged areas to submit RFP plans as early as possible and the Sacramento agencies prepared a plan in late 2005.

ARB submitted the draft RFP plan to EPA for parallel processing on December 27, 2005. The RFP plan identifies regional MVEBs for the Sacramento Metro area for volatile organic compounds (VOCs) and nitrogen oxides (NOx) for the year 2008. We announced receipt of the RFP plan on the Internet on December 29, 2005, and requested public comment by January 30,

2005. We did not receive any comments on the the budgets and plan during that comment period.

The RFP plan was adopted without amendment by the governing boards of the air districts on the following dates: the Sacramento Metropolitan Air Quality Management District (1/26/06), the Yolo-Solano Air Quality Management District (2/8/06), the Placer County Air Pollution Control District (2/9/06), the El Dorado County Air Quality Management District (2/7/06), and the Feather River Air Quality Management District (2/6/06). ARB formally adopted and submitted the RFP plan to EPA on February 24, 2006.

This letter transmits our decision that the motor vehicle emissions budgets in the RFP plan for the Sacramento Metro area are adequate for transportation conformity decisions. These budgets are provided in the following table:

8-Hour RFP Plan Motor Vehicle Emissions Budgets Sacramento Metro Nonattainment Area		
	VOC ¹	NOx
2008 Emissions Budgets in tons per day	41	75
¹ The plan uses a comparable State term, reactive organic gases (ROG)		

In reaching this decision, we have reviewed the RFP plan, including responses to public comments on the plan, and have preliminarily determined that it meets the requirements to reduce ozone precursor emissions at the necessary rate.

We have enclosed a table that summarizes our adequacy determination. We will soon post this information on the Internet at: <http://www.epa.gov/oms/transp/conform/pastsips.htm>. We will also announce this adequacy determination in the Federal Register. This determination will become effective 15 days after the Federal Register announcement. If you have any questions regarding this decision, please contact Dave Jesson at (415) 972-3957.

Sincerely,



Deborah Jordan
Director, Air Division

Enclosure

cc: See next page

cc: Marcella McTaggart, El Dorado County Air Quality Management District
David A. Valler, Jr., Feather River Air Quality Management District
Tom Christofk, Placer County Air Pollution Control District
Mike McKeever, Sacramento Area Council of Governments
Larry Greene, Sacramento Metropolitan Air Quality Management District
Mat Ehrhardt, Yolo-Solano Air Quality Management District
Bob O'Loughlin, Federal Highway Administration
Sue Kiser, Federal Highway Administration
Leslie Rogers, Federal Transit Administration
Mike Brady, California Department of Transportation

Enclosure

Transportation Conformity Adequacy Review

Control Strategy State Implementation Plan (SIP) Under Review: Serious 8-Hour Ozone Reasonable Further Progress (RFP) Plan		Date of SIP Revision Receipt by EPA: February 24, 2006 (Draft received for parallel processing on December 27, 2005)	
Reviewers: Toby Tiktinsky/Dave Jesson		Date: 2/24/06	
Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document/Comments
Sec. 3.118(e)(4)(i)	The plan was endorsed by the Governor (or designee) and was subject to a public hearing.	Y	On December 27, 2005 the Air Resources Board (ARB, which is the agency designated by the Governor to adopt and submit plans) submitted for parallel processing the draft RFP SIP for the Sacramento Metro 8-hour ozone nonattainment area. ARB formally submitted the RFP SIP on February 14, 2006, which included ARB Executive Order G-125-335 dated February 24, 2006, adopting the <i>8-Hour Ozone Rate-of-Progress Plan</i> as a revision to the California SIP. The resolution also discusses ARB's authority as the State agency responsible for the preparation of any SIP required by the Act. The information submitted to ARB by the Sacramento Regional Districts and forwarded to EPA contains documentation of public hearings in which the SIP was adopted. The hearings were held during 2006 on the following dates: January 26 (Sacramento Metropolitan Air Quality Management District), February 8 (Yolo-Solano Air Quality Management District), February 9 (Placer County Air Pollution Control District), February 6 (Feather River Air Quality Management District), February 7 (El Dorado Air Quality Management District).
Sec. 93.118(e)(4)(ii)	The plan was developed through consultation with federal, state and local agencies; full implementation plan documentation was provided and EPA's stated concerns, if any, were addressed.	Y	The responsible agencies undertook appropriate consultation with federal, state and local agencies and the public. EPA provided extensive comments on several drafts of the plan and attended interagency consultation meetings, as well as public hearings, that were attended by members of the public, private businesses, non-profit organizations, the regional transportation planning organization and other parties. EPA's concerns were addressed.
Sec. 93.118(e)(4)(iii)	The motor vehicle emission budget(s) is clearly identified and precisely quantified.	Y	The motor vehicle emission budgets (MVEBs) are clearly identified and summarized in section 7.4 of the Plan (page 7-5) and precisely quantified in Appendix D. Appendix A shows motor vehicle emissions inventories generated using EMFAC2002. Appendix D shows the adjustments that were made to vehicle activity (vehicle miles traveled and speed distribution).

Sec. 93.118(e)(4)(iv)	The motor vehicle emissions budget(s), when considered together with all other emission sources, is consistent with applicable requirements for reasonable further progress, attainment, or maintenance (whichever is relevant to the given plan).	Y	The motor vehicle emissions budgets are consistent with the RFP plan requirements. The RFP plan provides for all the control measures and emission reductions necessary to show required RFP reductions. The RFP demonstration shows that volatile organic compound (VOC) reductions alone (14 tpd) are not enough to meet RFP milestones by 2008. The District substituted 15 tpd of nitrogen oxides (NOx) reductions. NOx substitution is allowed by the statute and EPA guidance. Substituting NOx for VOC is allowed if the resulting reduction in ozone concentration is at least equivalent to that which would result from VOC emissions reductions. NOx substitution can be found acceptable for RFP purposes prior to completion of modeling supporting an area's attainment demonstration. NOx reductions have been shown to be consistent with previous and current analyses of ozone attainment strategies in the Sacramento Metro area.
Sec. 93.118(e)(4)(v)	The plan shows a clear relationship among the emissions budget(s), control measures and the total emissions inventory.	Y	The emissions inventory for all point, area and motor vehicles, is described and summarized in Chapter 5 (see Tables 5-1 and 5-2). Major changes to the emissions inventories since the 1994 SIP are detailed in Table 5-4, and adjustments to the mobile source emissions inventory are described in Appendix D. More detailed emissions inventories are provided in Appendix A—Emissions Inventory Categories with Growth and Control Factors/Rules. The budgets are consistent with the total inventory, as shown in Appendices A and D.
Sec. 93.118(e)(4)(vi)	Revisions to previously submitted control strategy or maintenance plans explain and document any changes to any previous submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see §93.101 for definition), and reasons for the changes (including the basis for any changes to emission factors or estimates of VMT.	Y	The most recent attainment demonstration SIP for the Sacramento Nonattainment Region was approved by EPA in 1997 (62 FR 1150, January 8, 1997) including the emissions inventory for the Sacramento Metro nonattainment area. The RFP plan reflects the latest vehicle miles traveled (VMT) data and the additional motor vehicle emissions impacts (e.g., vehicle starts and fuel evaporation). The existing MVEBs were set by the 1994 SIP. In contrast to the motor vehicle emission inventories set in the 1994 SIP using EMFAC7F, the current plan includes motor vehicle emission inventories that were prepared using the latest version of EMFAC2002 (version 2.2). Appendix D explains in detail the basis for the new motor vehicle emissions inventory and Table 5-4 explains the reasons for the other changes to the emissions inventories as a whole.
Sec. 93.118(e)(5)	EPA has reviewed the State's compilation of public comments and response to comments that are required to be submitted with any implementation plan.	Y	A public workshop was held on October 24, 2005 to review the draft <i>Sacramento Regional Nonattainment Area 8-Hour Rate-of-Progress Plan</i> . The final draft plan was released in December 2005, and each air district provided 30-Day Notice of Public Hearing. The five air districts of the Sacramento Nonattainment Area held board hearings on the dates identified above. The Districts summarized and responded to comments received during the workshops, but there were no public comments on the plan during the 30-day public notice periods prior to the District Board hearings. Also, there were no public comments received by CARB. EPA has reviewed the public comments and the response to the comments.