

# California Statewide Conformity Working Group

9/16/2010 Teleconference:

## **Meeting Notes**

Times are from the agenda. Meeting moved faster than planned and ended shortly after 1200.

### **10:00 AM Introductions; housekeeping; agenda review**

### **10:05 AM Public Comment on matters not on the agenda**

No comments received.

### **10:10AM Federal Updates**

#### **Update regarding timeframe & procedures for PM2.5 conformity**

SCAG & San Joaquin Valley regional analysis done & hot spot procedures continuing as previously set up for PM10 & 1997 PM2.5. Others have new hot spot procedures in place and will submit regional analysis with FTIP submittal ~Nov1.

#### **EPA and FHWA discussion of other SIP and conformity matters including:**

- *Recent sanctions clocks ([8/2010 CA list](#) and [FHWA web site](#))*
  - San Joaquin Valley: working on rule fixes; should be able to deal with issues on time.
- *Final PM Conformity Amendments rule ([EPA web site](#))*
  - Covered in March. MPOs dealing with it in current conformity findings.
- *Proposed Conformity Restructuring rule ([EPA web site](#))*
  - Published 8/13/2010 so the comment period just closed. Restructures conformity regulations to make dealing with new NAAQS easier. Would require fewer revisions to regulations when standards change; sets pattern for future transitions.
  - Changes include:
    - Existing emission budgets stay in force until new budgets available.
    - Rule describes how baseline year is defined and proposing additional near term year if past attainment year or if attainment year is not defined.
    - Additional analysis year for 5% plan, secondary standard
    - Also explains how areas can work with EPA when we will be making a clean data finding to allow the areas to use the most recent year with clean data as a budget for the area (since they area may not have established budgets via another mechanism)
    - Explains that for transportation related pollutants (PM, ozone, NO2, CO), that conformity for the secondary standard is needed. This may be a new requirements for the 2010 ozone standard which is the first transportation NAAQS which may have a different secondary standard.
    - Attachment at OTAQ web site shows actual language changes.
    - Questions:

- San Joaquin Valley: applicability of additional year to maintenance?
  - EPA (Karina): Yes – this could apply to maintenance areas. But the clean data finding is typically done for areas who are nonattainment and don't have an attainment plan. The budgets would be negotiated as part of the Clean Data finding – possibly a pseudo-budget based on the last-clean-year inventory.
  - EPA (John Kelly): For clean data findings, we don't use redesignation criteria but are focused on whether clean data are correct. Maintenance budget is based on real/enforceable reductions. Do the same principles apply to these budgets?
  - EPA (Karina): interim budget would be based on clean data year; maintenance SIP has budgets for the end of the period.
  - EPA continued: timing of process not fully defined in proposal; might fold into Clean Data Finding?
  - Question: schedule for final action? EPA: OTAQ got 10 sets of comments; should have internal draft final around late October & might sign around early summer 2011.
  - SANDAG: submitted comments re. first-5-year budget requirements; when does it apply? EPA: probably applies on effective date but since it's a change of procedures that might be tolled for an area where conformity analysis is already in process.
- EPA: Conformity DOES apply for secondary standards. Questions still open include that the ozone secondary standard is in a totally different form – how to do conformity for it? Could be a SIP issue too: may need a different kind of budget.
- EPA: Implementation rule for ozone should be ready at the same time as the revised NAAQS (October).
  - May revoke 1997 NAAQS. Still talking about whether the grace period for the secondary standard would be the same as for the primary, but probably will be the same for both NAAQS. May not have an attainment year for the secondary standard so the 5-yr analysis year requirement will be included.
  - Question: if there's no attainment year how do you define the budget? EPA: there's always an attainment year, but it may not be specified in the Clean Air Act. If not specified it's ASAP based on attainment demonstration with RACM analysis. So for the secondary standard there would be no maximum attainment date but still ASAP. Still need attainment demonstration & RACM – which may be

- different from primary (still draft proposal) – that support attainment as expeditiously as practicable. Therefore
        - Attainment date is as expeditious as practicable,
        - Within any statutory maximum;
        - Or as provided in the attainment SIP
      - SJV Question: conformity next needed in 1 year – how is the secondary standard handled? Just Primary until Secondary SIP is done? EPA: this proposal not specific – in any case need to wait for NAAQS & area designations – “how” will be explained later. So doing conformity a year from now would not include formal analysis for the secondary standard.
- *AP-42 updates (EPA web site and Paved Roads revision)*
  - This is the official method for estimating fugitive emissions.
  - OAQPS is proposing a change for PM10 & 2.5 paved road (reentrained dust) emissions. PM10 usually goes down; 2.5 goes up.
  - Affects areas with PM budgets for paved roads. Has extended comment period. Grace period unclear at this time.
  - ARB: for MPOs – how does this change reentrained dust effects on conformity determinations? EPA: new method usually cuts PM10 but 2.5 goes up. Makes current PM10 budget much easier to meet but 2.5 harder. Not clear whether comments would change much.
  - ARB: If an area has info or a method that it believes is better can they still use it with Region 9 approval? EPA: Alternative methods are usually seen and approved as part of a SIP. ARB: More concerned with the near-term; MPOs potentially must use new equation – can an MPO choose to use CA-specific info thru consultation? EPA: Grace period provide for transition.
  - SJV: If there’s a SIP-approved method do we keep using it? EPA: Need to look at how different it is from the new official method and how it was approved.
  - SJV: Can I rely on a previous regional emission analysis if it was done with the older method? EPA: Still need to confirm. Followup: But if new analysis is done it must use new method. EPA: yes
- *NAAQS Review Schedule ([table](#) – PDF file)*
  - EPA: ozone schedule for reconsideration of 2008 designations based on lawsuit; deadline for final action extended to October. Nonattainment area recommendations due by June 2011 for both primary & secondary standards -- primary/secondary no longer bifurcated. Designations 1 yr later, with conformity due in 2013.
  - San Diego: SIP due date for new standard not clear? EPA: Not clear what HQ wants yet; running late. May be an issue with litigants. SIP due date might be in 2014 but nothing is in writing yet. Should establish in an implementation rule that goes with the revised NAAQS. The usual 36 months for SIP development is probably off the table – will need to be faster.
- *Significant litigation and other matters – none per EPA and FHWA.*

## 11:15 ARB/Caltrans Updates

- *EMFAC Update (EMFAC 2010) status*
  - ARB: work continues – still expecting Latest Planning Assumptions version by the end of December.
  - SB375 targets to be adopted by Board next Thursday. Truck & bus rule revisions in December.
  - Promotions/movements – Kurt Karperos is now Assistant Division Chief for Planning & Technical Support. Doug Ito is now branch chief. Todd Sax is now Mr. EMFAC and on/offroad mobile source modeling in general.
  - Cari: Who's Climate Change now? ARB: Rotating– can't fill the position. Doug still managing.
  - San Diego: Modeling for 2050? EPA advised to use conformity procedure to shorten the analysis period to 2040. San Diego proceeding with setting up public review for modeling 2040, info 2050.
- *2011 FSTIP update*
  - No notes.

## 11:30 Break

## 11:45 Project-Level Analysis

- *PM Hot Spot Procedures Status & related discussion*

EPA: Still talking about things internally. Grace period for emission model transition is the same as for the methodology.
- *Potential Conformity Restructuring Rule effects - horizon and other analysis years*

EPA (in response to a question): Still need to cover the likely highest emission year/highest emissions from the project! The 5-year analysis year requirement is for regional analysis.

## 12:15 Status of Air Quality and Transportation Planning in California

### *MPO & Air District Status Reports and Discussion*

- ([8/2010 Caltrans Conformity Status Chart](#))
- Caltrans D11: concern about stationary source effects on conformity and lapse. ARB: how? Sanctions.
- SANDAG: RTIP approved in July; 2010 TIP for 9/24 Board meeting; 2050 RTP due July 2011.
- SCAG: 2011 TIP adoption 9/22. 2008 RTP Amendment 4 released early September for action in November. Got Federal Approval for the 2008 RTP/TIP for PM2.5 8/9/10. 2012 RTP due out Nov11.
- SJV: all MPOs adopted 2011 TIP & RTP in July. Now focusing on SB375 and outlining the next few years of conformity & 375 compliance for next RTP update. Travel Model Improvement is a big focus – get all 8 counties to the same level.

- MTC: just finished conformity for the 2011 TIP & 2035 RTP for PM2.5; released 8/10; to approve end of October. First time for PM2.5; using interim process. Major effort is now the SB375 process; working on new activity-based Travel Demand Model for the 2040 RTP due next year.
- SACOG: just finished MTIP w/o PM2.5; sending out PM2.5 separately next week; will send both to FHWA at the same time.
- BCAG: did PM2.5 w/new TIP. Starting model improvements and SB375 process for 2012 RTP.
- APCDS: Sac: requesting attainment-maintenance for PM10 in October. Proposed PM10 budgets to be reviewed at RPP (interagency consultation) this month. South Coast: working on inventories for new AQMP. Ventura: issues with slow Federally-funded project delivery – causing TCM delivery concerns

### **12:45 Information Sharing**

- Sacramento AQMD: CAPCOA has released a GHG quantification document – by Environ.
- Ventura: just updated selection criteria for a mini-project call to address funding in the current SAFETEALU extension - ~\$10m for CMAQ + a few other project types
- Next meeting – March 2011, by teleconference

### **1:00 PM Adjournment**

Actual time was approximately 12:00 noon.