

Status of Sanction Clocks under the Clean Air Act in California

As of 2/8/2012

Area	Required Element	Effective Date and Type of Finding	Date of 2:1 Offset Sanction	Date of Highway Sanction	Status
San Francisco Bay Area	Ozone SIP	10/22/2001 Limited Disapproval 4/24/2004 Sanctions stayed and deferred	04/22/2003	10/22/2003	Offset sanction stayed (and highway sanction deferred) by interim final determination on 07/16/03 . Effective on 4/24/2004 the interim final action stayed the offset sanction and deferred the highway sanction for as long as the area continues to attain the 1-hour ozone standard.
Sacramento Metropolitan (Ozone) Area except Sacramento County	Ozone Fees	1/5/2010 Failure to Submit 5/18/2011 Sanctions deferred	8/5/2011	1/5/2012	Failure to Submit Section 185 fee SIP for 1-hour ozone, except Sacramento County (Sacramento AQMD) for which the SIP was submitted. "Severe" area. SANCTIONS DEFERRED effective 5/18/2011 based on proposed finding that Sacramento Metro area has attained the 1-hour ozone standard and no longer needs to submit the missing SIP element.
South Coast Air Basin	Ozone Fees	1/5/2010 Failure to Submit	8/5/2011	1/5/2012	Failure to Submit Section 185 fee SIP for 1-hour ozone. "Severe" area. SANCTIONS CLOCKS STOPPED per EPA letter .
Southeast Desert (Ozone) Area	Ozone Fees	1/5/2010 Failure to Submit	8/5/2011	1/5/2012	Failure to Submit Section 185 fee SIP for 1-hour ozone. "Severe" area. SANCTIONS CLOCKS STOPPED per EPA letter .
San Joaquin Valley	Ozone Fees	2/12/2010 Limited Disapproval	8/12/2011	2/12/2012	Limited approval/disapproval of VOC/NOx fee rule 3170. Exemptions, definitions, and APCO discretion. SANCTIONS DEFERRED effective 7/28/11 based on proposed approval of revised Rule 3170.

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San Joaquin Valley	NSR Rules	6/10/2010 Limited Disapproval	12/10/2011	6/10/2012	Limited approval/disapproval of NSR rule changes addressing Extreme ozone classification and various other EPA requirements. Sanctions SUSPENDED effective 12/6/11 based on Proposed Rule approving revised NSR rules.
Imperial County	Fugitive Dust Rules (Reg. VIII)	8/9/2010 Limited Disapproval	2/9/2012	8/9/2012	Limited approval/disapproval of Regulation VIII (fugitive dust rule) – BACM concerns regarding OHV use, unpaved road, agriculture, other (paved roads not an issue though). Due to continuing dispute about various issues, this clock appears likely to result in sanctions. EPA has stated that this is not a “control strategy SIP” disapproval so there will not be a conformity lapse affecting transit funding.
San Joaquin Valley	Ozone RACT	11/1/2010 Limited Disapproval	5/1/2012	11/1/2012	Limited approval/disapproval of Rule 4352 (solid-fuel boilers, steam generators, & process heaters) – RACT issue with inadequate justification of emission limits proposed.
Feather River AQMD (Yuba & Sutter Counties)	NSR Rules	8/26/2011 Limited Disapproval	2/26/2012	8/26/2013	Limited approval/disapproval of NSR rules.
Placer County APCD	NSR Rules	8/26/2011 Limited Disapproval	2/26/2012	8/26/2013	Limited approval/disapproval of NSR rules.
San Joaquin Valley	PM2.5 SIP	1/9/2012 Partial Disapproval	7/9/2013	1/9/2014	Disapproval of contingency measures in PM2.5 SIP. All other aspects of the SIP were approved, including emission budgets, so a protective finding was made preventing conformity freeze.

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South Coast	PM2.5 SIP	1/9/2012 Partial Disapproval	7/9/2013	1/9/2014	Disapproval of contingency measures in PM2.5 SIP. All other aspects of the SIP were approved, including emission budgets, so a protective finding was made preventing conformity freeze.
San Joaquin Valley	Ozone RACT SIP	1/21/2009 Failure to Submit 2/9/2012 Partial Disapproval	7/21/2010 8/9/2013	1/21/2011 2/9/2014	<p>Failure to Submit Reasonably Available Control Technology (RACT) SIP after ARB withdrew the 1-hour ozone RACT provisions pending revision and resubmittal as part of the 8-hour ozone SIP.</p> <p>Sanctions clocks for Failure to Submit stopped by EPA Completeness Determination on the revised (8-hour ozone) RACT SIP on 12/11/2009 (not published). Not clear whether they were stayed/deferred or actually terminated.</p> <p>On 1/10/2012, EPA published a Final partial approval/disapproval of the RACT SIP based on deficiencies in and inability to review several rules. The effective date of the rule is stated as 2/9/2012 in the DATES section of the rule, and 3/12/2012 in the “CAA Consequences” section of the Rule text. Sanctions dates listed here show the 3/12-based dates in parentheses.</p> <p>See also Proposed Consent Decree published on 1/27/2012.</p>
Placer Co. APCD	Rule 233 Biomass-fueled Boilers	2/21/12 Limited Disapproval	8/21/13	2/21/14	Limited approval/disapproval of APCD rule for biomass-fueled boilers. Deficiencies related to RACT trigger sanctions clock.

See also FHWA’s Sanctions Clock list at: http://www.fhwa.dot.gov/environment/air_quality/highway_sanctions/sanctionsclock.cfm

Please contact Mike Brady or David Ipps at Caltrans HQ with updates/corrections.