

## Status of Sanction Clocks under the Clean Air Act in California

As of 8/20/2012

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 <a href="#">Limited Disapproval</a>  4/24/2004 <a href="#">Sanctions stayed and deferred</a>	04/22/2003	10/22/2003	Offset sanction stayed (and highway sanction deferred) <a href="#">by interim final determination on 07/16/03</a> . <a href="#">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.</a>
Sacramento Metropolitan (Ozone) Area except Sacramento County	Ozone Fees	1/5/2010 <a href="#">Failure to Submit</a>  5/18/2011 <a href="#">Sanctions deferred</a>	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.  <a href="#">SANCTIONS DEFERRED effective 5/18/2011 based on proposed finding that Sacramento Metro area attained the 1-hour ozone standard by 11/2010 and no longer needs to submit the missing SIP element.</a>
South Coast Air Basin	Ozone Fees	1/5/2010 <a href="#">Failure to Submit</a>	8/5/2011	1/5/2012	Failure to Submit Section 185 fee SIP for 1-hour ozone. "Severe" area.  <a href="#">SANCTIONS CLOCKS STOPPED per EPA letter.</a>
Southeast Desert (Ozone) Area	Ozone Fees	1/5/2010 <a href="#">Failure to Submit</a>	8/5/2011	1/5/2012	Failure to Submit Section 185 fee SIP for 1-hour ozone. "Severe" area.  <a href="#">SANCTIONS CLOCKS STOPPED per EPA letter.</a>
San Joaquin Valley	Ozone Fees	2/12/2010 <a href="#">Limited Disapproval</a>	8/12/2011	2/12/2012	Limited approval/disapproval of VOC/NOx fee rule 3170. Exemptions, definitions, and APCO discretion.  <a href="#">Final approval of revised rule published 8/20/2012, effective 9/19/2012. Final approval terminates sanctions clocks when effective.</a>

## Status of Sanction Clocks under the Clean Air Act in California

As of 8/20/2012

Area	Required Element	Effective Date and Type of Finding	Date of 2:1 Offset Sanction	Date of Highway Sanction	Status
San Joaquin Valley	NSR Rules	6/10/2010 <a href="#">Limited Disapproval</a>	12/10/2011	6/10/2012	Limited approval/disapproval of NSR rule changes addressing Extreme ozone classification and various other EPA requirements.  <a href="#">Sanctions DEFERRED effective 12/6/11 based on Proposed Rule approving revised NSR rules.</a>
Imperial County	Fugitive Dust Rules (Reg. VIII)	8/9/2010 <a href="#">Limited Disapproval</a>	2/9/2012	<b>8/9/2012</b>	Limited approval/disapproval of Regulation VIII (fugitive dust rule) – BACM concerns regarding OHV use, unpaved roads, agriculture, other (paved roads not an issue though).  <b>Offset and Highway sanctions are now in place. A revised rule by the air district is in process. EPA has stated that this is not a “control strategy SIP” disapproval so there is no conformity lapse affecting transit funding. Area affected is the PM10 nonattainment area, which does not include the far eastern part of the county. Sanctions expected to last about 6 months.</b>
San Joaquin Valley	Ozone RACT	11/1/2010 <a href="#">Limited Disapproval</a>	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.  <a href="#">Sanctions STAYED/DEFERRED effective 4/26/12 based on Proposed Rule fully approving revised Rule 4352.</a>

## Status of Sanction Clocks under the Clean Air Act in California

As of 8/20/2012

Area	Required Element	Effective Date and Type of Finding	Date of 2:1 Offset Sanction	Date of Highway Sanction	Status
Feather River AQMD (Yuba & Sutter Counties)	NSR Rules	8/26/2011 <a href="#">Limited Disapproval</a>	2/26/2013	8/26/2013	Limited approval/disapproval of NSR rules.
Placer County APCD	NSR Rules	8/26/2011 <a href="#">Limited Disapproval</a>	2/26/2013	8/26/2013	Limited approval/disapproval of NSR rules.
San Joaquin Valley	PM2.5 SIP	1/9/2012 <a href="#">Partial Disapproval</a>	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 <b>a protective finding was made preventing conformity freeze.</b>
South Coast	PM2.5 SIP	1/9/2012 <a href="#">Partial Disapproval</a>	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 <b>a protective finding was made preventing conformity freeze.</b>
San Joaquin Valley	Ozone RACT SIP	<del>1/21/2009</del> <a href="#">Failure to Submit</a>  (see below)  2/9/2012 <a href="#">Partial Disapproval</a>  Rules with pending sanctions clocks (other	<del>7/21/2010</del>   8/9/2013	<del>1/21/2011</del>   2/9/2014	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.  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.  On 1/10/2012, EPA published a <a href="#">Final partial approval/disapproval</a> of the RACT SIP based on deficiencies in and inability to review several rules.

**Status of Sanction Clocks under the Clean Air Act in California**

As of 8/20/2012

Area	Required Element	Effective Date and Type of Finding	Date of 2:1 Offset Sanction	Date of Highway Sanction	Status
		<p>cited rules either are approved or have no separate clocks):</p> <p>4352 (10/1/10, <b>sanctions stayed/deferred</b>)</p> <p>4402 (7/7/11)</p> <p>4625 (7/7/11)</p> <p>4682 (7/7/11)</p>	<p>4/1/12</p> <p>1/7/13</p> <p>1/7/13</p> <p>1/7/13</p>	<p>10/1/12</p> <p>7/7/13</p> <p>1/7/13</p> <p>1/7/13</p>	<p>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 are based on the 2/9 date as advised by EPA.</p> <p>See also <a href="#">Proposed Consent Decree</a> published on 1/27/2012. The consent decree forced EPA action before review could be completed on some rules.</p> <p>Rules covered include:</p> <ol style="list-style-type: none"> <li>1. Rule 4352--Solid Fuel Fired Boilers, Steam Generators, and Process Heaters--final limited approval/disapproval October 1, 2010 (<a href="#">75 FR 60623</a>). SJVUAPCD submitted amendments to EPA and <b>EPA proposed full approval of the revised rule on 4/26/2012 (<a href="#">77 FR 24883</a>) and stayed/deferred sanctions clocks (<a href="#">77 FR 24857</a>)</b>.</li> <li>2. Rule 4401--Steam Enhanced Crude Oil Production Wells--final limited approval/disapproval January 26, 2010, (<a href="#">75 FR 3996</a>). SJVUAPCD submitted amendments to EPA and <b>EPA approved them into the SIP on November 16, 2011 (<a href="#">76 FR 70886</a>)</b>.</li> <li>3. Rule 4402--Crude Oil Production Sumps--final limited approval/disapproval July 7, 2011 (<a href="#">76 FR 39777</a>). SJVUAPCD submitted amendments to EPA and <b>EPA proposed full approval of revised rule on 6/13/2012 (<a href="#">77 FR 35329</a>)</b>. <b>No sanctions deferral published.</b></li> </ol>

**Status of Sanction Clocks under the Clean Air Act in California**

As of 8/20/2012

Area	Required Element	Effective Date and Type of Finding	Date of 2:1 Offset Sanction	Date of Highway Sanction	Status
					<p>4. Rule 4605--Aerospace Assembly and Component Coating Operations--final limited approval/disapproval January 26, 2010, (<a href="#">75 FR 3996</a>). SJVUAPCD submitted amendments to EPA and <b>EPA approved them into the SIP on November 16, 2011</b>, (<a href="#">76 FR 70886</a>).</p> <p>5. Rule 4625--Wastewater Separators--final limited approval/disapproval July 7, 2011 (<a href="#">76 FR 39777</a>). SJVUAPCD submitted amendments to EPA and <b>EPA proposed full approval on 6/13/2012</b> (<a href="#">77 FR 35329</a>). <b>No sanctions deferral published.</b></p> <p>6. Rule 4682--Polystyrene, Polyethylene, and Polypropylene Products Manufacturing--proposed disapproval July 15, 2011, (<a href="#">76 FR 41745</a>). SJVUAPCD submitted amendments to EPA and <b>EPA proposed full approval on 6/13/2012</b> (<a href="#">77 FR 35327</a>). <b>No sanctions deferral published.</b></p> <p>7. Rule 4684--Polyester Resin Operations--final limited approval/disapproval January 26, 2010, (<a href="#">75 FR 3996</a>). SJVUAPCD submitted amendments to EPA and <b>EPA approved them into the SIP on February 6, 2012</b> (<a href="#">77 FR 5709</a>).</p> <p>EPA also proposed to partially disapprove the RACT SIP because they had not yet made RACT determinations for the following three rules (all submitted and in process at the time):</p>

**Status of Sanction Clocks under the Clean Air Act in California**

As of 8/20/2012

Area	Required Element	Effective Date and Type of Finding	Date of 2:1 Offset Sanction	Date of Highway Sanction	Status
					<ol style="list-style-type: none"> <li>1. Rule 4566--Organic Material Composting Operations. <b>No separate sanctions clocks.</b></li> <li>2. Rule 4694--Wine Fermentation and Storage Tanks. <b>No separate sanctions clocks. EPA proposed full approval on 6/13/2012 (77 FR 25384).</b></li> <li>3. Fumigant Volatile Organic Compound Regulations--California Department of Pesticide Regulation. <b>No separate sanctions clocks. EPA proposed approval on 4/26/2012 (<a href="#">77 FR 24441</a>).</b></li> </ol>
Placer Co. APCD	Rule 233 Biomass-fueled Boilers	2/21/12 <a href="#">Limited Disapproval</a>	8/21/13	2/21/14	Limited approval/disapproval of APCD rule for biomass-fueled boilers. <b>Deficiencies related to RACT trigger sanctions clock.</b>

See also FHWA's Sanctions Clock list at: [http://www.fhwa.dot.gov/environment/air\\_quality/highway\\_sanctions/sanctionsclock.cfm](http://www.fhwa.dot.gov/environment/air_quality/highway_sanctions/sanctionsclock.cfm)