

Clean Air Act Emissions Statement Certification

EPA Approval for the California State Implementation Plan (SIP) Revision Certifying that the Existing Emission Statement Program Meets the Requirements for the Implementation of the 1997, 2008 and 2015 8-hour Ozone National Ambient Air Quality Standards: Nonattainment Area State Implementation Plan Requirements

Section 182(a)(3)(B) of the Clean Air Act (Act) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of nitrogen oxides (NOx) and volatile organic compounds (VOC). Specifically, section 182(a)(3)(B)(i) of the Act requires air agencies to submit to U.S. EPA a SIP revision requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NOx and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the Act allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NOx if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the U.S. EPA or other methods acceptable to the U.S. EPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The emissions statement requirements for the 2015 70 ppb 8-hour ozone standard are described in *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998, December 6, 2018). If a nonattainment area has a previously-approved emissions statement rule in force for a previous 8-hour or 1-hour ozone standard covering all portions of the nonattainment area for the 70 ppb 8-hour ozone standard, the existing rule should be sufficient for the 70 ppb 8-hour ozone standard. If the existing rule does not meet section 182(a)(3)(B) requirements, a revised or new rule would have to be submitted as part of the current ozone SIP.

San Francisco Bay Area AQMD Rule 2-1-429, *Federal Emissions Statement*, fulfills the section 182(a)(3)(B) emissions statement requirements. District Rule 2-1-429 was last revised on December 21, 2004, and submitted to U.S. EPA on December 14, 2017 as part of BAAQMD's New Source Review Rule amendments, and approved by U.S. EPA into the SIP on May 21, 2018, [83 FR 23372]. The boundaries of the San Francisco Bay Area nonattainment area for the 70 ppb 8-hour ozone standard are the same as for the previous 75 ppb 8-hour ozone standard and for the previous 80 ppb 8-hour ozone standard for which the rule was last amended. The San Francisco Bay Area AQMD has reviewed existing Rule 2-1-429 to ensure it is adequate and, based on the rationale in the table below, determined that the existing rule is adequate to meet the section 182(a)(3)(B) emissions statement requirements for the 2015 70 ppb 8-hour ozone standard, the 2008 75 ppb 8-hour ozone standard and the 1997 80 ppb 8-hour ozone standard

The San Francisco Bay Area AQMD hereby certifies that the existing provisions of Rule 2-1-429 adequately meet the emissions statement requirements of section 182(a)(3)(B) of the Act for the purposes of the 2015 70 ppb 8-hour ozone standard, the 2008 75 ppb 8-hour ozone standard, and the 1997 80 ppb 8-hour ozone standard and that no revision of the rule is required. The Air District requires permits for all classes and categories of sources subject to section

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182(a)(3)(B). Permit exemptions may be allowed for qualifying sources that emit 5 tons or less per year for any regulated air pollutant which is well below the allowable waiver of 25 tons per year of NOx or VOCs. Furthermore, the Air District maintains an emissions inventory of all sources using factors acceptable to U.S. EPA.

Rationale that District Rule 2-1-429 is adequate to meet the requirements of CAA 182(a)(3)(B) for the 70 ppb 8-hour ozone standard

CAA 182(a)(3)(B) Requirements	San Francisco Bay Area AQMD Rule 2-1-429 Provision
CAA 182(a)(3)(B)(i)	<p>“Within 2 years after November 15, 1990, the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source.”</p>
“The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter.”	<p>Rule 2-1-429: The owner or operator of any facility that emits or may emit oxides of nitrogen or volatile organic compounds shall provide the APCO with a written statement, in such form as the APCO prescribes, showing actual emissions of oxides of nitrogen and volatile organic compounds from that facility.</p>
“The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.	<p>Rule 2-1-429: “Effective November 1, 1994, the statement shall be submitted to the District each year with the annual permit renewal.” Since all sources subject to the CAA 182(a)(3)(B) requirements must be permitted by the District, with a permit exemption of 5 tons per year, all sources of interest must submit statements with the annual permit renewal.</p>
CAA 182(a)(3)(B)(ii)	<p>Rule 2-1-429: The statement shall also contain a certification by a responsible official of the company or facility that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.</p>
“The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs	<p>Rule 2-1-429: The APCO may waive this requirement for any class or category of facilities that emit less than 25 tons per year of oxides of nitrogen and volatile organic</p>

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(1) or (3)(A), provides an inventory of emissions from such class or category of sources based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator.”	compounds, each taken separately, if the District provides the Air Resources Board with emission inventories of facilities emitting greater than 10 tons per year of either oxides of nitrogen or volatile organic compounds based on the use of emission factors acceptable to the Air Resources Board and the U.S. Environmental Protection Agency (EPA).
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