UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUL 16 2009

James Goldstene, Executive Officer
California Air Resources Board
1001 I Street, P.O. Box 2815
Sacramento, CA 95812

Re: Adequacy Status of Sacramento 8-Hour Ozone Reasonable Further Progress (RFP) and Attainment Plan Motor Vehicle Emissions Budgets

Dear Mr. Goldstene:

We have found adequate for transportation conformity purposes certain motor vehicle emissions budgets (MVEBs) in the *Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (March 27, 2009)*, ("2009 Sacramento Ozone Plan") and have found inadequate certain other MVEBs in this plan. As a result of our finding, Sacramento Area Council of Governments (SACOG) and the U.S. Department of Transportation must use the adequate budgets and cannot use the inadequate budgets in future transportation conformity analyses once the finding becomes effective.

On January 21, 2009, the California Air Resources Board (CARB) submitted a request to EPA for parallel processing of the MVEBs in the final, but not yet adopted, 2009 Sacramento Ozone Plan. Following adoption of the plan by the five applicable air pollution control districts in the Sacramento region, CARB adopted the plan and submitted it to EPA on April 17, 2009 as a revision to the California State Implementation Plan (SIP). The plan includes new control measures and demonstrations of RFP and attainment for the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). The plan identifies MVEBs for reactive organic gases (ROG) and nitrogen oxides (NO_x) for each RFP milestone year through 2017 and for the attainment year 2018. Acting in response to CARB's request for parallel processing, we announced availability of the plan and related MVEBs on the Internet on March 18, 2009, and requested public comment by April 17, 2009. We received no comments on the budgets and plan during that comment period.

This letter transmits our decision that the motor vehicle emissions budgets for 2011, 2014 and 2017 contained in the 2009 Sacramento Ozone Plan are adequate for transportation conformity decisions. These budgets are consistent with the plan's RFP demonstrations for milestone years 2011, 2014, and 2017, and these budgets are based on control measures, that have already been adopted and implemented. The budgets also meet the other adequacy criteria, therefore, these budgets meet the transportation conformity adequacy criteria found in 40 CFR 93.118(e)(4). The adequate budgets are as follows:

Adequate Motor Vehicle Emissions Budgets (Summer planning)		
Budget Year	Reactive Organic Gases[1] (tons per day)	Nitrogen Oxides (tons per day)
2011	38	78
2014	32	61
2017	29	48
[1] Reactive Organic Gases (ROG) is the term used in the plan and is comparable to the Federal term, volatile organic compounds (VOC).		

This letter also transmits our finding that the motor vehicle emissions budgets for 2018 are inadequate for transportation conformity purposes. The 2018 budgets include estimated emission reductions associated with a number of commitments for future rule adoption that lack specificity. As such, the SACOG would not be able to accurately quantify future emission reductions associated with the commitments. Without additional specificity, it is also unclear how the 2018 budgets are precisely quantified or related to the overall emissions inventory and other measures. Therefore, the 2018 budgets do not meet the adequacy criteria found in 40 CFR 93.118(e)(4)(iii), (iv), and (v).

Inadequate Motor Vehicle Emissions Budgets (Summer planning)		
Budget Year	Reactive Organic Gases[1] (tons per day)	Nitrogen Oxides (tons per day)
2018	24	34
[1] Reactive Organic Gases (ROG) is the term used in the plan and is comparable to the Federal term, volatile organic compounds (VOC).		

We have detailed our adequacy findings in the enclosure. A copy of this letter and its enclosure will soon be posted on the Internet at: http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm. We will also announce the adequacy findings in the Federal Register. The findings will become effective 15 days after the Federal Register announcement pursuant to 40 CFR 93.118(f).

If you have any questions regarding these adequacy findings or would like copies of the comments received, please contact Kerry Drake at (415) 947-4157 or John Kelly at (415) 947-4151.

Sincerely,

Deborah Jordan
Director, Air Division

Enclosure

cc: Larry Greene, Executive Director, Sacramento Metropolitan AQMD
Mike McKeever, Executive Director, Sacramento Area COG
Steve Luxenberg, Federal Highway Administration
Ted Matley, Federal Transit Administration

Enclosure 1: Transportation Conformity Adequacy Review

Control Strategy State Implementation Plan (SIP) Under Review: 2009 Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan ("2009 Sacramento Ozone Plan")			Date of SIP Revision Receipt by EPA: April 17, 2009
Reviewers: John Kelly		Date: 07/06/2009	
Adequacy Review Criteria (40 CFR part 93)		**Is Criterion Satisfied?**	**Reference in SIP Document/Comments**
Sec. 93.118(e)(4)(i)	The plan was endorsed by the Governor (or designee) and was subject to a public hearing.	Y	The April 17, 2009 transmittal letter submitting the 2009 Sacramento Ozone Plan was sent by CARB's Executive Officer, James Goldstene, the Governor's designee. The transmittal letter indicates that the CARB formally adopted the plan on March 26, 2009 through a Board Resolution (09-19). Local air districts (Sacramento Metro AQMD, Yolo-Solano AQMD, Feather River AQMD, Placer County APCD, El Dorado County AQMD) released their draft plan on September 10, 2008 and held public workshops September 22-25, 2008, requesting that public comments be received prior to or at their Board adoption hearings. District Board hearings were held between January 22 and February 19, 2009. CARB issued the public notice on February 24, 2009 and requested public comments at or before the public hearing held on March 26, 2009. Here is a link to the notice: http://www.arb.ca.gov/planning/sip/sacozone.pdf. .

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**	Consultation with federal, state and local agencies was undertaken. Section 2.6 of the 2009 Sacramento Ozone Plan describes the participation among the various agencies in development of the plan. The consultation process for conformity budgets occurs in Sacramento via the Sacramento Area Council of Governments hosted Regional Planning Partnership. The Regional Planning Partnership membership includes SACOG staff, local transportation agencies, Federal Highway Administration, EPA, CARB, California Dept. of Transportation, the local air quality management districts, and local environmental groups including Environmental Council of Sacramento. The meetings are open to the public. Meeting notices are posted on the SACOG website. Consultation on the Draft 2009 Sacramento Ozone Plan, including the conformity budgets, occurred on September 17, 2008. The materials for that meeting can be found at the following link: http://www.sacog.org/calendar/2008/09/24/rpp/pdf/04-SIP.pdf EPA received a copy of the draft 2009 Sacramento Ozone Plan and EPA's comments were addressed.
Sec. 93.118(e)(4)(iii)	The motor vehicle emission budget(s) is clearly identified and precisely quantified.	**Y / N**	The motor vehicle emissions budgets for 2011, 2014, and 2017 are clearly identified and precisely quantified in appendix F of the 2009 Sacramento Ozone Plan. The budget for 2018 is not precisely quantified because the new emission reductions from the 2007 State Strategy, as adopted by CARB for attainment of the ozone NAAQS in the Sacramento region, do not result from adequately specified control measures. More specifically, the emissions reduction commitment by CARB for the Sacramento region is an aggregate reduction commitment that may be satisfied by various measures, some of which relate to on-road sources and others of which relate to nonroad sources and consumer products. Since the precise emissions reduction commitment by CARB from the on-road source category is indefinite, the portion of the State's emissions reduction commitment that is included in the budget cannot be precisely quantified. The budget for 2018 lists the on-road portion of the State's commitment as 3.4 tons per day of ROG and 11.2 tons per day of NOx (see table F-4 in Appendix F), but such estimates are merely assumptions and do not reflect specific commitments by the State. In contrast, the budgets for the years 2011, 2014 and 2017 reflect control measures that are already adopted or from a specific on-road mobile source incentive program. See tables F-1, F-2, and F-3 in appendix F of the 2009 Sacramento Ozone Plan, and see resolution of plan adoption by the Sacramento Metropolitan AQMD (Resolution No. 2009-001).

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 / N**	EPA has preliminarily concluded that the budgets for the years 2011, 2014 and 2017, when considered together with all other emission sources, are consistent with the requirement to demonstrate reasonable further progress for the 1997 8-hour ozone standard. This finding is based on review of the plan's ozone RFP demonstration (chapter 13 of the plan, specifically table 13-1, and also table G-1 of appendix G) that reasonably demonstrates the required 3% annual rate of progress (averaged over each three-year period) without reliance on new measures (i.e., RFP is demonstrated based on emissions reductions from existing measures plus certain emissions reductions credits (ERC). EPA cannot determine that the 2018 motor vehicle emissions budgets, when considered together with all other emission sources, are consistent with the requirement to demonstrate attainment because the control strategy does not include sufficient State and local measures and commitments to achieve the full emissions reductions needed to be implemented by 2018 but relies to a limited extent on future EPA action to reduce locomotive emissions. This conclusion is based on a comparison of the new State and Federal SIP Measures expected to be implemented in 2018 in the Sacramento region (page 7-4 of the plan) with CARB's related aggregate emissions reduction commitment to achieve 13 tons per day of NOx and 11 tons per day of ROG by 2018 in the Sacramento region (see page 4 of CARB Resolution No. 09-19).
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/ N**	The plan shows a clear relationship among the budgets for years 2011, 2014 and 2017, the control measures and the total emissions inventories in those RFP milestone years. The planning emissions inventories for all stationary, area, on-road mobile, and nonroad mobile sources are shown in tables 5-2 and 5-3 of the plan. The MVEBs that are shown on page 11-8, and that are documented in Appendix F, are consistent with the on-road emissions estimates in table 5-2 and 5-3. The inventories (including the budgets) are then combined with emissions reduction credits (ERCs) in tables 5-4 and 5-5 to provide the basis for demonstrating RFP in years 2011, 2014, and 2017as shown in table 13-1 of the plan without reliance on emissions reductions from new measures. As stated elsewhere, the 2018 budget incorporates new emission reductions from the State's strategy that do not result from specified on-road control measures, and thus, the plan does not show a clear relationship among the 2018 budgets, the control measures, and the total emissions inventory.

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 vehicle miles traveled).	Y	Chapter 11 of the 2009 Sacramento Ozone Plan addresses prior plans. The most recent conformity budgets found adequate by EPA on March 14, 2006 (71 FR 13124) were established as part of the Reasonable Further Progress Plan for the 2008 milestone year ("Sacramento Regional Nonattainment Area 8-hour Ozone Rate-of-Progress Plan – Final Report", February 2006). The Reasonable Further Progress Plan for the 2011 milestone year ("Sacramento Regional 8-Hour Ozone 2011 Reasonable Further Progress Plan", May 2008) was submitted in May 2008, but has not yet been acted on by EPA. The 2011 RFP was prepared before final approval of SACOG's recent "Metropolitan Transportation Plan for 2035", which contained updated motor vehicle activity and used a prior version of CARB's motor vehicle emission factor model (EMFAC2002). The 2009 Sacramento 8-Hour Ozone Attainment and RFP Plan uses the updated motor vehicle activity data and CARB's current model (EMFAC2007). The budgets under consideration replace the budgets proposed in the previous 2011 RFP submittal. A discussion of the changes in the EMFAC model is discussed in Section 5.3.3 of the Plan and changes in the budgets is discussed in Section 11.7 of the Plan. EMFAC2007 was approved by EPA in January 2008 (73 FR 3464, January 18, 2008), and EPA's January 2008 notice of availability for EMFAC2007 details the basis for the changes to the emission factors.
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	Public comments were supportive of the Districts' and State's adoptions. Public comments are either included or paraphrased and are addressed by each District. Each District provided these comments and responses as an attachment to their transmittal of their Board resolutions which they adopted in January and February 2009. Specifically, comments and responses were included in transmittal letters from each District's APCO to James Goldstene, CARB's Executive Officer (SMAQMD letter dated 2/9/09, YSAQMD 3/4/09, FRAQMD 2/17/09, PCAPCD 2/20/09, EDCAQMD 2/17/09).. We have reviewed the compilation of comments and responses and find the responses to be acceptable. No issues that might have affected our adequacy finding remain unanswered.