

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**

**Headquarters**

**200 Litton Drive, Ste. 320**

**Grass Valley, CA 95945**

**(530) 274-9360/ FAX: (530) 274-7546**

**Gretchen G. Bennett, APCO**

**Northern Field Office**

**257 E. Sierra Street, Suite E**

**Portola, CA 96122**

**(530)832-0102 FAX:(530) 832-0101**

**NORTHERN SIERRA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
**BOARD OF DIRECTORS**  
**REGULAR BOARD MEETING**

**MONDAY**

**January 28, 2019**

**1:00 p.m.**

NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING

January 28, 2019

1:00 p.m.

**This meeting will be held by videoconference/teleconference at the following locations:**

**(Site A) VIDEOCONFERENCE/TELEPHONE CONFERENCE**

**Northern Sierra Air Quality Management District (Headquarters)**

**200 Litton Drive, Conference Room 316**

**Grass Valley, California**

**(Site B) VIDEOCONFERENCE/TELEPHONE CONFERENCE**

**Northern Sierra Air Quality Management District (Northern Office)**

**257 E. Sierra Street, Unit E**

**Portola, California**

**(Site C) TELEPHONE CONFERENCE**

**10879A Donner Pass Road, CONFERENCE ROOM**

**Truckee, California**

**All items on the agenda may be acted upon by the Board of Directors. No action will be taken nor discussion held at the meeting on business not appearing on the posted agenda.**

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**I. Standing Orders:**

Call to Order.

Roll call and determination of quorum.

**II. Public Comment:** For items **NOT** appearing on the agenda and within the jurisdiction of the Board. The public may comment on Agenda items as they are discussed.

**III. Administrative Report**

**A. Election of Chair and Vice-Chair for 2019**

**B. Calendar for 2019**

**C. Approval of regular meeting minutes – October 22, 2018**

**D. Authorization for Signing Nevada County Auditor Controller's Warrant Request Signatures for 2018**

**E. Solicitation for Application to Receive Funding From the Carl Moyer Memorial Program (Fiscal Year 2018/2019 - Year 21) Funds**

**F. Monthly Budget Report – December 2018**

**IV. Director's Report**

**A. Status on Portola PM2.5 Nonattainment Area**

**B. EPA's Notice of Proposed Rulemaking for Portola PM2.5 Attainment Plan**

- C. Rule 318 – American Valley Burning Restrictions
- D. The State of California Department of Justice Office of the Attorney General and the Fair Political Practices Commission Ethics Training
- E. Conflict of Interest Forms (FPPC) DUE MARCH 15<sup>th</sup>
- F. Goals and Objectives - 2019
- G. District Accomplishments - 2018

**V. Closed Session**

- A. **Closed Session Item** - Performance Evaluation of the Air Pollution Control Officer, Gretchen Bennitt (Government Code Section 54957).

**VI. Concerns of Board** - The Board may at this time bring up matters it wishes to discuss at the next Board Meeting, as long as no discussions are conducted and no actions are taken, in compliance with the Brown Act.

**VII. Schedule next Meeting** – February 26, 2018 – Videoconference/Telephone

**VIII. Adjournment**

**PERSONS DESIRING TO ADDRESS THE BOARD**

Meetings of the Board of Directors shall be conducted by the Chairperson in a manner consistent with the policies of the District. The latest edition of Robert's Rules of Order, Revised shall also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Robert's Rules of Order, Revised.

All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

**PUBLIC COMMENT:**

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

Three (3) minutes may be allotted to each speaker and a maximum of fifteen (15) minutes to each subject matter;

No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

No oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors under provisions contained in District Policy 1030.

Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board, he/she may order the room cleared and subsequently conduct the Board's business without the audience present. In such an event, only matters appearing on the agenda may be considered in such a session.

After clearing the room, the Chairperson may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room.

Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

Members of the public are given the opportunity to address the Board of Directors directly at each teleconference location.

**POSTING AGENDA:**

This agenda was posted at least 72 hours prior to the regular meeting at the following locations: Eric Rood Government Center in Nevada City, The Plumas County Courthouse in Quincy, the Litton Building in Grass Valley, the Plumas County Board of Supervisors Chambers in Quincy, Sierra County Courthouse Square in Downieville. **The agenda and board packet are available on-line prior to the Board Meeting at [www.myairdistrict.com](http://www.myairdistrict.com)**

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: III.A**

**Agenda Description:** Election of Chair and Vice-Chair for 2019

Issues: In accordance with District Policy # 4040, the Board Chair and Vice Chair rotate from county to county on an annual basis. The Board Chair and Vice Chair are from the same county. It is Nevada County's turn.

**Requested Action:**

Nominate and Elect the Chair and Vice Chair

**ROLL CALL VOTE REQUESTED**

**Attachments:**

none

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: III.B**

**Agenda Description:** Proposed Calendar for 2019

**Issues:** The schedule for 2019 is being presented for review, discussion and adoption. The Board meeting in July will be cancelled unless a need arises.

**Requested Action:**

1. Discuss and approve the calendar

**ROLL CALL VOTE REQUESTED**

**Attachments:**

1. Board Meeting Schedule for 2019

DISTRICT HEADQUARTERS

200 Litton Drive, Suite 320  
 Grass Valley, CA 95945  
 (530) 274-9360 / FAX: (530) 274-7546  
 email: [office@myairdistrict.com](mailto:office@myairdistrict.com) or [www.myairdistrict.com](http://www.myairdistrict.com)

NORTHERN FIELD OFFICE

257 E. Sierra, Unit E  
 Mailing Address: P.O. Box 2227  
 Portola, CA 96122  
 (530) 832-0102 / FAX: (530) 832-0101  
 email: [julie@myairdistrict.com](mailto:julie@myairdistrict.com) or [www.myairdistrict.com](http://www.myairdistrict.com)

**AIR QUALITY BOARD OF DIRECTORS**  
**MEETING SCHEDULE FOR 2019**

The Northern Sierra Air Quality Management District Board of Directors meetings are scheduled on the fourth Monday of every month at 1:00 P.M. on the date and places listed below:

<b><u>DATE</u></b>	<b><u>LOCATION</u></b>
January 28	Video/Teleconference – Grass Valley and Portola
February 25	Video/Teleconference – Grass Valley and Portola
March 25	Video/Teleconference – Grass Valley and Portola
April 22	Video/Teleconference – Grass Valley and Portola
May 27	Video/Teleconference – Grass Valley and Portola
June 24	NON-Video Conference – To Be Determined
*July 22	Video Conference – Grass Valley and Portola
August 26	Video/Teleconference – Grass Valley and Portola
September 23	Video/Teleconference – Grass Valley and Portola
October 28	Video/Teleconference – Grass Valley and Portola
November 25	Video/Teleconference – Grass Valley and Portola
**December 23	Video/Teleconference – Grass Valley and Portola

\* The July 22, 2019 meeting will be cancelled unless an urgent need arises.

\*\* The December 23, 2019 meeting will be cancelled due to the Holiday.

**VIDEO CONFERENCE LOCATIONS**

**Grass Valley:** Northern Sierra Air Quality Management District Headquarters, Room 316, 200 Litton Drive, Grass Valley, CA 95945

**Portola:** Northern Sierra Air Quality Management District Northern Field Office, 257 E. Sierra, Unit E, Portola, CA 96122

**NON-VIDEO CONFERENCE LOCATION**

**Calpine:** Eastern Sierra County Recreation Center, 104 County Road, Calpine, CA 96124

**Loyalton:** Loyalton Social Hall, 105 Beckwith, Loyalton, CA 96118

**Portola:** Northern Sierra Air Quality Management District Northern Field Office, 257 E. Sierra, Unit E, Portola, CA 96122

**Grass Valley:** Northern Sierra Air Quality Management District Headquarters, Room 316, 200 Litton Drive, Grass Valley, CA 95945

Updated 1/28/19

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: III.C**

**Agenda Description:** Approval of regular meeting minutes – October 22, 2018

**Issues:**

The Minutes are attached for Board review/comment/approval.

**Requested Action:**

1. Approval of Regular meeting minutes from October 22, 2018

**ROLL CALL VOTE REQUESTED**

**Attachments:**

1. Draft meeting minutes from October 22, 2018



DISTRICT HEADQUARTERS

200 Litton Drive, Suite 320

Mailing Address:

Grass Valley, CA 95945

(530) 274-9360 / FAX: (530) 274-7546

email: [office@myairdistrict.com](mailto:office@myairdistrict.com) or [www.myairdistrict.com](http://www.myairdistrict.com)

NORTHERN FIELD OFFICE

257 E. Sierra, Unit E

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**MINUTES**

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING**

**October 22, 2018**

**1:00 p.m.**

**(Site A) VIDEOCONFERENCE/TELEPHONE CONFERENCE**

**Northern Sierra Air Quality Management District (Headquarters)**

**200 Litton Drive, Conference Room 316**

**Grass Valley, California**

**(Site B) VIDEOCONFERENCE/TELEPHONE CONFERENCE**

**Northern Sierra Air Quality Management District (Northern Office)**

**257 E. Sierra Street, Unit E**

**Portola, California**

**(Site C) TELEPHONE CONFERENCE**

**10879A Donner Pass Road, CONFERENCE ROOM**

**Truckee, California**

**Members Present:**

**Supervisor Sanchez, Chair  
Supervisor Thrall, Vice Chair  
Supervisor Roen  
Supervisor Huebner  
Supervisor Scofield  
Supervisor Anderson**

**Members Absent:**

**None**

**I. Standing Orders:**

**Call to Order. Roll Call and Determination of Quorum.**

Chair Sanchez called the meeting to order at 1:00 P.M. A quorum was confirmed. Gretchen Bennett, APCO; Julie Ruiz, APCSII, Sam Longmire, APCSIII were also in attendance.

**II. Public Comment: For Items NOT Appearing on the Agenda and Within the Jurisdiction of the Board. The Public May Comment on Agenda Items As They**

**Are Discussed. Both Teleconference Sites are Allowed an Opportunity for Public Comment.**

Chair Sanchez called for public comment. There was no public present.

**III. Consent Calendar** These Items Are Expected to Be Routine and Noncontroversial. They Will Be Acted on By the Board at One Time Without Discussion. Any Board Member, Staff Member, or Interested Party May Request That an Item Be Removed From the Consent Calendar for Discussion.

**A. Approval of regular meeting minutes – September 22, 2018**

There was a motion to approve the consent calendar by Supervisor Scofield. Supervisor Roen seconded the motion. The consent calendar was approved unanimously with a roll call vote.

**IV. Administrative Report**

**A. Public Hearing for the Northern Sierra Air Quality Management District's proposed adoption of a State Implementation Plan (Attainment Plan) for the 2008 Primary Federal 8-Hour Ozone Standard.**

Chair Sanchez opened the public hearing for the 2008 Primary Federal 8-hour ozone standard. There was no public comment. Sam Longmire reported that he had not received any written comments. Chair Sanchez closed the public hearing.

There was a motion to adopt the State Implementation Plan by Supervisor Scofield. Supervisor Huebner seconded the motion. The State Implementation Plan was approved unanimously with a roll call vote.

**B. Ratify the 3<sup>rd</sup> Amendment to the Agreement between the California Air Resources Board and the District for additional Wood Smoke Reduction Program (woodstove changeout) Funding (\$45,000).**

Supervisor Roen made a motion to approve and ratify amendment #3 of the agreement between Northern Sierra Air Quality Management District and the California Air Pollution Control Officers Association for increased funding for the Woodsmoke Reduction Program. Supervisor Thrall seconded the motion. The motion was approved unanimously with a roll call vote.

**C. Quarterly Budget Report for FY 2018-2019 (First Quarter)**

Supervisor Roen made a motion to approve the First Quarter Budget Report. Supervisor Huebner seconded the motion. The motion was approved unanimously with a roll call vote.

**V. Directors Report**

**A. Status on Portola PM2.5 Nonattainment Area**

Julie Ruiz gave an update on the status of the Portola woodstove changeout program. The District has received 344 applications and completed 260 installations. She also explained that she has begun implementing the school flag program and will begin a voluntary woodstove curtailment program this fall.

**B. Woodsmoke Reduction Program**

Sam Longmire gave an update on the woodsmoke reduction program for the Board.

**C. Status of Carl Moyer Grant Applicants**

Gretchen Bennitt gave an update on the Carl Moyer Grant Applicants.

**VI. Concerns of the Board**

Supervisor Roen informed the Board that the Plumas Unified School District received funding to purchase 2 electric school buses at an approximate cost of \$800,000 each. These buses will be utilized in Sierra County as well as Plumas County.

**VII. Schedule next Meeting** – Supervisor Thrall made a motion to cancel the scheduled November 26, 2018 Board meeting due to conflicts with other Board Members' attendance at a CSAC meeting scheduled for the same timeframe. Supervisor Roen seconded the motion. The motion was approved unanimously with a roll call vote.

**VIII. Adjournment**

The meeting was adjourned at 2:30 P.M.

**To:** Northern Sierra Air Quality Management District Board of Directors  
**From:** Gretchen Bennitt, Air Pollution Control Officer  
**Date:** January 28, 2019

**Agenda Item: III.D**

**Agenda Description:** Authorization for Signing Nevada County Auditor Controller's Warrant Request Signatures for 2019

**Issues:** Annual approval of the warrant request signature form is required by the Nevada County Auditor-Controller's office no later than January 31, 2019 to ensure continual processing of payment requests.

The District is requesting that the Board authorize the Chair and APCO to sign the warrant request signature form and submit it to the office prior to January 31, 2019.

**Requested Action:**

1. Authorize Chair and APCO to sign Authorized Signature Form for Warrant Requests for 2019 and submit to Nevada County Auditor/Controller's office prior to the January 31 deadline.

***ROLL CALL VOTE REQUESTED***

**Attachments:**

1. Authorized Signature Form for Warrant Requests for 2019



**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennett, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: III.E**

**Agenda Description:** Solicitation for Application to Receive Funding From the Carl Moyer Memorial Program (Fiscal Year 2018/2019 - Year 21) Funds

**Issues:**

The California Air Resources Board (CARB) has allocated funding for a grant award of \$200,000 to the Northern Sierra Air Quality Management District for the Carl Moyer Memorial Air Quality Standards Attainment Program. These funds will be utilized to reduce emissions from heavy duty diesel engines throughout the entire district. CARB has requested that in order to receive the funds, the District must submit a signed resolution and application by January 31, 2019.

**Requested Action:**

If deemed appropriate, approve the FY 2018-2019 Application for Carl Moyer Program Funds (Year 21). And authorize the Chair to sign Resolution 2019-01.

**ROLL CALL VOTE REQUESTED**

**Attachments:**

1. Resolution # 2019-01
2. Application to Receive Funding from the Carl Moyer Memorial Air Quality Standards Attainment Program Fiscal Year 2018/2019 (Year 21) funds

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT  
RESOLUTION #2019-01**

**In the Matter of Accepting FY 2018-19 CARL MOYER MEMORIAL AIR QUALITY STANDARDS ATTAINMENT PROGRAM (HEAVY-DUTY LOW EMISSION VEHICLE INCENTIVE PROGRAM) FUNDS**

**Whereas**, California Health and Safety Code section 44275-44299.2 authorize the California Air Resources Board (ARB) to allocate Carl Moyer Program (CMP) funds to local air districts to provide financial incentives to both the public and private sectors to implement eligible projects to reduce emissions from on-road, marine, locomotive, agricultural and off-road engines;

**Whereas**, the Northern Sierra Air Quality Management District (District) has successfully implemented Carl Moyer Program projects in past years to reduce emissions and improve air quality in the Mountain Counties Air Basin and seeks to continue to reduce emissions from diesel engines through clean air projects;

**Whereas**, the District may be invited to accept Carl Moyer Program funds from other districts through an inter-district transfer;

**Whereas**, the District is applying for funding from the ARB "Carl Moyer Memorial Air Quality Standards Attainment Program", twenty-first round of funding (FY 2018-19),

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Sierra Air Quality Management District does hereby approve the District's continued participation in the Carl Moyer Program, and the acceptance of funds allocated and awarded to the District for eligible projects and program administration each year, in accordance with the terms and conditions of CMP grant agreements; and

**BE IT FURTHER RESOLVED** that the Northern Sierra Air Quality Management District will comply with Carl Moyer Program requirements as specified in 44275 through 33299.2 of the Health and Safety Code, the applicable CMP guidelines, and the District's CMP Policies and Procedures;

**BE IT FURTHER RESOLVED** that the Executive Officer is authorized to execute on behalf of the District grant agreements with ARB, and all other necessary documents to implement and carry out the purposes of this resolution.

On a motion by Supervisor \_\_\_\_\_, and seconded by Supervisor \_\_\_\_\_, the foregoing resolution was approved and adopted by the Board of Directors of the Northern Sierra Air Quality Management District at a regular meeting held on January 28, 2019, by the following roll call vote:

Ayes:  
Noes:  
Absent:  
Abstaining:

Approve: \_\_\_\_\_  
Chair of Board

Attest: \_\_\_\_\_  
Clerk of the Board/APCO

**Attachment 2**

**CARL MOYER PROGRAM  
FISCAL YEAR 2018-2019 (YEAR 21) APPLICATION**  
*Application must be received by CARB by January 31, 2019*

**1. APPLICANT DISTRICT**

District Name Northern Sierra Air Quality Management District  
Street Address 200 Litton Drive Suite 320  
City/Zip Code Grass Valley/95945  
Contact Person Gretchen Bennitt  
Phone 530 274-9360 X 102 E-mail Address gretchen@myairdistrict.com

**2. CARL MOYER PROGRAM FUNDING REQUEST**

**Check one box and enter amount, if applicable.** District requests:

Tentative allocation ("Total Allocation" amount from Attachment 1), or greater amount shown below if available:

\$ \_\_\_\_\_

Minimum allocation of \$200,000 (no match required).

Minimum allocation and authorizes the funds be designated to the Rural District Assistance Program (RAP) for these years. **(Please circle years that apply.)**

Current Year 21    Year 22    Year 23    Year 24    Year 25

Tentative allocation and authorizes the funds be designated to a lead air district for these years. **(Please circle years that apply.)**

Current Year 21    Year 22    Year 23    Year 24    Year 25

**(Please specify lead district.)** \_\_\_\_\_

No Carl Moyer Program funds. District declines all funding for Year 21.

**3. DISTRICT MATCHING FUNDS** (15% of Funding Request, for applications over \$200,000)

**Total District Match:** \$ \_\_\_\_\_

**Specify match funding by source and amount:**

\_\_\_\_\_ \$ \_\_\_\_\_  
Source of Funding

\_\_\_\_\_ \$ \_\_\_\_\_  
Source of Funding

\_\_\_\_\_ \$ \_\_\_\_\_  
Source of Funding

**(a) Match Funds Subtotal:** \$ \_\_\_\_\_

**(b) Estimated In-kind Administration:** \$ \_\_\_\_\_  
*(Up to 15% of Total District Match)*



**4. PROGRAM ADMINISTRATION**

**Check box and enter percentage if District requests a program administration grant percentage lower than the 6.25% or 12.5% allowed under statute (H&SC § 44299.1).**

- The District requests program administration funds be included in this grant at \_\_\_\_ percent of the total grant, a lower portion than allowed by statute.

**5. BOARD RESOLUTION**

**Check one box and complete the date if applicable.**

- This application has been duly approved and authorized by the District governing board, as specified in the attached resolution.
- This application is scheduled to go before the District board on January 28, 2019.  
Date

**6. DISTRICT CONTACT INFORMATION Please complete items (a) - (d):**

(a) District Air Pollution Control Officer	Phone	Email Address
Gretchen Bennitt	530 274-9360	gretchen@myairdistrict.com

(b) District Carl Moyer Program Manager	Phone	Email Address
Joe Fish	530 274-9360	joe@myairdistrict.com

(c) District Mailing Address:  
200 Litton Drive, Suite 320  
Grass Valley, CA 95945

(d) District Phone number: 530 274-9360

**7. DISTRICT APCO/EO APPROVED SIGNATURE**

- To the best of my knowledge and belief, the information in this application is true and correct. Unless my district has declined or designated these grant funds, an up-to-date Carl Moyer Program District Policies and Procedures Manual, based on current Carl Moyer Program Guidelines, is maintained at the District's office.

  
Signature of Air Pollution Control Officer

November 30, 2018  
Date

**Please e-mail signed application by January 31, 2019 to:  
Sibyl.Britton@arb.ca.gov.**

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: III.F**

**Agenda Description:** Monthly Budget Report - December 2018

**Issues:** Attached is the Operating Budget (Budgeted Vs. Actuals) for the period ending December 31, 2018

**Requested Action:**

1. Review, Discuss and Approve the December 31, 2018 Budget Report

**ROLL CALL VOTE REQUESTED**

**Attachments:**

1. Budget Report for December 31, 2018

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**  
**Operating Budget vs Actuals**  
**Period Ending December 31, 2018**

<b>Resource Report</b>	
Operating (Fund 6774) End Balance Qtr 2	\$ 775,027
Operating (Payroll) End Balance Qtr 2	\$ 103,604
Operating (GovPay) End Balance Qtr 2	\$ 50,880
<i>All Operating Accounts Cash Total</i>	<i>\$ 929,511</i>

<b>Revenue</b>			
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
10-4002	Fees, Permit to Operate	30,000	3,976
10-4004	Fees, Vapor Recovery	20,000	8,105
10-4005	Fees, Variance Application	500	325
10-4006	Fees, Source Test	2,000	1,932
10-4007	Fees, Prescribed Burning	25,000	19,067
10-4008	Fees, Woodstove Inspections	2,000	467
10-4010	Fees, Title V, Fed Op Permit	65,000	393
10-4013	Fees, Fire Dept Response	1,500	-
10-4100	Penalties, Permitted Source	10,000	-
10-4101	Penalties, Open Burning	2,500	-
10-4201	Gov't Funding, State Subvention	137,600	-
10-4202	Gov't Funding, Subvention Supplemental	3,500	-
10-4203	Gov't Funding, County Contribution	58,565	-
10-4204	Gov't Funding, EPA Monitoring	59,500	59,500
10-4205	Gov't Funding, EPA Monitoring Supplemental	-	9,500
10-4206	Gov't Funding, AB 2766 DMV Fees	360,000	114,851
10-4207	Gov't Funding, PERP Pass thru	18,000	22,213
10-4208	Gov't Funding, AB 923 Operating	3,125	889
10-4209	Gov't Funding, EPA Target, Admin Fee	55,000	13,740
10-4210	Gov't Funding, AB 617	-	-
10-4211	Gov't Funding, AB 197	18,267	-
10-4215	Carl Moyer, Admin Fee	25,000	31,667
10-4220	WRP, Admin Fee	29,250	-
10-4303	Other Income, Rules, Copies, Subscr.	100	-
10-4310	Other Income, Interest Earned	5,000	7,622
<b>Revenue Total:</b>		<b>\$ 931,407</b>	<b>\$ 294,248</b>

<b>Expenditures</b>			
<b>Salaries and Benefits (Object Level)</b>			
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
10-5002	Permanent Salaries	391,347	177,727
10-5003	Overtime	1,000	-
10-5011	Medicare/FICA	5,000	2,601
10-5013	CA State Unemployment	550	28
10-5015	Workers' Comp Insurance	7,100	-
10-5016	PERS Health Insurance Active Employees	28,800	8,030
10-5017	PERS Health Insurance Retired Employees	28,800	13,176
10-5019	Dental/Vision Care	6,250	3,281
10-5020/5023	PERS Retirement (ER & EE Paid)	62,000	25,157
10-5022/5024	PERS Unfunded Accrued Liability	53,000	38,640
<b>Salaries and Benefits Total:</b>		<b>\$ 583,847</b>	<b>\$ 268,639</b>

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**  
**Operating Budget vs Actuals**  
**Period Ending December 31, 2018**

<b>Expenditures</b>		<b>Services and Supplies (Object Level)</b>	
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
10-5201	PM Monitoring Expenses (Supplies and Lab Rent)	15,000	6,947
10-5202	Office Supplies	4,000	2,788
10-5203	References, Subscriptions	450	76
10-5204	Postage, Shipping	1,000	905
10-5205	Memberships	3,000	2,791
10-5206	Ozone Monitoring		19
10-5251	Communications	15,000	8,083
10-5253	Rent, Structures - Grass Valley (including PM2.5)	32,040	19,782
10-5254	Rent, Structures - Portola	6,000	3,500
10-5255	Utilities, Grass Valley	3,000	1,397
10-5256	Utilities, Portola	1,000	461
10-5258	Liability Insurance	8,000	9,256
10-5259	Legal Notices, Public	500	179
10-5301	Information Technology	5,000	1,405
10-5303	Maintenance: Office Equipment	500	-
10-5305	Maintenance: Vehicles	3,000	1,833
10-5311	Profession Services: Legal	6,000	1,050
10-5312	Profession Services: Office Assistance	6,000	6,492
10-5313	Profession Services: Accounting (Nevada County, Accountant, and ADP)	6,000	12,897
10-5314	Profession Services: Financial Auditor	12,000	10,400
10-5315	Profession Services: Board	5,000	1,800
10-5316	Profession Services: Hearings		50
10-5351	Training, Tuition	1,500	925
10-5352	Travel	3,000	4,960
10-5353	Gasoline	5,000	1,611
10-5354	Private Car Mileage	500	1,232
10-5390	Miscellaneous	1,000	200
<b>Services and Supplies Total:</b>		<b>\$ 143,490</b>	<b>\$ 101,040</b>

<b>Expenditures</b>		<b>Pass-thru Funds / Internal Programs / Contributions to Other Agencies (Object Level)</b>	
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
10-5401	Air Monitoring Program		
10-5402	Alternate Commute Program	750	
10-5404	ARB: AB 2588 Fees	1,400	
10-5405	Public Education Program	5,000	
10-5406	Fire Dept Response Reimbursement	1,500	
<b>Contribution to Other Agencies / Internal Grants Total:</b>		<b>\$ 8,650</b>	<b>\$ -</b>

<b>Expenditures</b>		<b>Fixed Asset Purchases (Object Level)</b>	
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
10-5601	Office Equipment (2 (2 computers @\$2,000 each)	4,000	
10-5602	Field Equipment (fixed assets - over \$1,000)	1,000	
10-5605	EPA Supplemental Monitoring	18,053	7,625
<b>Fixed Asset Purchases Total:</b>		<b>\$ 23,053</b>	<b>7,625</b>

<b>Total Expenditures</b>		
Salaries and Benefits (Object Level)	583,847	268,639
Services and Supplies (Object Level)	143,490	101,040
Pass-thru Funds / Internal Programs / Contributions to Other Agencies (Object Level)	8,650	-
Fixed Asset Purchases (Object Level)	23,053	7,625
<b>Expenditure Total:</b>		<b>\$ 759,040 \$ 377,305</b>

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**  
**Operating Budget vs Actuals**  
**Period Ending December 31, 2018**

<b>Restricted Budget, Revenue</b>			
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
20-4500	Govt. Funding, AB 2766 DMV Fees (60% for District Admin)	240,000	114,374
20-4505	Govt. Funding, AB923 (6.25% for district admin)	50,000	25,234
20-4518	Govt. Funding, Carl Moyer HD Diesel (12.5% for district admin)	175,000	230,089
20-4535	Govt. Funding, WRP (~10% for district admin)	292,500	157,500
20-4536	WRP interest	1,000	-
20-4541	Nox Reduction Measure (NRM)	70,212	-
20-4538	AB 617	20,183	20,183
20-4539	AB 617 Interest	100	-
20-4529	Govt. Funding, EPA Target Grant for Portola	398,400	52,800
20-4600	Other Income, Interest, Restricted	1,000	10,197
<b>Restricted Budget, Revenue Total:</b>		<b>\$1,248,395</b>	<b>610,377</b>

<b>Restricted Budget, Expenditures</b>			
Account #	Description	Budget 2018-2019	Actuals to 12/31//18
20-5420	Nevada County Library, (AB2016-02, \$20,600)	20,600	-
20	Incorporated Senior Citizens of Sierra County (AB2017-01)	5,853	1,463
20-5427	NevCo Library, Chicago Park Kiosk (AB2014-09, \$33,455)	21,207	-
20-	Nevada County Superior Court (AB2017-05)	47,835	-
20-	Town of Truckee (AB 2017-06)	40,000	-
20-5425	Nevada County Library (AB2015-05, 25,000)	25,000	-
20-5426	Nevada County Library (AB2015-06, 15,500)	11,566	-
20-	Plumas County Public Works (AB2017-02)	36,338	-
20-5440	Portola PM Mitigation(AB2015-08, 33,211 plus 5499 transferred from 588-200-39)	28,054	500
20-5442	Portola MOU (AB2016-08)	26,932	1,229
20-5401	AB2766 Planned Expenditure of all counties (FY 18/19)	219,134	48,103
20-5406	Carl Moyer	176,223	164,136
20-5409	AB 923	220,800	-
20-5410	EPA Target Grant for Portola	398,400	112,258
20-5414	Woodsmoke Reduction Program (WRP)	292,500	300,250
20-5417	Non reduction Measure (NRM)	70,212	-
20-5415	AB 617	20,183	-
20-5413	H&S Mitigation Fund	180,000	43,200
<b>Restricted Budget, Expenditures Totals:</b>		<b>1,840,837</b>	<b>671,139</b>

## Northern Sierra Air Quality Management District Profit & Loss RESTRICTED Budget vs. Actual

July through December 2018

	Jul - Dec 18	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
20-4500 AB 2766 (all counties)				
20-4502 AB2766 Nevada County	91,285.32	0.00	91,285.32	100.0%
20-4503 AB2766 Plumas County	21,249.48	0.00	21,249.48	100.0%
20-4504 AB2766 Sierra County	1,839.36	0.00	1,839.36	100.0%
20-4500 AB 2766 (all counties) - Other	0.00	240,000.00	240,000.00	0.0%
<b>Total 20-4500 AB 2766 (all counties)</b>	<b>114,374.16</b>	<b>240,000.00</b>	<b>-125,625.84</b>	<b>47.7%</b>
20-4505 AB 923	25,233.74	50,000.00	-24,766.26	50.5%
20-4518 Carl Moyer				
20-4519 Carl Moyer Interest	0.00	1,000.00	-1,000.00	0.0%
20-4518 Carl Moyer - Other	230,088.86	176,000.00	55,088.86	131.5%
<b>Total 20-4518 Carl Moyer</b>	<b>230,088.86</b>	<b>176,000.00</b>	<b>54,088.86</b>	<b>130.7%</b>
20-4525 TIMBER				
20-4526 TIMBER Interest	0.00	0.00	0.00	0.0%
<b>Total 20-4525 TIMBER</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
20-4529 Gov Fund EPA Target Grnt - Porto	52,799.79	398,400.00	-345,600.21	13.3%
20-4535 Woodsmoke Reduction Program				
20-4536 Interest-Woodsmoke Reduce Prog	0.00	1,000.00	-1,000.00	0.0%
20-4535 Woodsmoke Reduction Program - Other	157,500.00	292,500.00	-135,000.00	53.8%
<b>Total 20-4535 Woodsmoke Reduction Program</b>	<b>157,500.00</b>	<b>293,500.00</b>	<b>-136,000.00</b>	<b>53.7%</b>
20-4538 AB617-CAPP/Comm Air Protection				
20-4539 AB617 aka CAPP Interest	0.00	100.00	-100.00	0.0%
20-4538 AB617-CAPP/Comm Air Protection - Other	20,183.00	20,183.00	0.00	100.0%
<b>Total 20-4538 AB617-CAPP/Comm Air Protection</b>	<b>20,183.00</b>	<b>20,283.00</b>	<b>-100.00</b>	<b>99.5%</b>
20-4541 Nox Reduction Measure Rev	0.00	70,212.00	-70,212.00	0.0%
20-4600 Interest Earned - Restricted	10,197.47	0.00	10,197.47	100.0%
<b>Total Income</b>	<b>610,377.02</b>	<b>1,248,395.00</b>	<b>-638,017.98</b>	<b>48.9%</b>
<b>Gross Profit</b>	<b>610,377.02</b>	<b>1,248,395.00</b>	<b>-638,017.98</b>	<b>48.9%</b>
<b>Expense</b>				
<b>20-5400 - Grantees Summary Only</b>				
<b>20-5401 - AB2766 Restricted</b>				
<b>20-5402 - AB2766 - Nevada County</b>				
20-5420 2016-02 Library - AB2766 NC	0.00	20,600.00	-20,600.00	0.0%
20-5421 2016-03 HansenBros - AB2766 NC	0.00	0.00	0.00	0.0%
20-5423 2015-01 NSAQMD - AB2766 NC	0.00	0.00	0.00	0.0%
20-5425 2015-05 Library - AB2766 NC	0.00	25,000.00	-25,000.00	0.0%
20-5426 2015-06 Library - AB2766 NC	0.00	11,568.00	-11,568.00	0.0%
20-5427 2014-09 Library - AB2766 NC	0.00	21,207.00	-21,207.00	0.0%
20-5429 2016-05 SuperiorCourt - AB2766	0.00	0.00	0.00	0.0%
20-5430 2016-06 TownofTruckee - AB2766 N	0.00	0.00	0.00	0.0%
20-5402 AB2766 - Nevada County - Other	48,102.92	87,835.00	-39,732.08	54.8%
<b>Total 20-5402 - AB2766 - Nevada County</b>	<b>48,102.92</b>	<b>166,208.00</b>	<b>-118,105.08</b>	<b>28.9%</b>
<b>20-5403 - AB2766 - Plumas County</b>				
20-5440 2015-08 Portola PM Nonattainment	499.52	28,054.00	-27,554.48	1.8%
20-5442 2016-08 Portola MOU- AB2766	1,228.50	26,932.00	-25,703.50	4.6%
20-5403 - AB2766 - Plumas County - Other	0.00	36,338.00	-36,338.00	0.0%
<b>Total 20-5403 - AB2766 - Plumas County</b>	<b>1,728.02</b>	<b>91,324.00</b>	<b>-89,595.98</b>	<b>1.9%</b>
<b>20-5404 - AB2766 - Sierra County</b>				
20-5404 AB2766 - Sierra County				
20-5450 2016-01 IncSeniorCit - AB2766	0.00	0.00	0.00	0.0%
20-5404 - AB2766 - Sierra County - Other	1,463.25	5,853.00	-4,389.75	25.0%
<b>Total 20-5404 - AB2766 - Sierra County</b>	<b>1,463.25</b>	<b>5,853.00</b>	<b>-4,389.75</b>	<b>25.0%</b>
20-5401 - AB2766 Restricted - Other	0.00	219,134.00	-219,134.00	0.0%
<b>Total 20-5401 - AB2766 Restricted</b>	<b>51,294.19</b>	<b>482,519.00</b>	<b>-431,224.81</b>	<b>10.6%</b>
<b>20-5406 - Carl Moyer - Restricted</b>				
20-5475 - CM Prop 40	0.00	176,223.00	-176,223.00	0.0%
20-5406 - Carl Moyer - Restricted - Other	164,136.41	0.00	164,136.41	100.0%
<b>Total 20-5406 - Carl Moyer - Restricted</b>	<b>164,136.41</b>	<b>176,223.00</b>	<b>-12,086.59</b>	<b>93.1%</b>
<b>20-5409 - AB 923 Restricted</b>				
20-5410 - EPA Target Grant - Restricted	0.00	220,800.00	-220,800.00	0.0%
20-5480 - EPA Target - Other	0.00	0.00	0.00	0.0%
20-5410 - EPA Target Grant - Restricted - Other	112,258.48	398,400.00	-286,141.52	28.2%
<b>Total 20-5410 - EPA Target Grant - Restricted</b>	<b>112,258.48</b>	<b>398,400.00</b>	<b>-286,141.52</b>	<b>28.2%</b>
<b>20-5413 - H&amp;S Mitigation Agree - Restrict</b>				
20-5414 - Woodsmoke Reduction Program	43,200.00	180,000.00	-136,800.00	24.0%
20-5415 - AB617-CAPP/Comm Air - YR 1 18/19	300,249.92	292,500.00	7,749.92	102.6%
20-5417 - Nox Reduction Measure Exp	0.00	20,183.00	-20,183.00	0.0%
<b>Total 20-5400 - Grantees Summary Only</b>	<b>671,139.00</b>	<b>1,840,837.00</b>	<b>-1,169,698.00</b>	<b>36.5%</b>
<b>Total Expense</b>	<b>671,139.00</b>	<b>1,840,837.00</b>	<b>-1,169,698.00</b>	<b>36.5%</b>
<b>Net Ordinary Income</b>	<b>-60,761.98</b>	<b>-592,442.00</b>	<b>531,680.02</b>	<b>10.3%</b>
<b>Net Income</b>	<b>-60,761.98</b>	<b>-592,442.00</b>	<b>531,680.02</b>	<b>10.3%</b>

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: IV.A**

**Agenda Description:** Status on Portola PM2.5 Nonattainment Area

**Issues:** The District will provide an update to the Board.

**Requested Action:** None requested

**Attachments:** none

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: IV.B**

**Agenda Description:** EPA's Notice of Proposed Rulemaking for Portola PM2.5 Attainment Plan

**Issues:** On December 18, 2018, the Environmental Protection Agency proposed the approval of the Portola PM2.5 State Implementation Plan.

**Requested Action:** None, informational only

**Attachments:**

1. 40 CFR, part 52, Volume 83, No. 242, Tuesday, December 18, 2018



(2) With the exception of demolition crews, entry into or remaining in this safety zone is prohibited.

(3) All vessels within this safety zone when this section becomes effective must depart the zone immediately.

(4) The Captain of the Port, North Carolina can be reached through the Coast Guard Sector North Carolina Command Duty Officer, Wilmington, North Carolina at telephone number 910-343-3882.

(5) The Coast Guard and designated security vessels enforcing the safety zone can be contacted on VHF-FM marine band radio channel 13 (165.65 MHz) and channel 16 (156.8 MHz).

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.

(e) *Enforcement Period.* This regulation will be enforced from February 1, 2019 through February 29, 2020

(f) *Public Notification.* The Coast Guard will notify the public of the active enforcement times at least 48 hours in advance by transmitting Broadcast Notice to Mariners via VHF-FM marine channel 16.

Dated: December 7, 2018.

**Bion B. Stewart,**

*Captain, U.S. Coast Guard Captain of the Port North Carolina.*

[FR Doc. 2018-27385 Filed 12-17-18; 8:45 am]

BILLING CODE 9110-04-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2017-0728; FRL-9988-01-Region 9]

### Approval and Promulgation of Air Quality State Implementation Plans; California; Plumas County; Moderate Area Plan for the 2012 PM<sub>2.5</sub> NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve most elements of the state implementation plan (SIP) revisions submitted by California to address Clean Air Act (CAA or "Act") requirements for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS or "standards") in the Plumas County Moderate PM<sub>2.5</sub> nonattainment area ("Portola nonattainment area"). The SIP revisions are the "Portola Fine Particulate Matter

(PM<sub>2.5</sub>) Attainment Plan" submitted on February 28, 2017, and the 2019 and 2022 transportation conformity motor vehicle emission budgets ("budgets") submitted on December 20, 2017. We refer to these submittals collectively as the "Portola PM<sub>2.5</sub> Plan" or "Plan." The EPA is proposing to approve the following elements of the Portola PM<sub>2.5</sub> Plan: The 2013 base year emissions inventories, the reasonably available control measure/reasonably available control technology (RACM/RACT) demonstration, the attainment demonstration, the reasonable further progress (RFP) demonstration, the quantitative milestones, and the budgets for 2019 and 2021. The EPA is not proposing any action at this time on the contingency measures in the Portola PM<sub>2.5</sub> Plan.

**DATES:** Any comments must arrive by January 17, 2019.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R09-OAR-2017-0728 at <https://www.regulations.gov>, or via email to John Ungvarsky, at [Ungvarsky.john@epa.gov](mailto:Ungvarsky.john@epa.gov). For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be removed or edited from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** John Ungvarsky, EPA Region IX, (415) 972-3963, [ungvarsky.john@epa.gov](mailto:ungvarsky.john@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, "we," "us" and "our" refer to the EPA.

### Table of Contents

#### I. Background for Proposed Action

- II. Clean Air Act Requirements for Moderate PM<sub>2.5</sub> Nonattainment Area Plans
- III. Completeness Review of the Portola PM<sub>2.5</sub> Attainment Plan
- IV. Review of the Portola PM<sub>2.5</sub> Plan
- V. Summary of Proposed Actions and Request for Public Comment
- VI. Statutory and Executive Order Reviews

### I. Background for Proposed Action

Under section 109 of the CAA, the EPA has established NAAQS for certain pervasive air pollutants (referred to as "criteria pollutants") and conducts periodic reviews of the NAAQS to determine whether they should be revised or whether new NAAQS should be established. The EPA sets the NAAQS for criteria pollutants at levels required to protect public health and welfare.<sup>1</sup> Particulate matter is one of the criteria pollutants for which the EPA has established health-based standards. The CAA requires states to submit regulations that control particulate matter emissions.

Particulate matter includes particles with diameters that are generally 2.5 microns or smaller (PM<sub>2.5</sub>) and particles with diameters that are generally 10 microns or smaller (PM<sub>10</sub>). It contributes to effects that are harmful to human health and the environment, including premature mortality, aggravation of respiratory and cardiovascular disease, decreased lung function, visibility impairment, and damage to vegetation and ecosystems. Individuals particularly sensitive to PM<sub>2.5</sub> exposure include older adults, people with heart and lung disease, and children.<sup>2</sup> PM<sub>2.5</sub> can be emitted by sources directly into the atmosphere as a solid or liquid particle ("primary PM<sub>2.5</sub>" or "direct PM<sub>2.5</sub>") or can be formed in the atmosphere ("secondary PM<sub>2.5</sub>") as a result of various chemical reactions among precursor pollutants from sources such as nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), volatile organic compounds (VOC), and ammonia.<sup>3</sup>

On July 18, 1997, the EPA revised the NAAQS for particulate matter to add new standards for PM<sub>2.5</sub>.<sup>4</sup> The EPA established primary and secondary annual and 24-hour standards for PM<sub>2.5</sub>. The annual standard was set at 15.0 micrograms per cubic meter (µg/m<sup>3</sup>)

<sup>1</sup> For a given air pollutant, "primary" national ambient air quality standards are those determined by the EPA as requisite to protect the public health. "Secondary" standards are those determined by the EPA as requisite to protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air. CAA section 109(b).

<sup>2</sup> 78 FR 3086, 3088 (January 15, 2013).

<sup>3</sup> EPA, Air Quality Criteria for Particulate Matter, No. EPA/600/P-99/002aF and EPA/600/P-99/002bF, October 2004.

<sup>4</sup> 62 FR 38652.

based on a 3-year average of annual mean  $PM_{2.5}$  concentrations, and the 24-hour (daily) standard was set at  $65 \mu\text{g}/\text{m}^3$  based on the 3-year average of the annual 98th percentile values of 24-hour  $PM_{2.5}$  concentrations at each population-oriented monitor within an area.<sup>5</sup>

On October 17, 2006, the EPA retained the annual average NAAQS at  $15 \mu\text{g}/\text{m}^3$  but revised the level of the 24-hour  $PM_{2.5}$  NAAQS to  $35 \mu\text{g}/\text{m}^3$  based on a 3-year average of the annual 98th percentile values of 24-hour concentrations.<sup>6,7</sup>

On January 15, 2013, the EPA finalized the 2012  $PM_{2.5}$  NAAQS, including a revision of the annual standard to  $12.0 \mu\text{g}/\text{m}^3$  based on a 3-year average of annual mean  $PM_{2.5}$  concentrations, and retaining the current 24-hour standard of  $35 \mu\text{g}/\text{m}^3$  based on a 3-year average of the 98th percentile of 24-hour concentrations.<sup>8</sup>

Following promulgation of a new or revised NAAQS, the EPA is required by CAA section 107(d) to designate areas throughout the nation as attaining or not attaining the NAAQS. The EPA designated and classified the Portola area as “Moderate” nonattainment for the 2012 annual  $PM_{2.5}$  standards based on ambient monitoring data that showed the area was above  $12.0 \mu\text{g}/\text{m}^3$  for the 2011–2013 monitoring period.<sup>9</sup> For the 2011–2013 period, the annual  $PM_{2.5}$  design value for the Portola area was  $12.8 \mu\text{g}/\text{m}^3$  based on monitored readings at the 161 Nevada Street and 420 Gulling Street monitors.<sup>10</sup>

The Portola  $PM_{2.5}$  nonattainment area includes the City of Portola (“Portola”), which has a population of approximately 2,100 and is located at an elevation of 4,890 feet in an intermountain basin isolated by rugged mountains. Portola averages 20 inches of precipitation annually. From October through March the nonattainment area has very cold temperatures with the average daily low temperature of approximately 22 degrees Fahrenheit. The combination of mountains, cold

temperatures, and elevation can cause inversions and impair  $PM_{2.5}$  dispersion, especially during the winter. For a precise description of the geographic boundaries of the Portola  $PM_{2.5}$  nonattainment area, see 40 CFR 81.305.

The local air district with primary responsibility for developing a plan to attain the 2012 annual  $PM_{2.5}$  NAAQS in this area is the Northern Sierra Air Quality Management District (NSAQMD or “District”). The District worked cooperatively with the California Air Resources Board (CARB) in preparing the Portola  $PM_{2.5}$  Plan. Under state law, authority for regulating sources under state jurisdiction in the Portola nonattainment area is split between the District, which has responsibility for regulating stationary and most area sources, and CARB, which has responsibility for regulating most mobile sources.

## II. Clean Air Act Requirements for Moderate $PM_{2.5}$ Nonattainment Area Plans

With respect to the statutory requirements for attainment plans for the 2012 annual  $PM_{2.5}$  NAAQS, the general CAA part D nonattainment area planning requirements are found in subpart 1, and the Moderate area planning requirements specifically for particulate matter are found in subpart 4.

The EPA has a longstanding general guidance document that interprets the 1990 amendments to the CAA, commonly referred to as the General Preamble to the Implementation of Title I of the Clean Air Act Amendments of 1990 (“General Preamble”).<sup>11</sup> The General Preamble addresses the relationship between the subpart 1 and the subpart 4 requirements and provides recommendations to states for meeting certain statutory requirements for particulate matter attainment plans. As explained in the General Preamble, specific requirements applicable to Moderate area attainment plan SIP submissions for the particulate matter NAAQS are set forth in subpart 4 of part D, title I of the Act, but such SIP submissions must also meet the general attainment planning provisions in subpart 1 of part D, title I of the Act, to the extent these provisions “are not otherwise subsumed by, or integrally related to,” the more specific subpart 4 requirements.<sup>12</sup>

To implement the  $PM_{2.5}$  NAAQS, the EPA has also promulgated the “Fine Particle Matter National Ambient Air

Quality Standard: State Implementation Plan Requirements; Final Rule” (hereinafter, the “ $PM_{2.5}$  SIP Requirements Rule”).<sup>13</sup> The  $PM_{2.5}$  SIP Requirements Rule provides additional regulatory requirements and guidance applicable to attainment plan submissions for the  $PM_{2.5}$  NAAQS, including the 2012 annual  $PM_{2.5}$  NAAQS at issue in this action.

The subpart 1 statutory requirements for attainment plans include: (i) The section 172(c)(1) requirements for RACM/RACT and attainment demonstrations; (ii) the section 172(c)(2) requirement to demonstrate RFP; (iii) the section 172(c)(3) requirement for emissions inventories; (iv) the section 172(c)(5) requirements for a nonattainment new source review (NNSR) permitting program; and (v) the section 172(c)(9) requirement for contingency measures.

The more specific subpart 4 statutory requirements for Moderate  $PM_{2.5}$  nonattainment areas include: (i) The section 189(a)(1)(A) and 189(e) NNSR permit program requirements; (ii) the section 189(a)(1)(B) requirements for attainment demonstrations; (iii) the section 189(a)(1)(C) requirements for RACM; and (iv) the section 189(c) requirements for RFP and quantitative milestones. Under subpart 4, states with Moderate  $PM_{2.5}$  nonattainment areas must provide for attainment in the area as expeditiously as practicable but no later than December 31, 2021, for the 2012  $PM_{2.5}$  annual NAAQS. In addition, under subpart 4, direct  $PM_{2.5}$  and all precursors to the formation of  $PM_{2.5}$  are subject to control unless the EPA approves a demonstration from the State establishing that a given precursor does not contribute significantly to  $PM_{2.5}$  levels that exceed the  $PM_{2.5}$  NAAQS in the area.<sup>14</sup>

## III. Completeness Review of the Portola $PM_{2.5}$ Attainment Plan

CAA sections 110(a)(1) and (2) and 110(l) require each state to provide reasonable public notice and opportunity for public hearing prior to the adoption and submission of a SIP or SIP revision to the EPA. To meet this requirement, every SIP submission should include evidence that adequate public notice was given and an opportunity for a public hearing was provided consistent with the EPA’s implementing regulations in 40 CFR 51.102.

Both the District and CARB satisfied applicable statutory and regulatory requirements for reasonable public

<sup>5</sup> The primary and secondary standards were set at the same level for both the 24-hour and the annual  $PM_{2.5}$  standards.

<sup>6</sup> Under EPA regulations at 40 CFR part 50, the primary and secondary 2006 24-hour  $PM_{2.5}$  NAAQS are attained when the annual arithmetic mean concentration, as determined in accordance with 40 CFR part 50, Appendix N, is less than or equal to  $35 \mu\text{g}/\text{m}^3$  at all relevant monitoring sites in the subject area, averaged over a 3-year period.

<sup>7</sup> 71 FR 61144.

<sup>8</sup> 78 FR 3086.

<sup>9</sup> 80 FR 2206 (January 15, 2015).

<sup>10</sup> From 2000 through early 2013, the Portola  $PM_{2.5}$  monitoring site was located at 161 Nevada Street. In 2013, the site was relocated to 420 Gulling Street.

<sup>11</sup> General Preamble, 57 FR 13498 (April 16, 1992).

<sup>12</sup> 57 FR 13538.

<sup>13</sup> 81 FR 58010, August 24, 2016.

<sup>14</sup> 40 CFR 51.1006 and 51.1009.

notice and hearing prior to adoption and submission of the Portola PM<sub>2.5</sub> Plan. The District provided a 30-day public comment period prior to its January 23, 2017 public hearing to adopt the main SIP submission.<sup>15</sup> CARB provided the required public notice and opportunity for public comment prior to its February 16, 2017 public hearing and adoption of the main SIP submission.<sup>16</sup> CARB then adopted its supplemental SIP submission pertaining to 2019 and 2022 transportation conformity motor vehicle emission budgets at its October 26, 2017 Board meeting after reasonable public notice.<sup>17</sup> Each submission includes proof of publication of notices for the respective public hearings. We find, therefore, that the Portola PM<sub>2.5</sub> Plan meets the requirements for reasonable notice and public hearings in CAA sections 110(a) and 110(l).

CAA section 110(k)(1)(B) requires the EPA to determine whether a SIP submission is complete within 60 days of receipt. This section also provides that any plan that the EPA has not affirmatively determined to be complete or incomplete will become complete by operation of law six months after the date of submission. The EPA's SIP completeness criteria are found in 40 CFR part 51, appendix V. The February 28, 2017 and December 20, 2017 SIP submissions became complete by operation of law on August 28, 2017 and June 20, 2018, respectively.

#### IV. Review of the Portola PM<sub>2.5</sub> Plan

##### A. Emissions Inventory

##### 1. Requirements for Emissions Inventories

CAA section 172(c)(3) requires that each SIP include a "comprehensive, accurate, current inventory of actual

<sup>15</sup> The District public notice posted on its website for January 23, 2017 public hearing (undated); February 14, 2017 proof of publication from Plumas County News of public notice for January 23, 2017 public hearing; December 14, 2016 proof of publication from Feather Publishing Co., Inc. of public notice that public notice for January 23, 2017 public hearing published in the Feather River Bulletin, Indian Valley Record, and Portola Reporter during the week beginning December 14, 2016; and NSAQMD Governing Board Resolution 2017-01, "In the Matter of Adopting the Portola Fine Particulate Matter (PM<sub>2.5</sub>) Attainment Plan (Portola Plan) as required by the Federal Clean Air Act," January 13, 2017.

<sup>16</sup> CARB, Notice of evidence of listserve publication, "arcombo—Notice of Public Meeting for February 16, 2017," and "Notice of Public Meeting to Consider the Approval of the Portola PM<sub>2.5</sub> State Implementation Plan," both dated January 13, 2017; CARB Board Resolution 17-2, "Portola PM<sub>2.5</sub> State Implementation Plan," February 16, 2017.

<sup>17</sup> CARB Board Resolution 17-28, "Supplemental Transportation Conformity Emissions Budgets for the Portola Fine Particulate Matter (PM<sub>2.5</sub>) Attainment Plan," October 26, 2017.

emissions from all sources of the relevant pollutant or pollutants in [the] area. . . ." By requiring an accounting of actual emissions from all sources of the relevant pollutants in the area, this section provides for the base year inventory to include all emissions that contribute to the formation of a particular NAAQS pollutant. For the 2012 PM<sub>2.5</sub> NAAQS, this includes emissions of direct PM<sub>2.5</sub> as well as the main chemical precursors to the formation of secondary PM<sub>2.5</sub>: NO<sub>x</sub>, SO<sub>2</sub>, VOC, and ammonia. Primary PM<sub>2.5</sub> includes condensable and filterable particulate matter.

A state must include in its SIP submission documentation explaining how the emissions data were calculated. In estimating mobile source emissions, a state should use the latest emissions models and planning assumptions available at the time it develops the SIP submission. States are also required to use the EPA's "Compilation of Air Pollutant Emission Factors" (AP-42)<sup>18</sup> road dust method for calculating re-entrained road dust emissions from paved roads.<sup>19</sup> The latest EPA-approved version of California's mobile source emission factor model is EMFAC2014.<sup>20</sup>

In addition to the base year inventory submitted to meet the requirements of CAA section 172(c)(3), the State must also submit future "baseline inventories" for the projected attainment year and each RFP milestone year, and any other year of significance for meeting applicable CAA requirements.<sup>21</sup> By "baseline inventories" (also referred to as "projected baseline inventories"), we mean projected emissions inventories for future years that account for, among other things, the ongoing effects of economic growth and adopted emissions control requirements. The SIP submission should include documentation to explain how the state calculated the emissions projections.

<sup>18</sup> The EPA released an update to AP-42 in January 2011 that revised the equation for estimating paved road dust emissions based on an updated data regression that included new emission tests results.

<sup>19</sup> 76 FR 6328 (February 4, 2011).

<sup>20</sup> The EMFAC model (short for Emission Factor) is a computer model developed by CARB. The EPA approved EMFAC2014 for use in SIP revisions and transportation conformity at 80 FR 77337 (December 14, 2015).

<sup>21</sup> 40 CFR 51.1007(a), 51.1008(b), and 51.1009(f); see also U.S. EPA, "Emissions Inventory Guidance for Implementation of Ozone [and Particulate Matter] National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations," available at [http://www.epa.gov/sites/production/files/2014-10/documents/2014revisedguidance\\_0.pdf](http://www.epa.gov/sites/production/files/2014-10/documents/2014revisedguidance_0.pdf).

##### 2. Emissions Inventory in the Portola PM<sub>2.5</sub> Plan

The Portola PM<sub>2.5</sub> nonattainment area emissions inventory is typical of a small, high elevation mountain community. There are no major stationary sources or large industrial sources (existing or anticipated) and residential wood burning is a significant source of direct PM<sub>2.5</sub>. A summary of the planning emissions inventories for direct PM<sub>2.5</sub> and all PM<sub>2.5</sub> precursors (NO<sub>x</sub>, SO<sub>x</sub>, VOC, and ammonia)<sup>22</sup> for the Portola PM<sub>2.5</sub> nonattainment area is found in section III. Detailed inventories for the Portola PM<sub>2.5</sub> nonattainment area together with documentation for the inventories are found in Appendix B of the Plan. CARB and District staff worked jointly to develop the emissions inventory for the Portola PM<sub>2.5</sub> nonattainment area. The District worked with operators of the three stationary facilities in the nonattainment area to develop the stationary source emissions estimates.<sup>23</sup> CARB staff developed the emissions inventory for mobile sources, both on-road and off-road.<sup>24</sup> The District and CARB shared responsibility for developing estimates for the area sources such as residential wood burning and paved road dust.

The Plan includes annual average emissions inventories for the 2013 base year and estimated emissions for the 2019, 2021, and 2022 future baseline years. Future baseline inventories are a projection of the base year inventory taking into account expected growth trends for each source category and emission reductions from control measures adopted prior to January 1, 2013. CARB develops emissions projections by applying growth and control profiles to the base year inventory.<sup>25</sup>

Each inventory includes emissions from stationary, area, on-road, and non-

<sup>22</sup> The Portola PM<sub>2.5</sub> Plan generally uses "sulfur oxides" or "SO<sub>x</sub>" in reference to SO<sub>2</sub> as a precursor to the formation of PM<sub>2.5</sub>. We use SO<sub>x</sub> and SO<sub>2</sub> interchangeably throughout this notice.

<sup>23</sup> CARB's facility search engine website shows for 2016 in the Portola PM<sub>2.5</sub> nonattainment area there are no major stationary sources and only three non-major stationary sources. Two of the non-major sources reported zero particulate matter (PM) emissions in 2016, and the third non-major source (*i.e.*, White Cap Ready Mix #1) reported 1.9 tons per year of PM emissions. For more information see <https://www.urb.ca.gov/app/emsinv/facinfo/facinfo.php>.

<sup>24</sup> The EPA regulations refer to "nonroad" vehicles and engines whereas California Air Resources Board (CARB) regulations refer to "off-road" vehicles and engines. These terms refer to the same types of vehicles and engines, and for the purposes of this action, we will be using CARB's chosen term, "off-road," to refer to such vehicles and engines.

<sup>25</sup> Portola PM<sub>2.5</sub> Plan, Appendix B.

road sources. The inventories use EMFAC2014 for estimating on-road motor vehicle emissions.<sup>26</sup> Re-entrained paved road dust emissions were calculated using the EPA's AP-42 road dust methodology.<sup>27</sup>

Table 1 provides a summary of the annual average inventories in tons per day (tpd) of direct PM<sub>2.5</sub> and PM<sub>2.5</sub> precursors for the base year of 2013. These inventories provide the basis for the control measure analysis and the

RFP and attainment demonstrations in the Portola PM<sub>2.5</sub> Plan. For a detailed breakdown of the inventories, see Appendix B, Tables 6–10 in the Portola PM<sub>2.5</sub> Plan.

TABLE 1—PORTOLA ANNUAL AVERAGE EMISSIONS INVENTORY FOR DIRECT PM<sub>2.5</sub> AND PM<sub>2.5</sub> PRECURSORS FOR THE 2013 BASE YEAR (tpd)

Category	Direct PM <sub>2.5</sub>	NO <sub>x</sub>	SO <sub>x</sub>	VOC	Ammonia
Stationary Sources .....	0.007	0.002	0.000	0.016	0.018
Area Sources .....	0.468	0.048	0.015	0.661	0.142
On-Road Mobile Sources .....	0.005	0.181	0.0003	0.101	0.005
Off-Road Mobile Sources .....	0.011	0.273	0.0001	0.162	0.0001
Totals .....	0.490	0.504	0.016	0.940	0.149

Source: Portola PM<sub>2.5</sub> Plan, Section III, Table 3 (p. 24) and Appendix B, Tables 6–10.

### 3. The EPA's Evaluation and Proposed Action

The inventories in the Portola PM<sub>2.5</sub> Plan are based on the most current and accurate information available to the State and District at the time the Plan and its inventories were being developed in 2015 and 2016, including the latest version of California's mobile source emissions model, EMFAC2014. The inventories comprehensively address all source categories in the Portola PM<sub>2.5</sub> nonattainment area and were developed consistent with the EPA's inventory guidance. For these reasons, we are proposing to approve the 2013 base year emissions inventory in the Portola PM<sub>2.5</sub> Plan as meeting the requirements of CAA section 172(c)(3). We are also proposing to find that the projected baseline inventories in the Plan provide an adequate basis for the RACM, RFP, and attainment demonstrations in the Portola PM<sub>2.5</sub> Plan.

#### B. PM<sub>2.5</sub> Precursors

##### 1. Precursor Requirements

The provisions of subpart 4 of part D, title I of the CAA do not define the term "precursor" for purposes of PM<sub>2.5</sub>, nor do they explicitly require the control of any specifically identified PM precursor. The statutory definition of "air pollutant" in CAA section 302(g), however, provides that the term "includes any precursors to the formation of any air pollutant, to the extent the Administrator has identified such precursor or precursors for the particular purpose for which the term 'air pollutant' is used." The EPA has identified SO<sub>2</sub>, NO<sub>x</sub>, VOC, and

ammonia as precursors to the formation of PM<sub>2.5</sub>. Accordingly, the attainment plan requirements of subpart 4 apply to emissions of all four precursor pollutants and direct PM<sub>2.5</sub> from all types of stationary, area, and mobile sources, except as otherwise provided in the Act (e.g., in CAA section 189(e)).

Section 189(e) of the Act requires that the control requirements for major stationary sources of direct PM<sub>10</sub> (which includes PM<sub>2.5</sub>) also apply to major stationary sources of PM<sub>10</sub> precursors, except where the Administrator determines that such sources do not contribute significantly to PM<sub>10</sub> levels that exceed the standard in the area. Section 189(e) contains the only expressed exception to the control requirements under subpart 4 for sources of PM<sub>2.5</sub> precursor emissions. Although section 189(e) explicitly addresses only major stationary sources, the EPA interprets the Act as authorizing it also to determine, under appropriate circumstances, that regulation of specific PM<sub>2.5</sub> precursors from other sources in a given nonattainment area is not necessary.

Under the PM<sub>2.5</sub> SIP Requirements Rule, a state may elect to submit to the EPA a "comprehensive precursor demonstration" for a specific nonattainment area to show that emissions of a particular precursor from all existing sources located in the nonattainment area do not contribute significantly to PM<sub>2.5</sub> levels that exceed the standard in the area.<sup>28</sup> Such a comprehensive precursor demonstration must include a concentration-based contribution analysis (*i.e.*, evaluation of the contribution of a particular precursor to PM<sub>2.5</sub> levels in the area)

and may also include a sensitivity-based contribution analysis (*i.e.*, evaluation of the sensitivity of PM<sub>2.5</sub> levels in the area to a decrease in emissions of the precursor). If the EPA determines that the contribution of the precursor to PM<sub>2.5</sub> levels in the area is not significant and approves the demonstration, the state is not required to control emissions of the relevant precursor from existing sources in the current attainment plan.<sup>29</sup>

The EPA issued the draft PM<sub>2.5</sub> Precursor Demonstration Guidance ("Draft Guidance") to provide recommendations to states for appropriate precursor demonstrations in nonattainment plan SIP submissions.<sup>30</sup> For the annual PM<sub>2.5</sub> NAAQS, section 2.2 of the Draft Guidance recommends use of 0.2 µg/m<sup>3</sup> as a threshold below which ambient air quality impacts could be considered "insignificant," *i.e.*, impacts that do not "contribute" to PM<sub>2.5</sub> concentrations that exceed the NAAQS. When considering whether a precursor contributes significantly to PM<sub>2.5</sub> levels which exceed the NAAQS in the area, a state may also consider additional factors based on the facts and circumstances of the area. As to air quality impacts that exceed the 0.2 µg/m<sup>3</sup> contribution threshold, states may provide additional support for a conclusion that a particular precursor does not contribute significantly to ambient PM<sub>2.5</sub> levels that exceed the NAAQS. States may consider information such as the amount by which the impacts exceed the recommended contribution threshold, the severity of nonattainment at relevant monitors and/or grid cell locations in the area, anticipated growth or loss of sources, analyses of speciation data and

<sup>26</sup> Portola PM<sub>2.5</sub> Plan, Appendix B.

<sup>27</sup> *Id.*

<sup>28</sup> 40 CFR 51.1006(a)(1).

<sup>29</sup> *Id.*

<sup>30</sup> EPA Office of Air Quality Planning and Standards, "PM<sub>2.5</sub> Precursor Demonstration

Guidance," EPA-454/P-16-001, November 17, 2016 draft, available at <https://www.epa.gov/pm-pollution/draft-pm25-precursor-demonstration-guidance>.

precursor emission inventories, and air quality trends.<sup>31</sup>

## 2. Precursor Demonstration in the Plan

Section V.C. of the Plan contains the State's demonstration that emissions of SO<sub>x</sub>, NO<sub>x</sub>, ammonia, and VOC from all existing sources in the nonattainment area do not contribute significantly to PM<sub>2.5</sub> levels that exceed the NAAQS. The demonstration includes a concentration-based portion, a sensitivity-based portion, and additional relevant information. The concentration-based portion is summarized in Table 8 of the Plan, based on 2013–2014 species composition data, and used to represent the base year design value used as the starting point in the rollback attainment demonstration as described in section IV.E.<sup>32</sup> All four precursors together account for 6.3% of the 2013 PM<sub>2.5</sub> design value. Organic matter and elemental carbon, mainly from wood burning, are the dominant contributors and account for 89% of the 2013 design value.

For VOC emissions, the corresponding ambient PM<sub>2.5</sub> component is anthropogenic Secondary Organic Aerosol (SOA). Based on comparison to ambient SOA concentrations per ton of total VOC emissions at other California locations, the State estimated Portola SOA concentrations of 0.02–0.05 µg/m<sup>3</sup>. The State also noted that seasonal organic carbon (OC) measurements at Portola are indistinguishable from background levels during the summer. Because SOA is a subset of OC, and summer is when SOA is highest due to the warmer temperatures, the State found that Portola's SOA is comparable to the 0.06 µg/m<sup>3</sup> observed at nearby background interagency monitoring of protected visual environments (IMPROVE) sites<sup>33</sup> and well below the 0.2 µg/m<sup>3</sup> contribution threshold.

The ambient species concentrations corresponding to SO<sub>x</sub>, NO<sub>x</sub>, and ammonia were 0.41, 0.46, and 0.48 µg/m<sup>3</sup>, respectively. Because these are all above the recommended contribution threshold of 0.2 µg/m<sup>3</sup>, the State conducted a follow-up sensitivity-based analysis. The sensitivity-based portion of the precursor demonstration used a variant of the rollback attainment

demonstration based on Positive Matrix Factorization (PMF) as described in section IV.B.2 of this notice.<sup>34</sup> The rollback model scales PM<sub>2.5</sub> component concentrations (excluding background) according to changes in emissions. Ammonium nitrate was scaled proportional to NO<sub>x</sub> emissions; ammonium sulfate was scaled proportional to SO<sub>x</sub> emissions; and ammonium was scaled proportional to ammonia emissions. These were all on a conservative one-to-one basis; that is, a 1% emission change leads to a 1% concentration change. The sensitivity emission reductions modeled were 10%, 25%, 30%, 50%, and 70%.

As in the attainment demonstration, the precursor demonstration used the estimated 2021 design value. The PM<sub>2.5</sub> effect of both the sensitivity reductions and the yearly reductions were combined to estimate the effect on the design value. Table 9 of the Plan lists the PM<sub>2.5</sub> design values resulting from a 10 to 70% reduction in emissions of each pollutant.<sup>35</sup> For SO<sub>x</sub> and ammonia, the reductions have a negligible impact on the attainment year design value. The design values listed for the 70% emission reduction show PM<sub>2.5</sub> responses of 0.09 and 0.11 µg/m<sup>3</sup> for SO<sub>x</sub> and ammonia respectively, both well below the recommended contribution threshold.

For NO<sub>x</sub> sensitivity, the Plan includes a discussion of the ambient response to a 30% reduction, 0.16 µg/m<sup>3</sup>, which is below the 0.2 µg/m<sup>3</sup> contribution threshold. However, the given design values for 50% and 70% reductions show responses of 0.26 µg/m<sup>3</sup> and 0.39 µg/m<sup>3</sup> respectively, which are above the recommended contribution threshold.

Beyond the concentration-based and sensitivity-based analyses, the Plan provides several pieces of additional information to help assess the significance of NO<sub>x</sub> as a PM<sub>2.5</sub> precursor. Table 7 of the Plan shows that NO<sub>x</sub> emissions in the Portola nonattainment area, estimated at 0.5 tpd, are far smaller than the NO<sub>x</sub> emissions in several other California counties, which range from 46.5 to 104.0 tpd.<sup>36</sup> The Plan also shows that 90% of the NO<sub>x</sub> emissions in Portola are from mobile sources, which already are stringently controlled; PM<sub>2.5</sub> concentrations would be not be

sensitive to realistic additional control on these sources.

Supporting supplemental data from CARB shows trends in emissions and species concentrations during 2002–2016.<sup>37</sup> The data are for the Mountain Counties Air Basin, which comprises Plumas County and eight other similar counties that are also largely rural, wooded areas spanning the foothills to the crest of the Sierra Nevada mountains. Ammonia emissions during this period were essentially constant, but NO<sub>x</sub> and SO<sub>x</sub> emissions decreased by 46% and 67%, respectively. During the same time span, nitrate and sulfate concentrations decreased by 23% and 16%, respectively. Since nitrate and sulfate were responding to NO<sub>x</sub> and SO<sub>x</sub> emissions reductions, this suggests that ammonium nitrate formation is NO<sub>x</sub>-limited and ammonium sulfate is SO<sub>x</sub>-limited, rather than either being ammonia-limited. These observations support a finding that ammonia is an insignificant PM<sub>2.5</sub> precursor, for which controls would be of little benefit.

Based on its evaluations, the State concluded that additional controls on PM<sub>2.5</sub> precursors would have an insignificant effect on PM<sub>2.5</sub> concentrations, and that precursors need not be included in the controls analysis.

## 3. The EPA's Evaluation and Proposed Action

The comprehensive precursor demonstration provided in the Plan meets the requirements of 40 CFR 51.1006(a)(1) and is consistent with the EPA's recommendations in the Draft Guidance. The demonstration contains a concentration-based contribution analysis for VOC and sensitivity-based contribution analyses for NO<sub>x</sub>, SO<sub>x</sub>, and ammonia, together with additional information about the Portola area, as recommended in the Draft Guidance (e.g., emission inventory and ambient PM<sub>2.5</sub> composition data).

For the SO<sub>2</sub> concentration-based analysis, the Plan states that background sulfate concentrations are 97% of the 0.41 µg/m<sup>3</sup> measured at Portola. The remaining 3% of the sulfate, or 0.012 µg/m<sup>3</sup>, is attributable to Portola sources. This 3% contribution from Portola sources to PM<sub>2.5</sub> levels above the NAAQS is well below the EPA's 0.2 µg/m<sup>3</sup> contribution threshold.

For the VOC concentration analysis, the Plan provides several estimates of SOA at Portola. The estimates, which

<sup>31</sup> Id. at 17.

<sup>32</sup> Portola PM<sub>2.5</sub> Plan, 51.

<sup>33</sup> IMPROVE is a monitoring program managed by the EPA and other federal and state agencies to assess visibility and aerosol conditions including PM<sub>2.5</sub> species in Class I areas such as national parks. For more information, go to <http://vista.cira.colostate.edu/Improve/reconstructed-fine-mass/>.

<sup>34</sup> PMF is a multivariate source apportionment method that attributes PM<sub>2.5</sub> observed concentrations to sources through statistical and meteorological interpretation of data. PMF is one of several EPA recommended receptor modeling methods for understanding of source impacts on ambient PM<sub>2.5</sub> levels.

<sup>35</sup> Portola PM<sub>2.5</sub> Plan, 53.

<sup>36</sup> Id. at 47.

<sup>37</sup> Email with attachment (i.e., Species Trends.xlsx) dated February 13, 2018, from Kasia Turkiewicz, CARB, to Scott Bohning and John Ungvarsky, EPA.



can be considered “data analysis techniques” as described in the Draft Guidance, are appropriate for refining SOA estimates from available measurements and provide a convincing case that VOCs do not contribute significantly to PM<sub>2.5</sub> levels that exceed the NAAQS in the area.

For NO<sub>x</sub>, the Plan’s estimate for the nitrate contribution and the corresponding sensitivity to NO<sub>x</sub> reductions may be unrealistically high. The PMF modeling results estimated the secondary nitrate contribution to be 5.1% of the total PM<sub>2.5</sub>, whereas the raw chemical composition data estimated only 3.3%.<sup>38</sup> In addition, the concentration-based analysis may have overestimated nitrate concentrations because it does not apply the sulfate, adjusted nitrate, derived water, inferred carbonaceous balance approach (SANDWICH)<sup>39</sup> for reconciling the mass from speciation measurements with that from the Federal Reference Method (FRM) used for design values. Because the SANDWICH adjustment generally reduces nitrate, due to nitrate losses from FRM monitors, the precursor demonstration in the Plan may be overestimating the amount of nitrate and the nitrate response to NO<sub>x</sub> emission reductions. Thus, the approach used in the Plan results in a more conservative precursor demonstration.

The sensitivity-based precursor analysis relies on the same methodology as the attainment demonstration, including the very conservative assumption that the ambient response to NO<sub>x</sub> reductions is in a 1:1 ratio to the emission change (on a percent basis). The responses to SO<sub>2</sub> and ammonia reductions were below the recommended 0.2 µg/m<sup>3</sup> contribution threshold, but the response to NO<sub>x</sub> was above the threshold at 50% and 70% reductions.

The Plan includes additional information supporting a conclusion that NO<sub>x</sub> emissions do not contribute significantly to PM<sub>2.5</sub> levels that exceed the NAAQS in the area. The information includes the small size of the NO<sub>x</sub> emission inventory relative to other areas and recognition that mobile sources are already highly controlled. These are indications that ambient PM<sub>2.5</sub> levels would not be sensitive to additional NO<sub>x</sub> controls.

The EPA also considered two other implications of the data provided with the Plan or as a supplement. The supplemental 2002–2016 emissions and speciation trends can be used to derive

a response factor, the percent change in nitrate concentration for each percent change in NO<sub>x</sub> emissions. Because ammonia emissions are constant, they provide a reasonable factor to use as the response to reductions of NO<sub>x</sub> in the sensitivity analysis. Using 2002–2016 data results in a NO<sub>x</sub> response factor of 0.378. Using this in a variant of the Plan’s NO<sub>x</sub> sensitivity analysis in place of the 1:1 assumption, the EPA found that the ambient PM<sub>2.5</sub> response to a 50% NO<sub>x</sub> reduction is 0.105 µg/m<sup>3</sup>, and the response to a 70% reduction is 0.147 µg/m<sup>3</sup>. Both of these are below the EPA’s recommended contribution threshold of 0.2 µg/m<sup>3</sup>. (The original responses were 0.277 and 0.388 µg/m<sup>3</sup>.) Since the years 2013–2016 were somewhat anomalous, with some nitrate increases, the EPA carried out the same exercise using just 2002–2011 data, which resulted in a NO<sub>x</sub> response factor of 0.625. In turn, this results in a 50% response of 0.173 µg/m<sup>3</sup> and a 70% response of 0.243 µg/m<sup>3</sup>. The 70% response is above but considerably closer to the recommended 0.2 µg/m<sup>3</sup> contribution threshold. When considered in light of the additional information discussed above, the 70% response supports a conclusion that NO<sub>x</sub> emissions do not contribute significantly to PM<sub>2.5</sub> levels that exceed the NAAQS in the area.

A second implication of the data from the Plan concerns the effect of a 70% NO<sub>x</sub> reduction on the year that the Portola area can attain the NAAQS. Under the PM<sub>2.5</sub> SIP Requirements Rule at 40 CFR 51.1009(a)(4)(i), if a Moderate PM<sub>2.5</sub> nonattainment area, such as the Portola area, can show that reducing emission of a precursor is not necessary for expeditious attainment of the NAAQS and cannot advance attainment by a year,<sup>40</sup> then that precursor need not be controlled for attainment purposes. Even assuming a NO<sub>x</sub> reduction of 70%, which is very large in comparison with the historical reductions of about 6% per year, and assuming an unrealistically conservative 1:1 nitrate response ratio, the resulting response is 0.388 µg/m<sup>3</sup>, which is less than the average 0.41 µg/m<sup>3</sup> per year PM<sub>2.5</sub> decrease seen during 2019–2021 in the attainment demonstration. This observation supports a conclusion that controlling NO<sub>x</sub> is not necessary for expeditious attainment of the NAAQS because it would not advance the attainment date by a year in the Portola nonattainment area.

The EPA is proposing to approve the State’s demonstration that emissions of PM<sub>2.5</sub> precursors (*i.e.*, SO<sub>x</sub>, NO<sub>x</sub>,

ammonia, and VOC) from all existing sources located in the nonattainment area do not contribute significantly to PM<sub>2.5</sub> levels that exceed the standards in the area. If the EPA finalizes this proposal, the State and District would not be required to control emissions of these precursors from existing sources in the Portola PM<sub>2.5</sub> Plan for purposes of the 2012 annual PM<sub>2.5</sub> NAAQS. The State, District, and the EPA will reexamine this issue if the Portola area fails to attain the NAAQS and EPA reclassifies the area to Serious for the 2012 annual PM<sub>2.5</sub> NAAQS.

### C. Reasonably Available Control Measures/Reasonably Available Control Technology

#### 1. Requirements for RACM/RACT

The general subpart 1 attainment plan requirement for RACM and RACT is described in CAA section 172(c)(1), which requires that attainment plan submissions “provide for the implementation of all reasonably available control measures as expeditiously as practicable (including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of reasonably available control technology)” and provide for attainment of the NAAQS.

The attainment planning requirements specific to PM<sub>2.5</sub> under subpart 4 likewise impose upon states with nonattainment areas classified as Moderate an obligation to develop attainment plans that require RACM/RACT on sources of direct PM<sub>2.5</sub> and all PM<sub>2.5</sub> plan precursors. CAA section 189(a)(1)(C) requires that Moderate area PM<sub>2.5</sub> SIPs contain provisions to assure that RACM/RACT are implemented no later than 4 years after designation of the area. The EPA reads CAA sections 172(c)(1) and 189(a)(1)(C) together to require that attainment plans for Moderate nonattainment areas provide for the implementation of RACM and RACT for existing sources of PM<sub>2.5</sub> and those PM<sub>2.5</sub> precursors subject to control in the nonattainment area as expeditiously as practicable but no later than 4 years after designation.<sup>41</sup>

The PM<sub>2.5</sub> SIP Requirements Rule defines RACM as “any technologically and economically feasible measure that can be implemented in whole or in part within 4 years after the effective date of designation of a PM<sub>2.5</sub> nonattainment area and that achieves permanent and enforceable reductions in direct PM<sub>2.5</sub> emissions and/or PM<sub>2.5</sub> plan precursor

<sup>38</sup> Plan, Figure 9, 20, and Table 8, 51.

<sup>39</sup> Draft Guidance, 23.

<sup>40</sup> 81 FR 58010, 58020 (August 24, 2016).

<sup>41</sup> This interpretation is consistent with guidance provided in the General Preamble at 13540.

emissions from sources in the area.<sup>42</sup> RACM includes reasonably available control technology (RACT).” The EPA has historically defined RACT as the lowest emission limitation that a particular stationary source is capable of meeting by the application of control technology (e.g., devices, systems, process modifications, or other apparatus or techniques that reduce air pollution) that is reasonably available considering technological and economic feasibility.<sup>43</sup>

Under the PM<sub>2.5</sub> SIP Requirements Rule, those control measures that otherwise meet the definition of RACM but “can only be implemented in whole or in part during the period beginning 4 years after the effective date of designation of a nonattainment area and no later than the end of the sixth calendar year following the effective date of designation of the area” must be adopted and implemented by the state as “additional reasonable measures.”<sup>44</sup>

States must provide written justification in a SIP submission for eliminating potential control options from further review on the basis of technological or economic infeasibility.<sup>45</sup> An evaluation of technological feasibility may include consideration of factors such as a source’s process and operating conditions, raw materials, physical plant layout, and non-air quality and energy impacts (e.g., increased water pollution, waste disposal, and energy requirements).<sup>46</sup> An evaluation of economic feasibility may include consideration of factors such as cost per ton of pollution reduced (cost-effectiveness), capital costs, and operating and maintenance costs.<sup>47</sup> Absent other indications, the EPA presumes that it is reasonable for similar

sources to bear similar costs of emissions reductions. Economic feasibility of RACM and RACT is thus largely informed by evidence that other sources in a source category have in fact applied the control technology, process change, or measure in question in similar circumstances.<sup>48</sup>

Consistent with these requirements, NSAQMD must implement RACM, including RACT, for direct PM<sub>2.5</sub> emission sources no later than April 15, 2019, and must implement additional reasonable measures for these sources no later than December 31, 2021.

The CAA explicitly provides for the use of economic incentive programs (EIPs), such as the Portola voluntary wood stove change-out program, as one tool for states to use to achieve attainment of the NAAQS.<sup>49</sup> EIPs use market-based strategies to encourage the reduction of emissions from stationary, area, and mobile sources in an efficient manner. The EPA has promulgated regulations for statutory EIPs required under section 182(g) of the Act and has issued guidance for discretionary EIPs.<sup>50</sup> Where a state relies on a discretionary EIP in a SIP submission, the EPA evaluates the programmatic elements of the EIP to determine whether the resulting emission reductions are quantifiable, surplus, enforceable and permanent.<sup>51</sup> These four fundamental “integrity elements,” which apply to all EIPs and other incentive/voluntary measures relied on for SIP purposes, are designed to ensure that such programs and measures satisfy the applicable requirements of the Act.

2. RACM/RACT Analysis in the Portola PM<sub>2.5</sub> Plan

The State’s RACM and RACT analysis is in section VI.D of the Portola PM<sub>2.5</sub>

Plan. The emissions inventory analysis, conducted as part of the RACT analysis, confirmed that no major stationary sources of direct PM<sub>2.5</sub> or any PM<sub>2.5</sub> precursor are located in the Portola PM<sub>2.5</sub> nonattainment area. As discussed above in section IV.C, the State provided a demonstration that PM<sub>2.5</sub> precursor emissions do not contribute significantly to ambient PM<sub>2.5</sub> levels that exceed the standards in the area. Therefore, the Portola PM<sub>2.5</sub> Plan contains a RACM demonstration addressing only sources of direct PM<sub>2.5</sub>.

3. Primary Sources of PM<sub>2.5</sub> in the Nonattainment Area

PM<sub>2.5</sub> concentrations in the Portola PM<sub>2.5</sub> nonattainment area are dominated by direct PM<sub>2.5</sub> emissions from residential wood burning. Chapter II of the Plan documents the State and District’s bases for concluding that wood burning is the dominant source of PM<sub>2.5</sub> throughout the nonattainment area. The documentation includes seasonal and diurnal patterns in PM<sub>2.5</sub> concentrations, chemical composition data, PMF modeling, and statistical correlations between PM<sub>2.5</sub> mass and levoglucosan (a wood burning tracer). The PMF model estimated that 76% of ambient PM<sub>2.5</sub> on an annual basis is from wood burning. Burning of garbage in stoves, fireplaces, and in open burn piles contributes another 2.5% of annual PM<sub>2.5</sub> levels.

4. RACM Measures

Table 2 lists the RACM measures in the Portola PM<sub>2.5</sub> Plan. We discuss each of these measures in detail further below.

TABLE 2—SUMMARY OF RACM IN PORTOLA PM<sub>2.5</sub> NONATTAINMENT AREA

Measure	Direct PM <sub>2.5</sub> emission reductions (tpd)	Scheduled action	Implementation year
Voluntary Wood Stove Change-out Program with Enforceable Commitment .....	0.062 <sup>a</sup> .....	2016 .....	2016–2020.
City of Portola Wood Stove and Fireplace Ordinance Mandatory Wood Burning Curtailment.	Not estimated <sup>b</sup> .....	2016 .....	2021.
Other Provisions in City of Portola Wood Stove and Fireplace Ordinance <sup>c</sup> .....	Not estimated <sup>d</sup> .....	2016 .....	2016.
Open Burning Requirements (NSAQMD Rules 300–317) .....	Not estimated <sup>e</sup> .....	2019 .....	2019.
CARB Mobile Source Programs .....	0.006 .....	Ongoing .....	Ongoing.
Opacity Rule (NSAQMD Rule 202) .....	Not estimated .....	Ongoing .....	Ongoing.

<sup>42</sup> 40 CFR 51.1000. “PM<sub>2.5</sub> plan precursors” are defined as “those PM<sub>2.5</sub> precursors required to be regulated in the applicable attainment plan and/or NNSR program” and “PM<sub>2.5</sub> precursors” are SO<sub>2</sub>, NO<sub>x</sub>, VOC, and ammonia.

<sup>43</sup> General Preamble at 13541 and 57 FR 18070, 18073–74 (April 28, 1992).

<sup>44</sup> 40 CFR 51.1000, 51.1009(a)(1)(B), and 51.1009(a)(ii)(B).

<sup>45</sup> 40 CFR 51.1009(a)(3).

<sup>46</sup> 40 CFR 51.1009(a)(3); see also 57 FR 18070, 18073–74.

<sup>47</sup> Id.

<sup>48</sup> 57 FR 18070, 18074.

<sup>49</sup> See, e.g., CAA sections 110(a)(2)(A), 172(c)(6), and 183(a)(4).

<sup>50</sup> A “discretionary economic incentive program” is “any EIP submitted to the EPA as an

implementation plan revision for purposes other than to comply with the statutory requirements of sections 182(g)(3), 182(g)(5), 187(d)(3), or 187(g) of the Act.” 40 CFR 51.491; see also 59 FR 16690 (April 7, 1994) (codified at 40 CFR part 51, subpart U) and “Improving Air Quality with Economic Incentive Programs,” EPA, January 2001 (“2001 EIP Guidance”).

<sup>51</sup> 2001 EIP Guidance, section 4.1.

TABLE 2—SUMMARY OF RACM IN PORTOLA PM<sub>2.5</sub> NONATTAINMENT AREA—Continued

Measure	Direct PM <sub>2.5</sub> emission reductions (tpd)	Scheduled action	Implementation year
Educational Campaign	Not estimated <sup>1</sup>	Ongoing	Ongoing.
Voluntary Wood Burning Curtailment Program ("Clear the Air; Check Before You Light").	Not estimated <sup>1</sup>	2016	2017.

<sup>a</sup> The reductions from the wood stove change-out program are based on the average of the cumulative annual emission reductions from 2019–2021 (i.e., 0.045 tpd in 2019, 0.065 tpd in 2020, and 0.077 tpd in 2021).

<sup>b</sup> Additional reductions not calculated because a variety of factors affect the amount of any potential reductions still available after implementation of change-out program (e.g., number of remaining uncertified wood stoves within City of Portola; whether the 30 µg/m<sup>3</sup> air quality threshold is triggered to implement the curtailment; and enforcement of the curtailment).

<sup>c</sup> Additional reductions from the other provisions in the Ordinance and the distribution of 20 moisture meters per year are uncertain (e.g., reductions from prohibition on burning unseasoned wood) and/or overlap with reductions from the change-out program. To avoid double counting of reductions from the Ordinance and the change-out programs, no additional reductions from the Ordinance are relied on for attainment.

<sup>d</sup> Other provisions that apply in the Ordinance include, for example, prohibiting: Installation of an uncertified wood burning device, unqualified fireplace, or uncertified fireplace in new construction or remodel; more than one certified wood burning heater per dwelling unit in new construction; a wood burning device as the sole source of heat in new construction; installation of an outdoor wood-burning boiler or hydronic heater; uncertified wood burning heater remaining in any property upon change of ownership; burning of garbage or unpermitted fuels, including unseasoned wood (less than 20% moisture content) in a wood burning devices.

<sup>e</sup> Additional reductions from strengthening requirements applicable to non-agricultural open burning (e.g., backyard and barrel burning) to be determined at time of anticipated rulemaking in 2019, but because the non-agricultural open burning inventory is small, the additional reductions will not advance attainment.

<sup>1</sup> For RACM, attainment, and RFP, the District is not relying on any reductions from the educational programs or the voluntary wood burning curtailment program.

Source: Portola PM<sub>2.5</sub> Plan, 37 (Table 4).

a. Voluntary Wood Stove Change-Out Program

Because ambient PM<sub>2.5</sub> in the Portola area is primarily caused by residential wood burning, CARB and the NSAQMD have chosen to implement a voluntary wood stove change-out program as the primary RACM control strategy for the entire Portola PM<sub>2.5</sub> nonattainment area. Appendix L of the Plan details the voluntary wood stove change-out program. Its implementation began in 2016 and will continue through 2020. See Table 3 below for the phased schedule of changeouts.

TABLE 3—WOOD STOVE CHANGE-OUT SCHEDULE

Year	Stove changeouts	
	Per year	Cumulative
2016	100	100
2017	100	200
2018	150	350
2019	150	500
2020	100	600
2021	0	600
2022	0	600

The woodstove change-out program is primarily funded by the EPA and the District. The District has approximately \$3 million to fund the replacement of 600 of the estimated 664 uncertified wood stoves<sup>52</sup> in use in the

<sup>52</sup> Throughout this notice, we use the term "uncertified wood stove" to refer to a wood heater that is not certified under the applicable Phase II requirements of the EPA's new source performance standards (NSPS) promulgated in 1988 for new residential wood heaters at 40 CFR part 60, subpart

nonattainment area. The District is utilizing \$2.48 million through the EPA's 2015 Targeted Air Shed Grant program<sup>53</sup> and \$400,000 from H&S Performance (H&S) pursuant to a December 17, 2015 Consent Agreement and Final Order between H&S and the EPA.<sup>54</sup> Additionally, the District is contributing up to \$60,000 from the Plumas County portion of the District's Assembly Bill 2766 Motor Vehicle Registration fee surcharge.

The change-out program includes specific requirements designed to achieve quantifiable, surplus, enforceable, and permanent PM<sub>2.5</sub> emission reductions in the entire Portola PM<sub>2.5</sub> nonattainment area. The program requirements ensure, among other things, that older, dirtier wood stoves currently in operation in the Portola PM<sub>2.5</sub> nonattainment area will be

AAA, as effective February 26, 1988 (53 FR 5860). In 2015, the EPA revised subpart AAA, Standards of Performance for New Residential Wood Heaters ("2015 NSPS") with an effective date of May 15, 2015, and a sell-through date of December 31, 2015. See 53 FR 5860 (March 15, 2015). Because the Voluntary Wood Stove Change-out Program began after December 31, 2015, all new certified wood heaters sold in the Portola PM<sub>2.5</sub> nonattainment area must meet the applicable requirements in the 2015 NSPS.

<sup>53</sup> The Targeted Air Shed grant program is intended to improve air quality in areas of the US with the highest levels of pollution. For more information, see <https://www.epa.gov/grants/air-grants-and-funding>.

<sup>54</sup> In the Matter of H&S Performance, LLC, Consent Agreement and Final Order (docket no. CAA-HQ-2015-8248), entered December 17, 2015. Under this agreement, H&S Performance, LLC agreed to provide \$400,000 to the NSAQMD to replace, retrofit, or upgrade at least 400 inefficient wood-burning appliances.

replaced with EPA-certified wood stoves or other less-polluting devices. Residents of the City of Portola and low-income residents living outside the city but within the nonattainment area qualify for up to \$3,500 to replace an uncertified wood burning device with an EPA-certified wood burning device. The \$3,500 covers all or most of the change-out costs. In an effort to replace the uncertified devices with the cleanest technology available, the District offers an additional \$1,000 to city residents or low-income residents within the nonattainment area for every uncertified wood stove replaced with a pellet, propane, or kerosene device. For all other residents living outside the City of Portola but within the nonattainment area, the District offers \$1,500 to replace an uncertified wood burning device with an EPA-certified wood burning device and \$3,000 to replace an uncertified wood burning device with a pellet, propane or kerosene heating device. An incentive is available within the entire nonattainment area, but the two-tier funding approach increases the likelihood of the greatest number of changeouts occurring in the city, the area with the greatest concentration of people and low-income residents in the nonattainment area. As of September 30, 2018, approximately 260 changeouts were completed, and an additional 49 applications were approved for possible future changeouts.<sup>55</sup>

The change-out program also includes requirements for participating

<sup>55</sup> Portola Monthly Air Quality Update from NSAQMD, September 2018.



contractors/retailers to sign a contract with NSAQMD. Contractors/retailers must meet licensing, permitting, and certification requirements. The contract includes specific requirements for the collection and retention of documents, such as:

- Program tracking form,
- Copy of change-out cost estimate with District approval signature,
- Photo of uncertified woodstove installed and operational in home (prior to replacement by certified device),<sup>56</sup>
- Photo of certified device installed,
- Copy of building permit,
- Acknowledgement of training form (homeowner/renter), and
- Final invoice.

The retailer/contractor must also meet the following requirements for retention of records and providing training to homeowners:

- Accounting records relating to the change-out program must be retained for five years and made available for possible review by federal, State and District agencies,
- Encourage homeowners to consider replacing wood appliances with alternative fuel devices, such as propane, pellet or kerosene, and
- Train homeowners on proper appliance operation and acceptable fuels to maximize the emission reductions, including a form signed by homeowners stating that they were trained to properly operate their new heating device.

To provide assurance that the voluntary change-out program will achieve the intended emissions reductions, the District adopted an enforceable commitment to replace 600 uncertified stoves with cleaner burning devices by December 31, 2020. The EPA approved this enforceable commitment into the SIP at 83 FR 13871 (April 2, 2018). The enforceable commitment obligates the NSAQMD to achieve specific amounts of PM<sub>2.5</sub> emission reductions through implementation of the woodstove change-out program by specific years, to submit annual reports to the EPA detailing its implementation of the program and the projected emission reductions, and to adopt and submit substitute measures by specific dates if the EPA determines that the woodstove change-out program will not achieve the necessary emission

<sup>56</sup> The District also developed a memorandum of understanding with the City of Portola to destroy the replaced stoves. The City matches the stove with the program tracking number, cuts the stove in half with a plasma torch, and stores the stove in a locked yard. The City fills out and signs a verification of destruction form and submits it to the District. The form contains the tracking number and photo of the destroyed stove. See Portola PM<sub>2.5</sub> Plan, 32.

reductions. The EPA's Technical Support Document for its April 2, 2018 final action has more information about the enforceable commitment.

#### b. City of Portola Wood Stove and Fireplace Ordinance

On June 22, 2016, the City of Portola adopted Ordinance No. 344, "An Ordinance of the City of Portola, County of Plumas Amending Chapter 15.10 of the City of Portola Municipal Code Providing for Regulation of Wood Stoves and Fireplaces" ("City Ordinance"). The City Ordinance is in Appendix M of the Plan. The EPA approved the City Ordinance into the SIP at 83 FR 9213 (March 5, 2018).

The City Ordinance includes a mandatory burning curtailment provision effective January 1, 2021. The mandatory curtailment will restrict wood burning under specific conditions. If the District determines that adverse meteorological conditions are expected to persist and PM<sub>2.5</sub> may exceed 30 µg/m<sup>3</sup> on a given day in January, February, November, or December, the District will call a "No Burn Day." When a No Burn Day is called, no person may operate a wood burning heater, wood burning fireplace, wood-fired fire pit or wood-fired cookstove within the city limits unless it is an approved and currently registered EPA-certified wood burning heater.<sup>57</sup> The curtailment provision encourages owners of uncertified stoves to upgrade to certified stoves or risk not being able to use their uncertified wood burning device on No Burn Days called after January 1, 2021. The curtailment provision does not take effect until January 1, 2021, giving homeowners and renters time to change their stoves to EPA-certified devices during the five-year implementation of the voluntary change-out program.

The City Ordinance and the District's wood stove change-out program collectively establish most of the recommended program elements outlined in the EPA's guidance document entitled "Strategies for Reducing Residential Wood Smoke,"<sup>58</sup> including:

- A wood burning curtailment program (section 15.10.060),

<sup>57</sup> See section 15.10.060 of the City Ordinance. In section 15.10.020 of the City Ordinance, "wood burning heater" is defined as an enclosed wood-burning device capable of and intended for space heating such as a wood stove, pellet-fueled wood heater, or wood-burning fireplace insert, and "EPA-certified" is defined as any wood burning heater with a Phase II certification or a more stringent certification as currently enforced in the NSPS.

<sup>58</sup> EPA, "Strategies for Reducing Residential Wood Smoke," Publication No. EPA-456/B-13-001, revised March 2013.

- Requirements to remove uncertified wood burning stoves upon home resale (section 15.10.040.A),

- Restrictions on wood burning devices in new construction (section 15.10.030.B),

- Restrictions on the installation of wood burning fireplaces (sections 15.10.030.A and 15.10.040.B),

- A requirement that all wood burning stoves sold or transferred within the District meet the EPA's current new source performance standard certification (section 15.10.030.A),

- A prohibition on the installation of wood fired boilers or hydronic heaters (sections 15.10.030.15, 15.10.030.A and 15.10.070),

- Requirements regarding wood moisture content (section 15.10.050.A),

- Restrictions on types of materials that may be burned (seasoned wood, uncolored paper, pellets, and manufactured logs) (section 15.10.050),

- A wood burning stove change-out program (described above), and
- Education and outreach programs, including a requirement for wood stove retailers to distribute educational materials provided by the District (section 15.10.080).

Although natural gas is not available in the area, the City Ordinance does not include any exemption for a residence where an uncertified wood stove is the sole source of heat. The City Ordinance is thus more stringent than curtailment provisions implemented by other air districts, most of which exempt households using wood stoves as a sole source of heat from curtailment requirements.<sup>59</sup>

The District considered expanding the requirements of the City Ordinance to the entire nonattainment area but determined that this was not feasible because the District did not have sufficient funding to offer incentives to cover the full cost of changeouts outside of the City of Portola. Some residents living outside of the city limits may not have sufficient resources to changeout their stoves. For these residents, the wood burning prohibition in the City Ordinance could cause unintended health risks if their sole source of heat is an uncertified wood stove, and they were prohibited from using it. In the future, expanding application of the City Ordinance beyond city limits will be contingent upon availability of more generous incentive funds for people residing outside the city limits. The

<sup>59</sup> See e.g., South Coast Air Quality Management District Rule 445 (amended May 3, 2013), paragraph (f)(7)(A), and Sacramento Metropolitan Air Quality Management District Rule 421 (amended September 24, 2009), paragraph 112.

Plan states that if additional funding becomes available in the future, the District will offer more generous incentives to residents living outside city limits and consider expanding mandatory burning curtailment to the entire nonattainment area.<sup>60</sup>

#### c. Open Burning (NSAQMD Rules 300–317)

The District enforces open burning requirements in NSAQMD Rules 300–317 that apply to a variety of area sources such as agricultural burning, forest burning, range improvement, and residences. The District's smoke management program ensures that open burning occurs on days with good dispersion to minimize the impact from PM<sub>2.5</sub> concentrations. The EPA approved these rules into the SIP at 62 FR 48480 (September 16, 1997) and 64 FR 45170 (August 19, 1999).

Within the Portola nonattainment area, wood smoke can originate from open burning or from home heating devices. Residents of this area occasionally burn yard debris in open piles. Land managers (*e.g.*, U.S. Forest Service) perform prescribed burns of timber harvest waste to promote fire safety and maintain forest health. Both residents and land managers must request a burn permit prior to starting a fire. The District, in coordination with CARB, makes a declaration of either a permissive Burn Day or a No Burn Day in the context of open burning only. It does not apply to wood burning devices and is distinct from the more stringent No Burn Day program previously described in the City Ordinance. The District and CARB consider a number of factors in making no-burn declarations to ensure that smoke from open burning will not unduly contribute to the ambient PM<sub>2.5</sub> mass.<sup>61</sup>

To further reduce PM<sub>2.5</sub> emissions during winter, the Portola PM<sub>2.5</sub> Plan contains a commitment by the District to strengthen its open burning rule in 2019. The District is assessing the feasibility of green waste collection in the nonattainment area and will consider whether to adopt open burning requirements similar to District Rule 318 ("American Valley Burning Restrictions"), which prohibits the open burning of yard waste and debris or other rubbish from November 15 to March 15 in a portion of the American Valley containing Quincy and East Quincy.<sup>62</sup>

#### d. Mobile Source Measures

Mobile sources account for approximately 3% of the overall direct PM<sub>2.5</sub> emissions inventory in the Portola PM<sub>2.5</sub> nonattainment area. The Plan projects that CARB's continued implementation of adopted mobile source control measures<sup>63</sup> will decrease direct PM<sub>2.5</sub> emissions by 2021 and provide 7% of the total reductions needed to attain the 2012 PM<sub>2.5</sub> NAAQS. As part of the State's RACM analysis for the mobile source control program, described on pages 86–90 of the Portola PM<sub>2.5</sub> Plan, CARB concludes that in light of the comprehensiveness and stringency of its mobile source program, all RACM under CARB's jurisdiction are already being implemented.

#### e. Visible Emissions (NSAQMD Rule 202)

Rule 202 limits visible emissions (*e.g.*, particulates) and is enforced by NSAQMD. The EPA approved this rule into the SIP at 62 FR 48480 (September 16, 1997). Enforcement of Rule 202 will help identify households with highly visible emissions that may still be using uncertified wood stoves and possibly eligible for the change-out program. Rule 202 prohibits any person from discharging into the atmosphere any air contaminant for more than 3 minutes in any hour that is as dark as, or darker in shade than, that designated as No. 1 on the Ringelmann Chart or "of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke."<sup>64</sup>

#### f. Educational Campaign

The District is developing other voluntary measures to reduce the impact of wood smoke on PM<sub>2.5</sub>. The District is conducting an aggressive outreach and educational campaign to help residents understand the benefits of changing from an old wood stove to a cleaner home heating device and the importance of clean burning. The District worked closely with the City of Portola and enlisted outreach partners

such as the local hardware and grocery store, post office, library, senior community center, and schools to assist in the distribution of educational materials and advertise the change-out program. In addition, the Ordinance includes a requirement that retailers and contractors provide educational materials with the sale of a wood-burning device.<sup>65</sup>

#### g. Voluntary Wood Burning Curtailment Program

On November 1, 2017, the District began implementing "Clear the Air; Check Before You Light," a voluntary wood burning curtailment program that runs during the peak wood-burning period (*i.e.*, November 1 through February 28) in the Portola nonattainment area. When conditions exist for potentially poor air quality, the District will issue an air quality advisory to notify the public. When an advisory is triggered the District will recommend avoiding the use of any wood burning device (including wood stoves, fireplaces, fire pits and cook stoves) to help reduce potential health impacts and possibly prevent an exceedance of federal/state air pollution standards. Use of alternative sources of heat such as electricity, propane or kerosene, are encouraged when an advisory is announced.<sup>66</sup>

#### 5. The EPA's Evaluation and Proposed Action

As part of the EPA's March 5, 2018, final action approving the City Ordinance into the SIP, the EPA considered whether the City Ordinance includes all technologically and economically feasible measures for wood burning devices. We compared the provisions in the City Ordinance with other wood burning rules and with the recommendations in the EPA's guidance document entitled "Strategies for Reducing Residential Wood Smoke."<sup>67</sup> Based on this evaluation, we concluded that the City Ordinance and the District's wood stove change-out program collectively implement RACM and additional reasonable measures for residential wood burning devices in the Portola nonattainment area.<sup>68</sup>

<sup>63</sup> CARB has unique authority under CAA section 209 (subject to a waiver or authorization by the EPA) to adopt and implement new emissions standards for many categories of vehicles and engines. CARB has adopted standards and other requirements related to the control of emissions from numerous types of new and in-use on-road and off-road vehicles and engines, such as trucks, buses, motorcycles, passenger cars, off-road engines (gasoline and diesel-powered), off-road diesel fueled fleets, portable equipment, and marine engines. Generally, these regulations have been submitted and approved as revisions to the California SIP. See, *e.g.*, 77 FR 20308 (April 4, 2012), 81 FR 39424 (June 16, 2016), 82 FR 14446 (March 21, 2017), and 83 FR 23232 (May 18, 2018).

<sup>64</sup> NSAQMD Rule 202, "Visible Emissions" (adopted September 11, 1991).

<sup>65</sup> Portola PM<sub>2.5</sub> Plan, 34–35.

<sup>66</sup> NSAQMD Press Release dated October 25, 2017, Greater Portola Area Wintertime Advisory Program in Effect.

<sup>67</sup> EPA, "Strategies for Reducing Residential Wood Smoke," Publication No. EPA–456/B–13–001, revised March 2013, and EPA, "Residential Wood Combustion Summary of Measures—DRAFT," January 2016.

<sup>68</sup> 83 FR 9213 (November 3, 2017) and EPA, Region IX Air Division, "Technical Support Document for the EPA's Rulemaking for the

<sup>60</sup> Portola PM<sub>2.5</sub> Plan, Table 4, 84–85.

<sup>61</sup> *Id.* at 22.

<sup>62</sup> *Id.* at 36.

We note that the curtailment provisions of the City Ordinance do not take effect until 2021. Given that uncertified wood stoves are currently the primary source of heat for many residents in Portola, we do not believe it is reasonable to require implementation of a mandatory curtailment program prior to implementation of the District's five-year wood stove change-out program, which provides funding for the replacement of 600 uncertified wood stoves between 2016 and 2020. After these incentive funds are disbursed, however, implementation of a mandatory curtailment program in the Portola nonattainment area is feasible. We propose to find that the District's enforceable commitments concerning implementation of the wood stove change-out program and related monitoring and reporting commitments implement RACM for the control of PM<sub>2.5</sub> emissions from residential wood burning in the Portola area. Because the curtailment provision in the City Ordinance otherwise meets the definition of RACM but is implemented during the period beginning 4 years after the area's designation as nonattainment and before the attainment date, we consider it an additional reasonable measure for purposes of attaining the 2012 PM<sub>2.5</sub> NAAQS.

Under the CAA, the EPA is charged with establishing national emissions limits for mobile sources. States are generally preempted from establishing such limits except for California, which can establish these limits subject to EPA waiver or authorization under CAA section 209 (referred to herein as "waiver measures"). Over the years, the EPA has issued waivers (for on-road vehicles and engines measures) or authorizations (for non-road vehicle and engine measures) for many mobile source regulations adopted by CARB.

In the past, the EPA allowed California to take into account emissions reductions from waiver measures, notwithstanding the fact that these regulations had not been approved as part of the California SIP. However, in response to the decision by the United States Court of Appeals for the Ninth Circuit in *Committee for a Better Arvin v. EPA*,<sup>69</sup> the EPA approved

California State Implementation Plan, Northern Sierra Air Quality Management District, City of Portola Ordinance 344, Wood Stove and Fireplace Ordinance," July 2017.

<sup>69</sup> *Committee for a Better Arvin v. EPA*, 786 F.3d 1169 (9th Cir. 2015) ("*Arvin*"). In *Arvin*, the Ninth Circuit concluded that CAA section 110(a)(2)(A) requires that all state and local control measures on which SIPs rely to attain the NAAQS, including

waiver measures as revisions to the California SIP.<sup>70</sup> CARB's mobile source program extends beyond regulations that are subject to the waiver or authorization process set forth in CAA section 209 to include standards and other requirements to control emissions from in-use heavy duty trucks and buses, gasoline and diesel fuel specifications, and many other types of mobile sources. Generally, these regulations have been submitted and approved as revisions to the California SIP.<sup>71</sup> The Portola PM<sub>2.5</sub> Plan relies to a very small extent on emissions reductions from implementation of the waiver measures through the use of emissions models such as EMFAC2014.

The EPA is proposing to find that the District's enforceable commitment to implement the voluntary wood stove change-out program, the City Ordinance, CARB's mobile source program, the District's commitment to strengthen its open burning measure, and other controls on sources in the nonattainment area together implement all RACM and RACT for the control of direct PM<sub>2.5</sub> in the Portola nonattainment area. This collective set of PM<sub>2.5</sub> control requirements, particularly with respect to homes where wood-burning is the sole source of heat, is at least as stringent as analogous measures implemented in other Moderate PM<sub>2.5</sub> nonattainment areas with similar geography and demographics. Accordingly, the EPA is proposing to approve the PM<sub>2.5</sub> RACM demonstration in the Portola PM<sub>2.5</sub> Plan as meeting the requirements of CAA sections 172(c)(1) and 189(a)(1)(C) and 40 CFR 51.1009.

#### *D. Major Stationary Source Control Requirements Under CAA Section 189(e)*

Section 189(e) of the Act specifically requires that the control requirements applicable to major stationary sources of direct PM<sub>2.5</sub> also apply to major stationary sources of PM<sub>2.5</sub> precursors, except where the Administrator

California waiver measures, be included in the SIP and thereby subject to enforcement by the EPA and the general public. This decision struck down the EPA's longstanding practice of approving California plans that rely on emissions reductions from waiver measures notwithstanding their lack of approval as part of the SIP.

<sup>70</sup> See, e.g., 81 FR 39424 (June 16, 2016), 82 FR 14447 (March 21, 2017), and 83 FR 23232 (May 18, 2018).

<sup>71</sup> See, e.g., the EPA's approval of standards and other requirements to control emissions from in-use heavy-duty diesel-powered trucks, at 77 FR 20308 (April 4, 2012), revisions to the California on-road reformulated gasoline and diesel fuel regulations at 75 FR 26653 (May 12, 2010), and revisions to the California motor vehicle I/M program at 75 FR 38023 (July 1, 2010).

determines that such sources do not contribute significantly to PM<sub>2.5</sub> levels that exceed the standards in the area.<sup>72</sup> The control requirements applicable to major stationary sources of direct PM<sub>2.5</sub> in a Moderate PM<sub>2.5</sub> nonattainment area include, at minimum, the requirements of a NNSR permit program meeting the requirements of CAA sections 172(c)(5) and 189(a)(1)(A). In the PM<sub>2.5</sub> SIP Requirements Rule, we established a deadline for states to submit NNSR plan revisions to implement the PM<sub>2.5</sub> NAAQS 18 months after an area is initially designated and classified as a Moderate nonattainment area.<sup>73</sup> On September 6, 2016, California submitted the required NNSR SIP revisions. We are not proposing any action on the NNSR submittal at this time and will address these requirements in a separate rulemaking.

#### *E. Air Quality Modeling*

##### *1. Requirements for Air Quality Modeling*

Section 189(a)(1)(B) of the CAA requires that a plan for a Moderate PM<sub>2.5</sub> nonattainment area include a demonstration (including air quality modeling) that the plan will provide for attainment by the applicable attainment date, or a demonstration that attainment by such date is impracticable. An attainment demonstration must show that the control measures in the plan are sufficient for attainment of the NAAQS by the attainment date. The attainment demonstration predicts future ambient concentrations for comparison to the NAAQS, making use of available information on ambient concentrations, meteorology, and current and projected emissions inventories, including the effect of control measures in the plan. This information is typically used in conjunction with a computer model of the atmosphere.

The EPA has provided additional modeling requirements and guidance for modeling analyses in the "Guideline on Air Quality Models" ("Guideline").<sup>74</sup> For areas where emissions are dominated by primary PM<sub>10</sub> or PM<sub>2.5</sub> emitted by many small dispersed sources, such as fugitive dust or residential wood burning, states have historically used a "rollback model" to evaluate the impacts of emissions on ambient air quality. EPA recently

<sup>72</sup> General Preamble, 13539 and 13541–42. There are no major stationary sources (existing or anticipated) of direct PM<sub>2.5</sub> or PM<sub>2.5</sub> precursors in the Portola PM<sub>2.5</sub> nonattainment area.

<sup>73</sup> 81 FR 58528 at 58010 (August 24, 2016).

<sup>74</sup> 40 CFR part 51 Appendix W, "Guideline on Air Quality Models," 82 FR 5182, January 17, 2017; available at <https://www.epa.gov/scram/clean-air-act-permit-modeling-guidance>.

approved rollback-based attainment demonstrations in the wood smoke-dominated Klamath Falls and Oakridge-Westfir PM<sub>2.5</sub> nonattainment areas in Oregon.<sup>75</sup> In a simple rollback model, the monitored ambient concentration (excluding any unchanging background concentration) is assumed to be proportional to emissions; when emissions are reduced by a given percentage, the concentration is assumed to scale or “roll back” by the same percentage. A variant is “proportional rollback,” in which rollback is applied to each emission source category individually, then summed in proportion to their ambient contributions. The proportions, or source apportionment, can be estimated using chemically speciated PM<sub>2.5</sub> measurements. This can be done with a receptor model such as the Chemical Mass Balance model or the PMF model, which compute the source category contributions that are the best statistical fit to the measured chemical species concentrations, given measured or estimated source species profiles.

## 2. Modeling in the Portola PM<sub>2.5</sub> Plan

The attainment demonstration, described in section V of the Plan, is based on proportional rollback, with source category proportions (source apportionment) determined using the PMF receptor model. Section V of the Plan describe the concentration starting point for the rollback, background concentrations, the mapping of ambient PM<sub>2.5</sub> components to PM<sub>2.5</sub> emission categories, and the rollback calculation procedure. In addition to a “Traditional Rollback,” the Plan also provides an “Alternative Rollback,” which is based on a more precise accounting of the impacts of various wood stove types.

The concentration starting point for rollback is typically a base year design value concentration that corresponds to the base year emissions. Instead of using the 2013 design value for the base year, the Plan used 13.9 µg/m<sup>3</sup>, the average of the design values from 2013, 2014, and 2015. Because a single design value is a three-year average, the Plan’s procedure gives a five-year weighted average centered on 2013, using concentrations from 2011–2015. This was done to reduce the effect of year-to-year variability, and to avoid basing the attainment demonstration solely on the unusually warm, dry years of 2011–2013.

In rollback, the area’s emissions are used to scale only the portion of the concentration due to sources in the nonattainment area, excluding background concentrations. CARB chose speciated PM<sub>2.5</sub> concentrations from Bliss State Park next to Lake Tahoe in the Plan as background concentrations that would occur in the airshed in the absence of local anthropogenic emissions.

The State determined the contributions of emission source categories to ambient PM<sub>2.5</sub> using the PMF receptor model, described in Plan Appendix A. PMF was applied to 2011–2014 speciated PM<sub>2.5</sub> data for 15 chemical species. PMF determines source species profiles and source contribution levels that best fit the full set of data. The result was a source apportionment with estimates for the ambient contributions of six source categories: Wood burning, refuse burning, mobile, airborne soil, secondary nitrate, secondary sulfate.

The contributions of these source categories to the rollback base year PM<sub>2.5</sub> concentration are shown in the Figure 9 pie chart in the Plan, “2011–2015 Annual Average PM<sub>2.5</sub> Source Contribution.” Wood burning contributed by far the largest amount, 76.1%; mobile sources contributed 7.6%; airborne soil 3.9%; and refuse burning 2.5%. Secondary PM<sub>2.5</sub> in the form of ammonium nitrate and ammonium sulfate contributed 5.1% and 4.8%, respectively, of ambient PM<sub>2.5</sub> concentrations. Figure 11 in the Plan shows the strong correlation between concentrations of PM<sub>2.5</sub> and of levoglucosan, a marker for wood combustion.<sup>76</sup> This correlation corroborates the significant contribution of wood burning to Portola’s ambient PM<sub>2.5</sub> levels.

Table 12 in the Portola PM<sub>2.5</sub> Plan shows the State’s rollback calculation, in which the percent changes in the 2013 emissions of the inventory source categories are applied to their respective 2013 base year ambient contributions (excluding background). The main emissions change between base year and future emissions is for wood burning, reflecting the effect of the wood stove change-out program. For this source category, the State calculated emission reductions due to the wood stove

change-out program during that period for each of the years from 2017 to 2021 using the EPA’s Burn Wise Emission Calculator.<sup>77</sup> CARB applied reductions in tpd to the baseline emission inventory projections for annual average direct PM<sub>2.5</sub> emissions from residential wood burning in Table 8 of Appendix B in the Plan.

The Plan includes future year contributions from 2017 to 2021 for each source category and a total concentration for each year. Only the wood burning emissions differed for each of these years; emissions from other categories reflected their 2021 values. CARB then averaged the predicted concentrations for the 2019–2021 period to arrive at a 2021 predicted design value. The State’s procedure of averaging projected concentrations for the three individual years 2019, 2020, and 2021 is similar to the procedure used for computing the 2021 monitored design value. The result of the rollback was a predicted 2021 PM<sub>2.5</sub> annual design value of 12.03 µg/m<sup>3</sup>; with the rounding to one digit prescribed by 40 CFR 50 App. N, section 4.3, this meets the 12.0 µg/m<sup>3</sup> NAAQS.

Section V.F. of the Plan provided an “Alternative Rollback” model that more precisely quantified the effect of the stove change-out program on wood burning emissions. For this rollback model, all other source category emissions and their ambient contributions were assumed to remain at their base year 2013 levels. CARB calculated wood stove emissions and contributions separately for new certified stoves and uncertified stoves. This approach used the individual heating efficiency and emissions factors for these sources from the EPA’s Burn Wise Emission Calculator and accounted for the number of each type of stove and the number of stove changeouts expected to occur in 2019, 2020, and 2021. CARB applied the fractional changes in emissions for these years to the wood burning portion of the 5-year weighted 13.9 µg/m<sup>3</sup> design value, and the three years’ results averaged to arrive at a 2021 design value of 11.1 µg/m<sup>3</sup>, which meets the 12.0 µg/m<sup>3</sup> NAAQS.

## 3. The EPA’s Evaluation and Proposed Action

The EPA evaluated the State’s choice of model for the attainment demonstration, as well as how the State applied the model, in terms of

<sup>75</sup> 81 FR 36176 (June 6, 2016), docket EPA–R10–OAR–2013–0005 for Klamath Falls; and 83 FR 5537 (February 8, 2018), docket EPA–R10–OAR–2017–0051 for Oakridge-Westfir.

<sup>76</sup> Levoglucosan is an organic compound formed from the pyrolysis of carbohydrates, such as starch and cellulose, the key component of wood. As a result, levoglucosan is often used as a chemical tracer for biomass burning in atmospheric chemistry studies, particularly with respect to airborne particulate matter. Jordan, T., Seen, A., Jacobsen, G., 2006, “Levoglucosan as an atmospheric tracer for woodsmoke,” *Atmospheric Environment*, 40 (27): 5316–5321.

<sup>77</sup> Portola PM<sub>2.5</sub> Plan Appendix E, Figure 1 and Table 2. The Burn Wise Emission Calculator is available at <https://www.epa.gov/burnwise/burnwise-additional-resources>.

concentration starting point, background concentrations, mapping of emissions to concentrations, and the calculations used. The choice of an appropriate model for the District's attainment demonstration was informed by particular circumstances in the Portola PM<sub>2.5</sub> nonattainment area, most notably the dominance of primary PM<sub>2.5</sub> in ambient concentrations, the dispersed nature of the many small area sources responsible for it, and the relatively small fraction that is composed of secondary particulate matter. As discussed in the Plan, wood burning emissions of organic carbon and elemental carbon contribute 76% and 8%, respectively, of annual PM<sub>2.5</sub> concentrations in the Portola area.<sup>79</sup> Based on examination of meteorology, PM<sub>2.5</sub> emissions data and ambient PM<sub>2.5</sub> data, the Plan provides a well-supported demonstration that residential wood burning is the dominant contributor to the PM<sub>2.5</sub> air quality problem in the Portola area. The key assumption in a rollback analysis, *i.e.*, that ambient concentrations are proportional to emissions, is true for these primary PM<sub>2.5</sub> emissions. The EPA modeling guidance cited above does not mention rollback for attainment demonstrations but also does not fully address situations like that in the Portola area, where the dominant contributor to ambient PM<sub>2.5</sub> is primary PM<sub>2.5</sub> from many small area sources. Given that the key contributor to the air quality problem in the Portola area is already understood, neither photochemical grid models nor dispersion models would provide much information that is not already available from the rollback model. The EPA agrees that the use of rollback analysis under these facts and circumstances is consistent with EPA guidance and is appropriate for the Portola attainment demonstration and meets the Clean Air Act requirement for air quality modeling.

In addition, the EPA agrees that the Plan identifies an appropriate starting point concentration for the rollback model. The use of a five-year weighted average for the design value is not standard for rollback, but is consistent with the EPA's recommendation for the starting point of photochemical modeling attainment demonstrations. The Plan contains a reasonable justification for using a longer period to determine the starting point for the design value, based on the variable meteorology of the 2011–2015 period; the chosen procedure thus yields a more representative concentration that is

appropriate for the rollback attainment demonstration. It makes for a more robust attainment demonstration that is not overly dependent on meteorological conditions in any one particular year.

The Plan contains convincing arguments for the State's selection of Bliss State Park as the source of background concentrations. The EPA agrees that the Plan's estimates for background concentrations are appropriate. The source attribution using PMF carried out for the Plan provides a good basis for the rollback model. The States also used several conservative assumptions, such as keeping certain ambient components constant instead of declining with emissions, so that the final concentration result is likely higher than would be expected with a more precise accounting.

As noted above, the Plan used the average of projections for the individual years 2019, 2020, and 2021 for the future year projection. In comparison with projecting just the single attainment year emissions and concentration, the approach used by the State is conservatively high, because the 2019 and 2020 projections do not account for all of the emission reductions from stove changeouts that will occur by the 2021 attainment year.<sup>79</sup>

The Plan also provides a second rollback model, termed "Alternative Rollback." A key difference between the two rollback approaches is that the "Alternative" rollback relies more completely on the emission methodology for the residential wood burning category in the Burn Wise Emission Calculator. For both rollback approaches, the wood stove change-out program was by far the greatest source of emission and concentration reductions. The approaches relied on PMF source apportionment for the ambient effect of reductions, and they accounted for both the PM<sub>2.5</sub> reductions per amount of wood burned in certified stoves and for the lower amount of wood burned from their increased burn efficiency. The "Alternative" rollback corroborated the results of the

<sup>79</sup> The attainment demonstration need only show that emissions in the attainment year and the resulting projected concentration are consistent with attainment of the NAAQS; it does not need to show that the projected three-year design value meets the NAAQS. Future emissions need only be projected to the attainment year itself. See EPA, Office of Air Quality Planning and Standards, "Modeling Guidance for Demonstrating Attainment of Air Quality Goals for Ozone, PM<sub>2.5</sub>, and Regional Haze," December 2014 Draft, 17 (section 2.3.2, Future Year Selection); available at <https://www.epa.gov/scram/state-implementation-plan-sip-attainment-demonstration-guidance>.

"Traditional" rollback model and provides additional confidence in the attainment demonstration.

The EPA finds that the State correctly implemented the rollback model in a reasonable way, used an appropriate mapping of ambient PM<sub>2.5</sub> components to emission inventory categories, and incorporated an appropriate degree of conservatism. For these reasons, the EPA finds that the rollback modeling in the Plan is adequate for purposes of supporting the Portola attainment demonstration for the 2012 annual PM<sub>2.5</sub> NAAQS.

#### F. Attainment Demonstration

##### 1. Requirements for Attainment Demonstrations

CAA section 189(a)(1)(B) requires that each state in which all or part of a Moderate PM<sub>2.5</sub> nonattainment area is located submit an attainment plan that includes, among other things, either a demonstration (including air quality modeling) that the plan will provide for attainment by the applicable attainment date or a demonstration that attainment by such date is impracticable. In addition, CAA section 172(c)(1) generally requires, for each nonattainment area, a plan that provides for the implementation of all RACM and RACT as expeditiously as practicable and provides for attainment of the NAAQS. The EPA interprets these two provisions together to require that an attainment demonstration for a Moderate PM<sub>2.5</sub> nonattainment area meet the following criteria:

- (1) The attainment demonstration must show the projected attainment date for the Moderate nonattainment area that is as expeditious as practicable;
- (2) The attainment demonstration must meet the requirements of 40 CFR part 51, appendix W and must include inventory data, modeling results, and emission reduction analyses on which the state has based its projected attainment date;
- (3) The base year for the emissions inventory required for the attainment demonstration must be one of the 3 years used for designations or another technically appropriate inventory year if justified by the state in the plan submission; and
- (4) The control strategies modeled as part of the attainment demonstration must be consistent with the control strategy requirements under 40 CFR 51.1009(a), including the requirements for RACM/RACT and additional reasonable measures.<sup>80</sup>

<sup>80</sup> 40 CFR 51.1011(a).

<sup>79</sup> Portola PM<sub>2.5</sub> Plan, 20 (Figure 9, 2011–2015 Annual Average PM<sub>2.5</sub> Source Contribution).

In addition, the attainment demonstration must provide for the implementation of all control measures needed for attainment as expeditiously as practicable and no later than the beginning of the year containing the applicable attainment date.<sup>81</sup>

Under longstanding guidance, the EPA has recommended presumptive limits on the amounts of emission reductions from voluntary and other nontraditional measures that may be credited in an attainment plan. Specifically, for voluntary stationary and area source measures, the EPA has

identified a presumptive limit of 6% of the total amount of emission reductions required for RFP, attainment, or maintenance demonstration purposes.<sup>82</sup> The EPA may, however, approve measures for SIP credit in amounts exceeding the presumptive limits "where a clear and convincing justification is made by the State as to why a higher limit should apply in [its] case."<sup>83</sup>

We discuss each of these requirements and recommendations for attainment demonstrations below.

2. Attainment Demonstration in the Portola PM<sub>2.5</sub> Plan

Table 4 shows the relationship between the 2013 base year inventory and the 2021 attainment year inventory before and after the wood stove change-out program. The changes to the inventory reflect a 17% reduction in the direct PM<sub>2.5</sub> emissions inventory is needed to demonstrate attainment by December 31, 2021.

TABLE 4—SUMMARY OF ATTAINMENT DEMONSTRATION

Category	Direct PM <sub>2.5</sub> (tpd)
a. 2013 Baseline Emissions	0.490
b. Projected 2021 Emissions without Change-out Program <sup>a</sup>	0.486
c. Reductions from Wood Stove Change-out Program <sup>b</sup>	0.062
d. Attainment Year Emission Inventory = Projected 2021 Emissions (b) minus Reductions from Wood Stove Change-out Program (c)	0.424

<sup>a</sup> Mobile source reductions of 0.006 tpd from previously adopted measures credited in projected 2021 emission inventory. See Table 8 in Appendix B of Portola PM<sub>2.5</sub> Plan.

<sup>b</sup> The average reduction for the 2019–2021 time frame is 0.062 tpd. Source: Portola PM<sub>2.5</sub> Plan, Table 4, 37.

Traditional rollback analysis as described in section IV.B. of this proposed rule indicates that direct PM<sub>2.5</sub> reductions from the woodstove change-out program (*i.e.*, 0.062 tpd average for 2019–2021 as used in the rollback) and CARB's mobile source program (*i.e.*, 0.006 tpd) result in a predicted 2021 design value of 12.03 µg/m<sup>3</sup> and is adequate for the State to demonstrate that the Portola area will attain the 2012 annual PM<sub>2.5</sub> standards by the outermost statutory attainment date as a Moderate nonattainment area of December 31, 2021.<sup>84</sup> Table 5 below shows the projected cumulative impact of the

change-out program on emission reductions and design values. The cumulative reductions and design value calculations are offset by one year to allow for full deployment of stove changeouts in a prior year. Because the bulk of the changeouts presumably occur during the late spring, summer, and early fall, the October-December period of a given year would likely see the greatest air quality benefits from that year's changeouts, but the January-March period would not. The State's calculations result in a conservative estimate of the benefits of the wood stove change-out program because the

State is only taking credit for changeouts that have been in effect for a full year. Thus, the projected benefit of changing out 600 stoves will not be fully reflected in the design value until the 2023 design value, which will include 2021, 2022, and 2023, the first period of three consecutive years with the 600 new certified devices in operation. The Portola PM<sub>2.5</sub> Plan also includes an alternative rollback modeling demonstration that results in a 2021 DV of 11.1 µg/m<sup>3</sup>. The alternative rollback is described in section IV.B. of this proposed rule and in section V.F. of the Plan.

TABLE 5—RELATIONSHIP BETWEEN CUMULATIVE STOVE CHANGEOUTS, REDUCTIONS, AND DESIGN VALUES FROM ROLLBACK ANALYSIS

Year	Stove change-outs	Cumulative stove changeouts credited towards attainment	Cumulative direct PM <sub>2.5</sub> reductions in rollback analysis credited towards attainment (tpd)	Annual average DV (µg/m <sup>3</sup> )
2016	100	0	0	Not calculated.
2017	100	100	.013	13.22.
2018	150	200	.026	12.91.
2019	150	350	.045	12.45.

<sup>81</sup> *Id.*  
<sup>82</sup> See, *e.g.*, EPA, Office of Air Quality Planning and Standards, "Incorporating Emerging and Voluntary Measure in a State Implementation Plan (SIP)," October 4, 2004 ("2004 Emerging and Voluntary Measures Guidance"), 9; EPA, Office of Air Quality Planning and Standards and Office of

Transportation and Air Quality, "Guidance on Incorporating Bundled Measures in a State Implementation Plan," August 16, 2005 ("2005 Bundled Measures Guidance"), 8; and EPA, Office of Air Quality Planning and Standards, "Guidance for Quantifying and Using Emission Reductions from Voluntary Woodstove Changeout Programs in

State Implementation Plans," EPA-456/B-06-001, January 2006 ("2006 Woodstove Guidance"), 4.  
<sup>83</sup> See, *e.g.*, 2004 Emerging and Voluntary Measures Guidance, 9; 2005 Bundled Measures Guidance, 8, n. 6, and 2006 Woodstove Guidance, 4.



TABLE 5—RELATIONSHIP BETWEEN CUMULATIVE STOVE CHANGEOUTS, REDUCTIONS, AND DESIGN VALUES FROM ROLLBACK ANALYSIS—Continued

Year	Stove change-outs	Cumulative stove changeouts credited towards attainment	Cumulative direct PM <sub>2.5</sub> reductions in rollback analysis credited towards attainment (tpd)	Annual average DV (µg/m <sup>3</sup> )
2020 .....	100	500	.065	11.97.
2021 .....	0	600	.077	11.68.
Projected 2021 DV (average of 2019–2021) .....				12.03.

Source: Portola PM<sub>2.5</sub> Plan, 56–57 (tables 10 and 11).

The Portola PM<sub>2.5</sub> Plan relies on the wood stove change-out program to achieve 0.077 tpd of PM<sub>2.5</sub> emission reductions in 2021, approximately 93% of the PM<sub>2.5</sub> reductions relied upon in the Plan to demonstrate attainment by the December 31, 2021 attainment date. The remaining 7% of necessary emission reductions will be achieved through ongoing implementation of federal emission reduction programs and CARB's mobile source control program. To justify this extensive reliance on the voluntary wood stove change-out program for attainment purposes, the Plan: (1) Provides a detailed description of the clear need for PM<sub>2.5</sub> emission reductions from wood stove changeouts in the Portola area, (2) describes features of the wood stove program that provide a greater level of certainty in the quantification of emission reductions than that normally associated with voluntary programs, and (3) includes a detailed, enforceable commitment by the District to monitor and report on program implementation and to submit substitute measures by specific dates if necessary to remedy any shortfall in required emission reductions.<sup>85</sup>

The PM<sub>2.5</sub> problem in the Portola nonattainment area is overwhelmingly caused by residential wood smoke. The District estimates that between 2011 and 2015, residential wood smoke emissions contributed 76% of annual average PM<sub>2.5</sub> concentrations and 86% of daily PM<sub>2.5</sub> concentrations on days exceeding 35 µg/m<sup>3</sup> at the PM<sub>2.5</sub> monitor located in the City of Portola. Other sources contributing to annual average PM<sub>2.5</sub> concentrations include refuse burning (2.5%), mobile sources (7.6%),

secondary sulfates (4.8%), secondary nitrates (5.1%), and airborne soil (3.9%).<sup>86</sup>

The average daily low temperature from October to March in the Portola nonattainment area is 21.8 degrees Fahrenheit with an average of 218 frost days per year, necessitating ample home heating.<sup>87</sup> CARB estimates that of 2,458 households in the nonattainment area, 1,401 use wood burning devices as a primary or secondary heating source. Of those wood burning devices, 664 are uncertified woodstoves.<sup>88</sup> The 2011–2015 median household income in the Portola area was 54% that of the state median and home values were 40% of the state median.<sup>89</sup> The unemployment rate for the City of Portola averaged 10.6% during the 2014–2016 time frame.<sup>90</sup> According to the District, most residents cannot afford to replace their uncertified wood burning devices without significant financial assistance.<sup>91</sup> Natural gas is not an option for residential heating because it is not available in the Portola nonattainment area.<sup>92</sup> While propane and electric options are available, the abundance of wood in the area (at no or low cost) and high cost of these alternative forms of residential heat limit their feasibility as primary heat sources.<sup>93</sup>

<sup>86</sup> Portola PM<sub>2.5</sub> Plan, 20.

<sup>87</sup> Id. at 8–9.

<sup>88</sup> Email dated November 29, 2017, from Katarzyna Turkiewicz, CARB, to Rynda Kay, EPA, RE: questions about the number of wood stoves in the Portola nonattainment area.

<sup>89</sup> U.S. Census, 2011–2015 American Community Survey 5-year estimate for City of Portola, CA and State of California.

<sup>90</sup> Additional information on unemployment rates in Portola is available at <http://www.homefacts.com/unemployment/California/Plumas-County/Portola/96122.html>.

<sup>91</sup> Portola PM<sub>2.5</sub> Plan, 20.

<sup>92</sup> Id. at 29.

<sup>93</sup> The average residential electricity rate in the City of Portola is 17.87¢/kWh, which is approximately 50% greater than the national average rate. See Electricity Local at <http://www.electricitylocal.com/states/california/portola/>.

The bowl-shaped topography, cold stagnant winters, and extensive use of residential wood stoves in the Portola nonattainment area have caused evening and morning PM<sub>2.5</sub> concentrations to peak during the winter. According to the District, the diurnal and seasonal pattern of PM<sub>2.5</sub> concentrations peaking in the winter evening and overnight hours further suggests that residential wood burning is the primary cause of elevated PM<sub>2.5</sub> concentrations in the Portola area rather than open burning of agricultural wastes, forest management, and other burning activities.<sup>94</sup> Although the District has implemented many other control measures for other sources of direct PM<sub>2.5</sub> emissions in the area,<sup>95</sup> these measures alone are not sufficient to provide for attainment in the Portola area given the small percentage of the PM<sub>2.5</sub> emissions inventory attributed to these emission sources.

The Plan describes a number of features of the wood stove program that provide a greater level of certainty in the quantification of emission reductions than that normally associated with voluntary programs. First, full funding is already secured to entirely fund the replacement of 600 wood stoves, which the State projects to be sufficient to provide for attainment of the 2012 annual PM<sub>2.5</sub> NAAQS by the applicable attainment date. Second, the emission reduction projections are conservative and relatively well understood compared to other voluntary programs. This is because wood stove technologies are generally well understood; wood stoves usually remain in the residence in which they are installed and have a long useful life; usage is generally predictable due to the fixed size of the home and heating needs; emission control technology is unlikely to be

<sup>94</sup> Portola PM<sub>2.5</sub> Plan, 21.

<sup>95</sup> See Portola PM<sub>2.5</sub> Plan, 81–82, and our discussion of RACM/RACF and additional reasonable measures in section IV.D of this proposed rule.

<sup>85</sup> EPA, Region IX Air Division, "Technical Support Document for EPA's Notice of Proposed Rulemaking for the California State Implementation Plan, Evaluation of incentive-based emission reductions relied upon in the Portola Fine Particulate Matter (PM<sub>2.5</sub>) Attainment Plan," December 2017.

tampered with; education campaigns and training requirements help ensure proper operation and fuel selection; and conservative emission factors are used in emission projections. Third, the program infrastructure is well-established. The State and District's 2017 annual report on the wood stove program shows that as of December 31, 2017, the program had successfully funded the replacement of 196 stoves.<sup>96</sup> The State and District estimated that replacement of these 196 uncertified stoves achieved 0.031 tpd of PM<sub>2.5</sub> emission reductions, 19% higher than the projected emissions reductions accounted for in the attainment demonstration, due to the fact that new stoves were cleaner than assumed in the attainment demonstration.<sup>97</sup>

Finally, the Plan includes detailed, enforceable commitments by the District to monitor and report on program implementation in advance of the attainment date and to submit substitute measures, if necessary, to remedy any shortfall in required emission reductions. Specifically, the District has committed to: Implement the necessary number of woodstove changeouts in accordance with specific program criteria provided in the SIP submission; to achieve, by identified dates, specific amounts of PM<sub>2.5</sub> emission reductions from projected baseline levels identified in the Portola PM<sub>2.5</sub> Plan; to submit annual reports to the EPA that identify the calculator used to quantify emission reductions and describe, among other things, the projects implemented, actions taken by the State to confirm project compliance, and any changes to program implementation forms; and to adopt and submit to the EPA, by specific dates, any substitute measures necessary to address a shortfall in required emission reductions. These commitments became federally enforceable under the CAA upon the EPA's approval of the commitments into the SIP.<sup>98</sup>

### 3. The EPA's Evaluation and Proposed Action

The EPA has reviewed the emissions inventories, RACM/RACT demonstration, air quality modeling, and control strategy fully described in the Portola PM<sub>2.5</sub> Plan.

In summary and as described in section IV.B of this action, the State used two modeling techniques to demonstrate attainment of the 2012

annual PM<sub>2.5</sub> NAAQS in the Portola nonattainment area. First, the State used a traditional rollback model to demonstrate attainment of the 2012 annual PM<sub>2.5</sub> NAAQS. Second, the State corroborated the results of the traditional rollback model by using an alternative rollback model to also demonstrate attainment. The results using the alternative rollback model provide additional confidence in the attainment demonstration. The EPA accepts these modeling approaches for the attainment demonstration in the Portola PM<sub>2.5</sub> Plan.

Consistent with the requirements of 40 CFR 51.1011(a), the attainment demonstration shows the projected attainment date that is as expeditious as practicable in the Portola area, meets the requirements of 40 CFR part 51, appendix W, and includes inventory data, modeling results, and emission reduction analyses on which the State has based its projected attainment date. In addition, the base year for the emissions inventory used in the attainment demonstration, 2013, is one of the three years used for designation of the Portola area as a nonattainment area<sup>99</sup> and the control strategies modeled as part of the attainment demonstration are consistent with the control strategy requirements under 40 CFR 51.1009(a), including the requirements for RACM/RACT and additional reasonable measures.

With respect to the wood stove change-out program, the EPA believes that the Portola PM<sub>2.5</sub> Plan provides a clear and convincing justification for more extensive reliance on a voluntary incentive program to achieve emission reductions necessary for attainment than the EPA normally recommends. First, the District has shown a clear need for additional reductions from the wood stove program, as additional regulatory measures for other PM<sub>2.5</sub> emission sources in the area are not sufficient to provide for attainment, and a mandatory curtailment on use of wood stoves on high-PM<sub>2.5</sub> winter days is not economically feasible for implementation at this time in the Portola area. Second, the State and District have identified a number of program features that provide adequate assurance that the wood stove changeout program will achieve, at minimum, the emission reductions attributed to it in the attainment demonstration. Third, the District's SIP-approved enforceable commitment ensures that the EPA and citizens can hold the District responsible for achieving the emission reductions

attributed to the wood stove change-out program in the attainment demonstration.

Finally, the City Ordinance includes a mandatory curtailment of uncertified stoves on days when the 24-hour average PM<sub>2.5</sub> concentration is forecasted to exceed 30 µg/m<sup>3</sup> that begins January 1, 2021. This clear prohibition on the operation of uncertified wood stoves on days with higher PM<sub>2.5</sub> levels after January 1, 2021, provides additional assurance that projected emission reductions will occur in time to provide for attainment of the 2012 PM<sub>2.5</sub> NAAQS by the December 31, 2021 attainment date.

For all of these reasons, we propose to approve the attainment demonstration in the Portola PM<sub>2.5</sub> Plan as satisfying the requirements of sections 189(a)(1)(B) and 172(c)(1) of the CAA and 40 CFR 51.1011(a).

### G. Reasonable Further Progress and Quantitative Milestones

#### 1. Requirements for Reasonable Further Progress and Quantitative Milestones

CAA section 172(c)(2) states that all nonattainment area plans shall require reasonable further progress (RFP). In addition, CAA section 189(c) requires that all PM<sub>2.5</sub> nonattainment area SIPs include quantitative milestones to be achieved every three years until the area is redesignated to attainment and which demonstrate RFP, as defined in CAA section 171(1). Section 171(1) defines RFP as "such annual incremental reductions in emissions of the relevant air pollutant as are required by [Part D] or may reasonably be required by the Administrator for the purpose of ensuring attainment of the applicable [NAAQS] by the applicable date." Neither subpart 1 nor subpart 4 of part D, title I of the Act requires that a set percentage of emissions reductions be achieved in any given year for purposes of satisfying the RFP requirement.

For purposes of the PM<sub>2.5</sub> NAAQS, EPA has interpreted the RFP requirement to require that nonattainment area plans show annual incremental emission reductions sufficient to maintain generally linear progress toward attainment by the applicable deadline.<sup>100</sup> As discussed in EPA guidance in the Addendum to the General Preamble ("Addendum"),<sup>101</sup> requiring linear progress in reductions of direct PM<sub>2.5</sub> and any individual precursor in a PM<sub>2.5</sub> plan may be appropriate in situations where:

<sup>100</sup> Addendum to the General Preamble, 59 FR 41998 (August 16, 1994), 42015.

<sup>101</sup> Id.

<sup>96</sup> CARB, "Portola Wood Stove Change-Out, 2017 Progress Report, Covering Change-outs Completed Through 12/31/2017" ("2017 Annual Report"), 3.

<sup>97</sup> Id. at 6 and 13–18.

<sup>98</sup> 83 FR 13871 (April 2, 2018).

<sup>99</sup> 80 FR 2206 (January 15, 2015).



- The pollutant is emitted by a large number and range of sources,
- The relationship between any individual source or source category and overall air quality is not well known,
- A chemical transformation is involved (e.g., secondary particulate significantly contributes to PM<sub>2.5</sub> levels over the standard), and/or
- The emission reductions necessary to attain the PM<sub>2.5</sub> standard are inventory-wide.<sup>102</sup>

The Addendum indicates that requiring linear progress may be less appropriate in other situations, such as:

- Where there are a limited number of sources of direct PM<sub>2.5</sub> or a precursor,
- Where the relationships between individual sources and air quality are relatively well defined, and/or
- Where the emission control systems utilized (e.g., at major point sources) will result in swift and dramatic emission reductions.

In nonattainment areas characterized by any of these latter conditions, RFP may be better represented as step-wise progress as controls are implemented and achieve significant reductions soon thereafter. For example, if an area's nonattainment problem can be attributed to a few major sources, EPA guidance indicates that "RFP should be met by 'adherence to an ambitious compliance schedule' which is likely to periodically yield significant emission reductions of direct PM<sub>2.5</sub> or a PM<sub>2.5</sub> precursor."<sup>103</sup>

Attainment plans for PM<sub>2.5</sub> nonattainment areas should include detailed schedules for compliance with emission regulations in the area and provide corresponding annual emission reductions to be realized from each milestone in the schedule.<sup>104</sup> In reviewing an attainment plan under subpart 4, the EPA considers whether the annual incremental emission reductions to be achieved are reasonable in light of the statutory objective of timely attainment. Although early implementation of the most cost-effective control measures is often appropriate, states should consider both cost-effectiveness and pollution reduction effectiveness when developing implementation schedules for its control measures and may implement measures that are more effective at reducing PM<sub>2.5</sub> earlier to provide greater public health benefits.<sup>105</sup>

The PM<sub>2.5</sub> SIP Requirements Rule establishes specific regulatory

requirements for purposes of satisfying the Act's RFP requirements and provides related guidance in the preamble to the rule. Specifically, under the PM<sub>2.5</sub> SIP Requirements Rule, each PM<sub>2.5</sub> attainment plan must contain an RFP analysis that includes, at minimum, the following four components: (1) An implementation schedule for control measures; (2) RFP projected emissions for direct PM<sub>2.5</sub> and all PM<sub>2.5</sub> plan precursors for each applicable milestone year, based on the anticipated control measure implementation schedule; (3) a demonstration that the control strategy and implementation schedule will achieve reasonable progress toward attainment between the base year and the attainment year; and (4) a demonstration that by the end of the calendar year for each milestone date for the area, pollutant emissions will be at levels that reflect either generally linear progress or stepwise progress in reducing emissions on an annual basis between the base year and the attainment year.<sup>106</sup> States should estimate the RFP projected emissions for each quantitative milestone year by sector on a pollutant-by-pollutant basis.<sup>107</sup>

Section 189(c) requires that attainment plans include quantitative milestones that demonstrate RFP. The purpose of the quantitative milestones is to allow for periodic evaluation of the area's progress towards attainment of the NAAQS consistent with RFP requirements. Because RFP is an annual emission reduction requirement and the quantitative milestones are to be achieved every three years, when a state demonstrates compliance with the quantitative milestone requirement, it will demonstrate that RFP has been achieved during each of the relevant three years. Quantitative milestones should provide an objective means to evaluate progress toward attainment meaningfully, e.g., through imposition of emission controls in the attainment plan and the requirement to quantify those required emission reductions. The CAA also requires states to submit milestone reports (due 90 days after each milestone), and these reports should include calculations and any assumptions made by the state concerning how RFP has been met, e.g., through quantification of emission reductions to date.<sup>108</sup>

The CAA does not specify the starting point for counting the three-year periods for quantitative milestones under CAA section 189(c). In the General Preamble

and Addendum, the EPA interpreted the CAA to require that the starting point for the first three-year period be the due date for the Moderate area plan submission.<sup>109</sup> Consistent with this longstanding interpretation of the Act, the PM<sub>2.5</sub> SIP Requirements Rule requires that each plan for a Moderate PM<sub>2.5</sub> nonattainment area contain quantitative milestones to be achieved no later than milestone dates 4.5 years and 7.5 years from the date of designation of the area.<sup>110</sup> Because the EPA designated the Portola area nonattainment for the 2012 annual PM<sub>2.5</sub> NAAQS effective April 15, 2015,<sup>111</sup> the applicable quantitative milestone dates for purposes of the Portola PM<sub>2.5</sub> Plan are October 15, 2019 and October 15, 2022.

## 2. RFP Demonstration and Quantitative Milestones in the Portola PM<sub>2.5</sub> Plan

The RFP demonstration and quantitative milestones are in section VI.A of the Portola PM<sub>2.5</sub> Plan. The Plan estimates that emissions of direct PM<sub>2.5</sub> will decline steadily from 2016 to 2021 and that emissions of direct PM<sub>2.5</sub> will generally remain below the levels needed to show step-wise progress toward attainment. According to the State and District, step-wise progress toward attainment is justified here because before the Portola area was designated as a PM<sub>2.5</sub> nonattainment area in 2015, the area was designated attainment for all NAAQS and was not required to implement any air quality control program. The development of the wood stove change-out program involved an intensive effort to secure funding, establish requirements for contractors/retailers, identify and educate potential applicants, review and process completed applications, coordinate the installation of new stoves along with the removal and destruction of the old stoves, and track the progress of the program at every step. Given the time necessary to develop this program, direct PM<sub>2.5</sub> emissions remained flat between 2013, the base year of the Plan, and 2016, the year that the District began to implement the wood stove change-out program. By 2016, however, the District had secured the necessary funding and developed the program infrastructure, enabling it to begin full implementation of its five-year voluntary wood stove change-out program to provide for attainment by December 2021, the earliest practicable attainment date for the 2012 annual

<sup>102</sup> Id.

<sup>103</sup> Id. at 42015.

<sup>104</sup> Id. at 42016.

<sup>105</sup> Id.

<sup>106</sup> 40 CFR 51.1012(a).

<sup>107</sup> 81 FR 58010, 58056 (August 24, 2016).

<sup>108</sup> Id. at 42016, 42017.

<sup>109</sup> General Preamble, 13539 and Addendum, 42016.

<sup>110</sup> 40 CFR 51.1013(a)(1).

<sup>111</sup> 80 FR 2206 (January 15, 2015).

PM<sub>2.5</sub> NAAQS in this area. The District estimates that the change-out program will achieve PM<sub>2.5</sub> emission reductions representing generally linear progress toward attainment between 2016 and 2022. Because the majority of the changeouts will be completed during the summer months when homeowners are not heating their homes, the District expects that direct PM<sub>2.5</sub> concentrations during the second half of the year will

be lower than during the first half of the year. For RFP purposes, only the changeouts accomplished during the prior year are accounted for in the projected emission reductions (*i.e.*, only reductions from changeouts in effect for a full year are credited toward RFP).<sup>112</sup> The Plan's emissions inventory shows that direct PM<sub>2.5</sub> is emitted predominantly by residential wood combustion.<sup>113</sup> The Plan specifically

describes the District's procedures for calculating the 2019 and 2022 RFP targets for direct PM<sub>2.5</sub> and documents the District's conclusion that projected PM<sub>2.5</sub> emission levels, based on the adopted control strategy for the area, would meet the RFP targets in both milestone years, as shown in Table 6 below.<sup>114</sup>

TABLE 6—RFP DEMONSTRATION FOR DIRECT PM<sub>2.5</sub> (TPD)

Description	2013	2019	2022
Baseline inventory <sup>a</sup> .....	0.490	0.487	0.487
Reductions from RACM control strategy <sup>a</sup> .....	0.000	0.045	0.077
Inventory after RACM control strategy implemented <sup>b</sup> .....	0.49	0.44	0.41
RFP target <sup>b</sup> .....		0.44	0.41
RFP target achieved? .....		Yes	Yes

<sup>a</sup> Reductions from CARB's mobile source measures are already included in the projected 2019 and 2022 baseline inventories.

<sup>b</sup> Rounding to two decimal places (hundredths of a ton).

With respect to quantitative milestones, the Portola PM<sub>2.5</sub> Plan identifies RFP emissions levels for direct PM<sub>2.5</sub> in 2019 and 2022 that show, beginning in 2016, stepwise

progress towards attaining the annual PM<sub>2.5</sub> NAAQS in 2021. The quantitative milestones are the differences in emissions between the future baseline inventories and the future controlled

inventories for 2019 and 2022, *i.e.*, the projected emission reductions in each of these years, as shown in Table 7.<sup>115</sup>

TABLE 7—RFP PROJECTED EMISSION REDUCTIONS FOR QUANTITATIVE MILESTONE YEARS (TPD)

Sector	2019	2022
Wood Stove Changeouts .....	0.045	0.077
Total .....	0.045	0.077

Source: Portola PM<sub>2.5</sub> Plan, 71–72.

The Portola PM<sub>2.5</sub> Plan also contains an enforceable commitment by the District to implement specific numbers of wood stove change-out projects and to achieve specific amounts of PM<sub>2.5</sub> emission reductions through implementation of these projects by the 2019 RFP year and the 2021 attainment year.<sup>116</sup>

Finally, the Portola PM<sub>2.5</sub> Plan states the District's commitment to track, quantify, and report to the EPA on its implementation of the adopted control strategy and on the area's progress toward attainment. The Plan also states that the District will submit to the EPA a quantitative milestone report no later than 90 days after a given milestone date (*i.e.*, by January 15, 2020 and January 15, 2023, respectively), each of which will include the following information:

- Certification that the SIP strategy is being implemented consistent with RFP;

- Technical support, including calculations to document completion statistics for each quantitative milestone; and

- Discussion of whether the PM<sub>2.5</sub> NAAQS will be attained by the projected attainment date.<sup>117</sup>

3. The EPA's Evaluation and Proposed Action

a. Reasonable Further Progress Demonstration

As discussed in section IV.C. of this proposed rule, we are proposing to determine that PM<sub>2.5</sub> precursors do not contribute significantly to ambient PM<sub>2.5</sub> levels that exceed the 2012 annual PM<sub>2.5</sub> NAAQS in the Portola PM<sub>2.5</sub> nonattainment area and, accordingly, that no RFP demonstrations for PM<sub>2.5</sub> precursors are necessary for purposes of the 2012 annual PM<sub>2.5</sub> NAAQS in this area.

With respect to direct PM<sub>2.5</sub>, we agree that step-wise progress is an appropriate measure of RFP for the 2012 PM<sub>2.5</sub> NAAQS in the Portola area. It is justified because direct PM<sub>2.5</sub> is emitted primarily from hundreds of individual residential wood combustion sources, and the District needed adequate time to secure funding and develop the infrastructure necessary to implement a wood stove change-out program. Accordingly, the emission reductions that result from this program did not begin until 2016, but will continue throughout the duration of the Plan.

The Portola PM<sub>2.5</sub> Plan documents the State's conclusion that it is implementing all RACM and RACT and additional reasonable measures for direct PM<sub>2.5</sub> as expeditiously as practicable and identifies projected levels of direct PM<sub>2.5</sub> emissions in 2019 and 2022 that reflect full implementation of the State's and

<sup>112</sup> Portola PM<sub>2.5</sub> Plan, 66–72.

<sup>113</sup> *Id.* at Appendix B.

<sup>114</sup> *Id.* at 66–70.

<sup>115</sup> *Id.* at 71–72.

<sup>116</sup> *Id.* at Appendix E, 10. The EPA approved this commitment into the SIP at 83 FR 13871 (April 2, 2018).

<sup>117</sup> *Id.* at 71.

District's attainment control strategy for direct PM<sub>2.5</sub>.<sup>118</sup> The wood stove change-out program provides incremental reductions of direct PM<sub>2.5</sub> emission from 2016 to 2021. CARB's mobile source measures also provide incremental reductions of direct PM<sub>2.5</sub> emissions from 2013 to 2022, and the City Ordinance is projected to achieve emission reductions beginning in 2021, to the extent those reductions have not already occurred through implementation of the wood stove change-out program. All of these measures achieve PM<sub>2.5</sub> reductions each year and the State and District will be reporting on RFP in the 2019 and 2022 RFP milestone years and through the 2021 attainment year.<sup>119</sup>

Thus, the Portola PM<sub>2.5</sub> Plan demonstrates that emissions of direct PM<sub>2.5</sub> will be reduced at rates representing stepwise progress toward attainment. The Plan also demonstrates that all RACM, RACT, and additional reasonable measures that provide the bases for the direct PM<sub>2.5</sub> emissions projections in the RFP analysis in the Plan are being implemented as expeditiously as practicable. Accordingly, we propose to determine that the Plan requires the annual incremental reductions in emissions of direct PM<sub>2.5</sub> that are necessary for the purpose of ensuring reasonable further progress towards attainment of the 2012 annual PM<sub>2.5</sub> NAAQS by 2021, in accordance with the requirements of CAA sections 171(1) and 172(c)(2).

#### b. Quantitative Milestones

The Plan adequately documents the District's methodology for identifying and calculating appropriate RFP targets for the 2019 and 2022 milestone years and contains, as part of the RACM control strategy for the area, an enforceable commitment by the District to implement specific numbers of wood stove change-out projects and thereby achieve specific amounts of PM<sub>2.5</sub> emission reductions by the 2019 RFP year and the 2021 attainment year.<sup>120</sup> These quantitative milestones provide an objective means for evaluating the area's progress toward attainment of the PM<sub>2.5</sub> NAAQS. We propose to approve these quantitative milestones in the Portola PM<sub>2.5</sub> Plan as meeting the requirements of CAA section 189(c) and 40 CFR 51.1013(a)(1). We note that, consistent with the requirements of CAA section 189(c)(2) as interpreted in longstanding EPA policy, each of the upcoming milestone reports should

include technical support sufficient to document completion statistics for appropriate milestones, e.g., calculations and any assumptions made concerning emission reductions to date.<sup>121</sup>

#### H. Contingency Measures

##### 1. Requirements for Contingency Measures

Under CAA section 172(c)(9), each SIP for a nonattainment area must include contingency measures to be implemented if an area fails to meet RFP ("RFP contingency measures") or fails to attain the NAAQS by the applicable attainment date ("attainment contingency measures"). Under the PM<sub>2.5</sub> SIP Requirements Rule, PM<sub>2.5</sub> attainment plans must include contingency measures to be implemented following a determination by the EPA that the state has failed: (1) To meet any RFP requirement in the approved SIP; (2) to meet any quantitative milestone in the approved SIP; (3) to submit a required quantitative milestone report; or (4) to attain the applicable PM<sub>2.5</sub> NAAQS by the applicable attainment date.<sup>122</sup> Contingency measures must be fully adopted rules or control measures that are ready to be implemented quickly upon failure to meet RFP or failure of the area to meet the relevant NAAQS by the applicable attainment date.<sup>123</sup>

The purpose of contingency measures is to continue progress in reducing emissions while a state revises its SIP to meet the missed RFP requirement or to correct ongoing nonattainment. Neither the CAA nor the EPA's implementing regulations establish a specific level of emissions reductions that implementation of contingency measures must achieve, but the EPA recommends that contingency measures should provide for emissions reductions equivalent to approximately one year of reductions needed for RFP, calculated as the overall level of reductions needed to demonstrate attainment divided by the number of years from the base year to the attainment year. In general, we expect all actions needed to effect full implementation of the measures to occur within 60 days after the EPA notifies the State of a failure to meet RFP or to attain.<sup>124</sup>

To satisfy the requirements of 40 CFR 51.1014, the contingency measures

adopted as part of a PM<sub>2.5</sub> attainment plan must consist of control measures for the area that are not otherwise required to meet other nonattainment plan requirements or that achieve emissions reductions not otherwise relied upon in the control strategy for the area (e.g., to meet RACM/RACT requirements) and must specify the timeframe within which their requirements become effective following any of the EPA determinations specified in 40 CFR 51.1014(a).

The Ninth Circuit Court of Appeals recently rejected the EPA's interpretation of CAA section 172(c)(9) to allow approval of already implemented control measures as contingency measures, in a decision called *Bahr v. EPA* ("*Bahr*").<sup>125</sup> In *Bahr*, the Ninth Circuit concluded that contingency measures must be measures that are triggered only after the EPA determines that an area fails to meet RFP requirements or to attain by the applicable attainment date, not before. Thus, within the geographic jurisdiction of the Ninth Circuit, states cannot rely on already implemented measures to comply with the contingency measure requirements under CAA section 172(c)(9).

##### 2. Contingency Measures in the 2016 PM<sub>2.5</sub> Plan

The District's contingency measures are described in section VI.B of the Portola PM<sub>2.5</sub> Plan.

##### 3. The EPA's Evaluation and Proposed Action

We are not proposing any action at this time on the contingency measures in the Portola PM<sub>2.5</sub> Plan. We intend to work with the State and District to assist them with the development and submission of contingency measures consistent with the *Bahr* decision and to act on the revised contingency measures, as appropriate, through a subsequent rulemaking.

#### I. Motor Vehicle Emission Budgets

##### 1. Requirements for Motor Vehicle Emissions Budgets

Section 176(c) of the CAA requires federal actions in nonattainment and maintenance areas to conform to the SIP's goals of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of the standards. Conformity to the SIP's goals means that such actions will not: (1) Cause or contribute to violations of a NAAQS, (2) worsen the severity of an existing violation, or

<sup>121</sup> Addendum, 42017.

<sup>122</sup> See 40 CFR 51.1014(a).

<sup>123</sup> See 81 FR 58010, 58066; see also Addendum, 42015.

<sup>124</sup> See 81 FR 58010, 58066; see also General Preamble, 13512, 13543–44 and Addendum, 42014–42015.

<sup>125</sup> *Bahr v. EPA*, 836 F.3d 1218, 1235–1237 (9th Cir. 2016).

<sup>118</sup> Portola PM<sub>2.5</sub> Plan, Chapter VI, section D.3.

<sup>119</sup> Portola PM<sub>2.5</sub> Plan, Chapter VI, section A.

<sup>120</sup> Id. at Appendix E, 10.

(3) delay timely attainment of any NAAQS or any interim milestone.

Actions involving Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) funding or approval are subject to the EPA's transportation conformity rule, codified at 40 CFR part 93, subpart A. Under this rule, metropolitan planning organizations (MPOs) in nonattainment and maintenance areas coordinate with state and local air quality and transportation agencies, EPA, FHWA, and FTA to demonstrate that an area's regional transportation plans and transportation improvement programs conform to the applicable SIP.<sup>126</sup> This demonstration is typically done by showing that estimated emissions from existing and planned highway and transit systems are less than or equal to the motor vehicle emissions budgets ("budgets") contained in all control strategy SIPs. An attainment, maintenance, or RFP SIP should include budgets for the attainment year, each required RFP milestone year, and the last year of the maintenance plan, as appropriate. Budgets are generally established for specific years and specific pollutants or precursors and must reflect all of the motor vehicle control measures contained in the attainment and RFP demonstrations or maintenance plan, as applicable.<sup>127</sup>

All direct PM<sub>2.5</sub> SIP budgets should include direct PM<sub>2.5</sub> motor vehicle emissions from tailpipes, brake wear, and tire wear. With respect to PM<sub>2.5</sub> from re-entrained road dust and emissions of VOC, SO<sub>2</sub> and/or ammonia, the transportation conformity provisions of 40 CFR part 93, subpart A, apply only if the EPA Regional Administrator or the director of the state air agency has made a finding that emissions of these pollutants within the area are a significant contributor to the PM<sub>2.5</sub> nonattainment problem and has so notified the MPO and Department of Transportation (DOT), or if the applicable implementation plan (or

implementation plan submission) includes any of these pollutants in the approved (or adequate) budget as part of the RFP, attainment or maintenance strategy.<sup>128</sup>

By contrast, transportation conformity requirements apply with respect to emissions of NO<sub>x</sub> unless both the EPA Regional Administrator and the director of the state air agency have made a finding that transportation-related emissions of NO<sub>x</sub> within the nonattainment area are not a significant contributor to the PM<sub>2.5</sub> nonattainment problem and have so notified the MPO and DOT, or the applicable implementation plan (or implementation plan submission) does not establish an approved (or adequate) budget for such emissions as part of the reasonable further progress, attainment or maintenance strategy.<sup>129</sup> The criteria for insignificance determinations can be found in 40 CFR 93.109(f). In order for a pollutant or precursor to be considered an insignificant contributor, the control strategy SIP must demonstrate that it would be unreasonable to expect that such an area would experience enough motor vehicle emissions growth in that pollutant/precursor for a NAAQS violation to occur. Insignificance determinations are based on factors such as air quality, SIP motor vehicle control measures, trends and projections of motor vehicle emissions, and the percentage of the total SIP inventory that is comprised of motor vehicle emissions. The EPA's rationale for the providing for insignificance determinations is described in the July 1, 2004 revision to the Transportation Conformity Rule at 69 FR 40004.

For motor vehicle emissions budgets to be approvable, they must meet, at a minimum, the EPA's adequacy criteria (40 CFR 93.118(e)(4)).

Under the PM<sub>2.5</sub> SIP Requirements Rule, each attainment plan submittal for a Moderate PM<sub>2.5</sub> nonattainment area must contain quantitative milestones to be achieved no later than 4.5 years and 7.5 years after the date the area was designated nonattainment.<sup>130</sup> The second of these milestone dates, October 15, 2022,<sup>131</sup> falls after the attainment date for the Portola area, which is December 31, 2021. As the EPA

explained in the preamble to the PM<sub>2.5</sub> SIP Requirements Rule, it is important to include a post-attainment year quantitative milestone to ensure that, if the area fails to attain by the attainment date, the EPA can continue to monitor the area's progress toward attainment while the state develops a new attainment plan.<sup>132</sup> Although the post-attainment year quantitative milestone is a required element of a Moderate area plan, it is not necessary to demonstrate transportation conformity for 2022 or to use the 2022 budgets in transportation conformity determinations until such time as the area fails to attain the 2012 PM<sub>2.5</sub> NAAQS.

#### 2. Motor Vehicle Emissions Budgets in the Portola PM<sub>2.5</sub> Plan

The Portola PM<sub>2.5</sub> Plan includes budgets for direct PM<sub>2.5</sub> for 2019 and 2022 (RFP milestone years) and 2021 (projected attainment year for the 2012 annual NAAQS).<sup>133</sup> The direct PM<sub>2.5</sub> budgets include tailpipe, brake wear, and tire wear emissions.<sup>134</sup>

The PM<sub>2.5</sub> budgets were calculated using EMFAC2014, CARB's latest approved version of the EMFAC model for estimating emissions from on-road vehicles operating in California,<sup>135</sup> and reflect annual daily average emissions consistent with the 2019 and 2022 RFP milestone years and the 2021 attainment demonstration for the annual PM<sub>2.5</sub> NAAQS. The 2019 and 2021 conformity budgets for direct PM<sub>2.5</sub>, expressed in annual average tons per day, are provided in Table 8. As explained further below, we are not acting on the 2022 budgets at this time.

TABLE 8—ANNUAL AVERAGE CONFORMITY BUDGETS FOR PM<sub>2.5</sub> (TPD)

Category	2019	2021
Direct exhaust, tire, and brake wear from on road vehicles <sup>a</sup> ....	0.0026	0.0026
Total .....	0.0026	0.0026
Conformity Budget <sup>b</sup> ....	0.003	0.003

<sup>a</sup> Calculated from default EMFAC2014 v.1.07 output for Plumas County adjusted to reflect only the emissions from the Portola nonattainment area.

<sup>b</sup> Budgets are rounded up to the nearest 0.001 ton.

Appendix P of the Portola PM<sub>2.5</sub> Plan contains the State's evaluation of PM<sub>2.5</sub> precursors and the bases for its conclusion that emissions of VOC, SO<sub>2</sub>,

<sup>126</sup> 40 CFR 93.102(b)(3), 93.102(b)(2)(v), and 93.122(f); see also conformity rule preamble at 69 FR 40004, 40031–40036 (July 1, 2004).

<sup>127</sup> 40 CFR 93.102(b)(2)(iv).

<sup>128</sup> 40 CFR 51.1013(a)(1).

<sup>126</sup> The Portola nonattainment area does not lie within, or share a border with any MPO, nor does any MPO model any projects within the Portola nonattainment area. Therefore, the Portola nonattainment area meets the definition in the transportation conformity rule for an isolated rural nonattainment area. The California Department of Transportation performs many of the functions in isolated rural nonattainment areas that the conformity rule requires of MPOs. Isolated rural nonattainment areas have no federally required metropolitan transportation plan or program. A regional emissions analysis is required only when a non-exempt regionally significant project is proposed in the isolated rural area. For further details on isolated rural nonattainment areas and the transportation conformity requirements in those areas, see 40 CFR 93.101 and 93.109(g).

<sup>127</sup> 40 CFR 93.118(e)(4)(v).

<sup>129</sup> Because the Portola area was designated nonattainment effective April 15, 2015, the first milestone date is October 15, 2019 and the second milestone date is October 15, 2022. 80 FR 2206 (January 15, 2015).

<sup>132</sup> 81 FR 58010, 58058 and 58063–64 (August 24, 2016).

<sup>133</sup> Portola PM<sub>2.5</sub> Plan, section VI.C (for 2021 budgets) and "Transportation Conformity Budgets for the Portola PM<sub>2.5</sub> SIP Plan Supplement" (for 2019 and 2022 budgets) dated December 20, 2017, and adopted by CARB Board on October 26, 2017.

<sup>134</sup> Plan at Chapter VI, section C.4, 77.

<sup>135</sup> See footnote 20.

NO<sub>x</sub>, and ammonia from on-road motor vehicles are not significant contributors to the PM<sub>2.5</sub> nonattainment problem in the Portola area. The State focused its analysis on the contribution of on-road emissions of each precursor to the PM<sub>2.5</sub> design value in the Portola area, the changes in emission levels from 2013 to 2021, and motor vehicle emission control measures included in the Plan. Table 1 in Appendix P of the Portola PM<sub>2.5</sub> Plan shows that the on-road emission totals for direct PM<sub>2.5</sub> and all precursors decrease from 2013 to the 2021 attainment year. According to the State, on-road emissions of direct PM<sub>2.5</sub> and all precursors contribute less than 10% and on-road NO<sub>x</sub> emissions contribute less than 2% to the PM<sub>2.5</sub> design value in the Portola area, compared to wood burning, which accounts for over 76% of the PM<sub>2.5</sub> design value.<sup>136</sup> On-road NO<sub>x</sub> emissions account for approximately 36% of the total 2013 base year inventory but decline to 29% and 26% of the 2019 and 2021 inventories, respectively. The on-road NO<sub>x</sub> emissions decrease from the 2013 base year is 0.07 tpd (or 37%) in 2019 and 0.09 tpd (or 47%) in 2021.<sup>137</sup> The State also evaluated on-road construction dust and paved and unpaved road dust and concluded that emissions of these pollutants are not significant contributors to the PM<sub>2.5</sub> nonattainment problem in the Portola area. Therefore, the Plan does not include budgets for VOC, SO<sub>2</sub>, NO<sub>x</sub>, ammonia, or PM<sub>2.5</sub> from re-entrained road dust or dust from road construction.

### 3. The EPA's Evaluation and Proposed Actions

With respect to PM<sub>2.5</sub> from re-entrained road dust, VOC, SO<sub>2</sub>, and ammonia, neither the EPA nor the State has made a finding that on-road emissions of any of these pollutants or precursors are a significant contributor to the PM<sub>2.5</sub> nonattainment problem in the Portola area, and neither the approved California SIP for Portola nor the submitted Portola PM<sub>2.5</sub> Plan establish adequate budgets for such emissions as part of an RFP, attainment or maintenance strategy for the PM<sub>2.5</sub> NAAQS. Accordingly, the transportation conformity provisions of 40 CFR part 93, subpart A, do not apply with respect to PM<sub>2.5</sub> from re-entrained road dust or to emissions of VOC, SO<sub>2</sub> or ammonia for purposes of the 2012 PM<sub>2.5</sub> NAAQS in the Portola area.

With respect to NO<sub>x</sub> emissions, we find that the State's evaluation of

emission trends, projections of motor vehicle emissions, and the percentage of the total SIP inventory that is comprised of motor vehicle emissions is sufficient to demonstrate, consistent with 40 CFR 93.109(f), that it would be unreasonable to expect that this area would experience such growth in NO<sub>x</sub> emissions from motor vehicles as to result in a violation of the PM<sub>2.5</sub> NAAQS. Accordingly, the EPA is proposing to determine that transportation-related emissions of NO<sub>x</sub> are insignificant contributors to the PM<sub>2.5</sub> nonattainment problem in the Portola area.

We have evaluated the submitted direct PM<sub>2.5</sub> budgets for 2019 and 2021 in the Plan against our adequacy criteria in 40 CFR 93.118(e)(4) and (5) as part of our review of the budgets' approvability and will complete the adequacy review concurrent with our final action on the Portola PM<sub>2.5</sub> Plan.<sup>138</sup> On January 5, 2018, the EPA announced the availability of the budgets in the Portola PM<sub>2.5</sub> Plan and provided a 30-day public comment period. This announcement was posted on the EPA's Adequacy website at: <https://www.epa.gov/state-and-local-transportation/state-implementation-plans-sip-submissions-currently-under-epa#portola2018>. The comment period for this notification ended on February 5, 2018, and we did not receive any comments.

The EPA has not yet reviewed and is not taking any action at this time on the submitted budget for 2022 for the Portola PM<sub>2.5</sub> nonattainment area. Therefore, the submitted budget for 2022 for the Portola nonattainment area will not be used in transportation conformity determinations at this time. The EPA will begin reviewing the 2022 budget for adequacy and approval only if the area fails to attain the PM<sub>2.5</sub> NAAQS by December 31, 2021, the applicable Moderate area attainment date.

If the EPA were to either find adequate or approve the post-attainment milestone year motor vehicle emissions budgets now, those budgets would have to be used in transportation conformity determinations that are made after the effective date of the adequacy finding or approval even if the Portola PM<sub>2.5</sub> nonattainment area ultimately attains the PM<sub>2.5</sub> NAAQS by the Moderate area attainment deadline. As a result, the California Department of Transportation, which performs many of

the MPO functions in the Portola PM<sub>2.5</sub> nonattainment area, would be required to demonstrate conformity for the post-attainment date milestone year and all later years addressed in the conformity determination to the post-attainment date RFP motor vehicle emissions budgets rather than the budgets associated with the attainment year for the area (*i.e.*, the motor vehicle emissions budgets for 2021). The EPA does not believe that it is necessary to demonstrate conformity using these post-attainment year budgets in areas that either the EPA anticipates will attain by the attainment date or in areas that, in fact, attain by the attainment date.

If the EPA determines that the Portola area has failed to attain the PM NAAQS by the applicable attainment date, the EPA will begin the budget adequacy and approval processes for the post-attainment year (2022) budget. If the EPA finds the 2022 budget adequate or approves it, that budget will have to be used in subsequent transportation conformity determinations. The EPA believes that initiating these processes following a determination that the area has failed to attain by the attainment date ensures that transportation activities will not cause or contribute to new violations, increase the frequency or severity of any existing violations, or delay timely attainment or any required interim emission reductions or milestones in the Portola area, consistent with the requirements of CAA section 176(c)(1)(B).

For the reasons discussed in sections V.E.v and V.F of this proposed rule, we are proposing to approve the RFP and attainment demonstrations in the Portola PM<sub>2.5</sub> Plan. The budgets, as given in Table 9 of this proposed rule, are consistent with these demonstrations, are clearly identified and precisely quantified, and meet all other applicable statutory and regulatory requirements including the adequacy criteria in 40 CFR 93.118(e)(4) and (5). For these reasons, the EPA proposes to approve the budgets listed in Table 8 above.

The transportation conformity rule allows us to limit the approval of budgets,<sup>139</sup> and CARB requested that we limit the duration of our approval of the budgets in the Plan to the period before the effective date of the EPA's adequacy finding for any subsequently submitted budgets.<sup>140</sup> However, we will consider

<sup>138</sup> Under the Transportation Conformity regulations, the EPA may review the adequacy of submitted motor vehicle emission budgets simultaneously with the EPA's approval or disapproval of the submitted implementation plan. 40 CFR 93.118(f)(2).

<sup>139</sup> 40 CFR 93.118(e)(1).

<sup>140</sup> Letter dated December 20, 2017, from Richard W. Corey, Executive Officer, California Air Resources Board, to Alexis Strauss, Acting Regional Administrator, EPA Region 9.

<sup>136</sup> Portola PM<sub>2.5</sub> Plan, Appendix P.

<sup>137</sup> Portola PM<sub>2.5</sub> Plan, Appendix B, Table 7.

the State's request to limit an approval of its budgets only if the request includes the following elements:<sup>141</sup>

- An acknowledgement and explanation as to why the budgets under consideration have become outdated or deficient;
- A commitment to update the budgets as part of a comprehensive SIP update; and
- A request that the EPA limit the duration of its approval to the time when new budgets have been found to be adequate for transportation conformity purposes.

Because CARB's request does not include all of these elements, we cannot at this time propose to limit the duration of our approval of the submitted budgets. In order to limit the approval, we would need the information described above in order to determine whether such limitation is reasonable and appropriate in this case. Once CARB has provided the necessary information, we intend to review it and take appropriate action. If we propose to limit the duration of our approval of the budgets in the Portola PM<sub>2.5</sub> Plan, we will provide the public an opportunity to comment. The duration of the approval of the budgets, however, would not be limited until we complete such a rulemaking.

#### V. Summary of Proposed Actions and Request for Public Comment

Under CAA sections 110(k)(3), the EPA is proposing to approve SIP revisions submitted by California to address the Act's Moderate area planning requirements for the 2012 PM<sub>2.5</sub> NAAQS in the Portola nonattainment area. Specifically, the EPA is proposing to approve the following elements of the Portola PM<sub>2.5</sub> Plan:

1. The 2013 base year emissions inventories as meeting the requirements of CAA section 172(c)(3);
2. The reasonably available control measure/reasonably available control technology demonstration as meeting the requirements of CAA sections 172(c)(1) and 189(a)(1)(C);
3. The attainment demonstration as meeting the requirements of CAA sections 172(c)(1) and 189(a)(1)(B);
4. The reasonable further progress demonstration as meeting the requirements of CAA section 172(c)(2);
5. The quantitative milestones as meeting the requirements of CAA section 189(c); and
6. The motor vehicle emissions budgets for 2019 and 2021, because they

are derived from approvable attainment and RFP demonstrations and meet the requirements of CAA section 176(c) and 40 CFR part 93, subpart A.

The EPA is not proposing any action at this time on the contingency measures or the post-attainment year (2022) budget in the Portola PM<sub>2.5</sub> Plan.

We will accept comments from the public on these proposals for the next 30 days. The deadline and instructions for submission of comments are provided in the **DATES** and **ADDRESSES** sections at the beginning of this preamble.

#### VI. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide the EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

**Authority:** 42 U.S.C. 7401 *et seq.*

**Dated:** December 4, 2018.

**Deborah Jordan,**

*Acting Regional Administrator, Region IX.*

IFR Doc. 2018-27257 Filed 12-17-18; 8:45 am |

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2018-0787; FRL-9988-18-Region 9]

### Air Plan Approval; California; Antelope Valley Air Quality Management District; Optional General SIP Category

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a revision to the Antelope Valley Air Quality Management District (AVAQMD) portion of the California State Implementation Plan (SIP). This revision concerns emissions of volatile organic compounds (VOCs) from organic liquid loading. We are proposing to approve revisions to a local rule to regulate these emission sources under the Clean Air Act (CAA or the Act). We are taking comments on this

<sup>141</sup> 67 FR 69141 (November 15, 2002), limiting our prior approval of budgets in certain California SIPs.



**To:** Northern Sierra Air Quality Management District Board of Directors  
**From:** Gretchen Bennett, Air Pollution Control Officer  
**Date:** January 28, 2019

**Agenda Item: IV.C**

**Agenda Description:** District Rule 318

**Background:**

Prior to 1990, the Quincy area violated the PM Federal Standard due to a combination of wood stoves and open burning. The Environmental Protection Agency agreed to forego a full required emission control plan for the area, if the Air District would adopt emission rules that would significantly reduce emissions.

On March 27, 1991 the NSAQMD Board adopted Rule 318, following a public hearing. It limited burning to April and October throughout the Quincy FPD and defined the American Valley as the entire QFPD, including any areas that are excluded because of interior boundaries. This definition of the American Valley was taken from the 1990 Plumas County wood stove ordinance.

On August 11, 1994 the NSAQMD Board amended Rule 318 at the request of the Plumas County Board of Supervisors, which made the request upon recommendation of the American Valley Air Quality Advisory Committee. This amendment established the current burn dates for the American Valley (March 16 through November 14) and banned all open burning in Quincy and East Quincy. A widely circulated map depicts the area where all open burning is banned.

On May 8, 1996 the NSAQMD Board amended Rule 318 (again at the request of the Plumas County Board of Supervisors and the American Valley Air Quality Advisory Committee) to assure at least 15 burn days in the fall.

**Issue:**

Residents in the American Valley have recently stated their frustration with the rule during the Fall 2018 burn season. Staff will elaborate upon during the Board meeting.

**Requested Action:**

None, Informational only

**Attachments:**

1. District Rule 318

**REGULATION III  
OPEN BURNING**

**Rule 318**      **American Valley Burning Restrictions**

All open burning of yard waste and debris or other rubbish shall be banned in that portion of the American Valley known as Quincy and East Quincy, which is a portion of the Quincy Fire Protection District, described more particularly in Exhibit A, attached to this resolution, and depicted in the map attached to this resolution as Exhibit B.

In the remainder of that portion of the American Valley that is within the Quincy Fire Protection District,

- A. All open burning shall be banned from November 15 to March 15 of each year, except that there shall be at least 15 days of such burning allowed in the fall. If there is not 15 days of such open burning between the lifting of a burn ban related to fire risk by area agencies that issue burn permits and the air quality burn ban starting November 15th, then the burn season shall be extended as necessary to achieve 15 days of such burning. Such burning during this extension shall be permitted only in accordance with all existing regulations and shall be restricted to the hours of 10:00 AM to 4:00 PM, or as determined by the APCO.
- B. Agricultural burning shall be allowed year-round, when conducted in accordance with all existing regulations. If a burn season is extended for residential burning per item 3.A., above, then burn hours for agricultural burning shall be restricted to the hours of 10:00 AM to 4:00 PM, or as determined by the APCO; and
- C. From March 16 through November 14 all burning shall be permitted according to all existing regulations.

**318.1 American Valley Definition**

American Valley means all land within the boundaries of the Quincy Fire Protection District, and as amended in the Plumas County Ordinance #90-742.

**318.2 Requirements**

- A. Burning shall be allowed only on the premises where the material originated.
- B. Rule 312 - Burn Permit Requirements
- C. Rule 313 - Burn Days
- D. Rule 314 - Minimum drying times
- E. Rule 315 - Burning Management



**To:** Northern Sierra Air Quality Management District Board of Directors  
**From:** Gretchen Bennett, Air Pollution Control Officer  
**Date:** January 28, 2019

**Agenda Item: IV.D**

**Agenda Description:** The State of California Department of Justice Office of the Attorney General and the Fair Political Practices Commission Ethics Training

**Issues:**

The State of California Department of Justice Office of the Attorney General and the Fair Political Practices Commission ethics training courses are available on-line at [www.localethics.fppc.ca.gov/ab1234/](http://www.localethics.fppc.ca.gov/ab1234/). State Law requires certain local officials to receive two hours specified ethics training every two years. After completion of this ethics training course you will be able to print out a certificate of completion which a copy will need to be forwarded to the District per District Policy #1020.6.

**Requested Action:**

If warranted, please complete the required training and submit a certificate of completion to the Air District.

**Attachments:**

1. none

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: IV.E**

**Agenda Description:** Conflict of Interest Forms for the Fair Political Practices Commission (FPPC) are DUE MARCH 15<sup>th</sup>

**Issues:**

The Political Reform Act, Government Code Section 81000, et.seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. This is also required through District Policy #1020.

**Requested Action:**

1. Complete the required Conflict of Interest Forms online at <http://www.fppc.ca.gov/Form700.html>

**Attachments:**

1. None

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: IV.F**

**Agenda Description:** Goals and Objectives - 2019

**Issues:** A presentation of the Northern Sierra Air Quality Management District's Goals and Objectives for 2019 is attached for Discussion and Direction from the Board.

Additionally, all regular ongoing activities are also included, titled, 2019 Overall Work Plan

**Requested Action:**

1. Discuss and provide direction

**Attachments:**

1. Northern Sierra Air Quality Management District's Draft Goals and Objectives for 2019
2. 2019 Overall Work Plan

# NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT

## 2019 STRATEGIC PLAN

### MISSION STATEMENT

Preserving air quality and protecting the public health and welfare in Nevada, Plumas, and Sierra Counties.

These goals are in addition to ongoing programs and projects the District performs to protect public health identified in Overall Work Plan. Goals are listed in the order of highest priority.

### 2019 GOALS AND OBJECTIVES

**Goal #1:** Implement the requirements of the Federal and California Clean Air Act for the Greater Portola Federal PM2.5 Nonattainment Area.

#### **Objectives:**

- 1A. Fulfill commitments as required by the State Implementation Plan (SIP) for the Portola Fine (PM2.5) Nonattainment Area
- 1B. Pursue additional funding to assist in implementing strategies to further reduce fine particulate matter in the Greater Portola Federal PM2.5 Nonattainment Area.

**Goal #2:** Implement the requirements of the Federal and California Clean Air Act for the federal ozone nonattainment area of western Nevada County.

#### **Objectives:**

- 2A. Begin to develop a State Implementation Plan (SIP) for the 2015 federal Ozone Standard in coordination with the California Air Resources Board (CARB) to address ozone precursor emissions that affect western Nevada County, meeting applicable Clean Air Act requirements.
- 2B. Develop, maintain and document programs to ensure local emissions are adequately quantified and SIP requirements are fulfilled.
- 2C. Continue work with EPA and CARB on implementing Transportation Conformity, which is a required SIP component under the Clean Air Act.
- 2D. Follow up on the SIP submitted to EPA in 2018 for the 2008 federal ozone standard and address any outstanding issues. Work with CARB to track and document Reasonable Further Progress and assure the timely implementation of Contingency Measures if needed in 2020 or 2021.

**Goal #3:** Continue to Assist Owners of Heavy Duty Diesel Trucks with Funding from Carl Moyer, AB 2766 and AB 923 programs

#### **Objectives:**

- 3A. Implement Carl Moyer, AB2766 and AB 923 grant programs for owners of Heavy Duty Diesel Engines.
- 3B. Pursue Avenues to Increase Funding for Carl Moyer, AB2766 and AB923

**Goal #4:** Develop and implement air quality strategies to assure continued and enhanced services to county residents.

**Objectives:**

- 4A. Maintain and improve (as needed) air quality monitoring in all three counties to assure protection of public health.
- 4B. Continue to support efforts to utilize biomass as a fuel to reduce smoke impacts from prescribed/residential open burning
- 4C. Work with various agencies; Forest Service, CAPCOA, California Air Resources Board, etc. to improve burning practices to reduce smoke emissions from prescribed burning.
- 4D. Continue to advertise and provide public health advisories during poor air quality episodes, including the health effects of air pollutants of concern, how the public can minimize their exposure, and how the public can voluntarily help curtail an episode.

**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**GOAL#1:** Implement the requirements of the Federal and California Clean Air Act for the Greater Portola Federal PM2.5 Nonattainment Area.

**Objective 1A:** Fulfill commitments as required by the State Implementation Plan (SIP) for the Portola Fine (PM2.5) Nonattainment Area

**Background:**

The EPA officially designated the Greater Portola area in Plumas County as a federal PM2.5 nonattainment area on April 15, 2015. The District submitted a required SIP to the California Air Resources Board (CARB) which contained rules and regulations which will demonstrate attainment of the air quality standard by December 31, 2021. The CARB Board approved the District's SIP and submitted it to the Environmental Protection Agency on February 16, 2017. The EPA proposed approval of the Portola Plan on December 18, 2018.

**Action Plan/Steps for Implementation:**

1. Implement at least 350 residential wood stove replacement projects for the purpose of meeting Reasonable Further Progress (RFP) by December 31, 2019 and at least 600 residential wood stove replacement projects for the purpose of attainment by December 31, 2021.
2. Evaluate the progress towards meeting the RFP by December 31, 2019.
3. In an annual report for each year from 2017-2022 submit to EPA by March 31 of each following year:
  - i. Identify each project implemented during the previous calendar year by program tracking number, description of both baseline and new equipment, and quantified emission reductions;
  - ii. Provide an internet link to the EPA Burnwise Emission Calculator used to calculate emission reductions;
  - iii. Describe the actions taken and documentation collected by ARB to confirm each project's compliance with program requirements;
  - iv. Determine whether the identified projects are projected to achieve the full amount of PM<sub>2.5</sub> emission reductions required by the SIP; and
  - v. Describe any changes to relevant forms and related impacts on program integrity.
4. Voluntary Wood Burning Curtailment Program
  - i. Implement a voluntary curtailment program for residential wood burning devices that are not EPA-certified
5. Educational Campaign – Plan to hire and utilize Burnwise Coordinator for resident education.
6. Prohibit Open Burning in the Nonattainment Area during winter months

**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**GOAL#1:** Implement the requirements of the Federal and California Clean Air Act for the Greater Portola Federal PM2.5 Nonattainment Area.

**Objective 1B:** Pursue additional strategies to further reduce fine particulate matter in the Greater Portola Federal PM2.5 Nonattainment Area.

**Background:** In addition to the wood stove change-out program and the requirements of the City of Portola's Wood Stove and Fireplace Ordinance, the District included the following strategies as part of the SIP.

**Action Plan/Steps for Implementation:**

- |   |                    |
|---|--------------------|
| 1. Implement and maintain a public education campaign                       | Ongoing            |
| • Partner with other events   | Throughout 2019    |
| • Work with local retailers to publish and distribute proper woodstove use  |                    |
| • Continue to work with local media to promote clean Wood burning practices |                    |
| 2. Manage MOU with City of Portola for Services                             | Ongoing            |
| 3. Continue to Implement Voluntary Woodstove Curtailment Program            | 2019-2020          |
| 4. Distribute stove thermometers to residents                               | Ongoing            |
| 5. Prohibit open burning during winter                                      | Spring/Summer 2019 |

The District will assess the feasibility of a green waste collection program in the nonattainment area.

The District will pursue funding to assist in green waste collection in the nonattainment area.

The implementation of a green waste collection program will allow the District to develop an open burning rule similar to the current District Rule 318 which prohibits open burning in the American Valley region from November 15 to March 15.

The District will take such an open burning rule to the Board for consideration by September 30, 2019.

## **Northern Sierra Air Quality Management District Plan of Action for Achieving Objectives**

**Goal #2:** Implement the requirements of the Federal and California Clean Air Acts for the ozone nonattainment area of western Nevada County.

### **Objective 2A:**

Continue to develop a State Implementation Plan (SIP) for the 2008 federal Ozone Standards in coordination with the California Air Resources Board (CARB) to address ozone precursor emissions that affect western Nevada County, meeting applicable Clean Air Act requirements.

### **Background:**

Western Nevada County is currently Serious Nonattainment for the federal 2008 Ozone Standard (75 ppb) with an attainment year of 2021, based on 2018-2020 data.

In October 2015 EPA lowered the federal ozone National Ambient Air Quality Standard (NAAQS) to 70 ppb. Western Nevada County was classified as a Moderate nonattainment area for this standard in June 2018. In November 2018 EPA signed a final Implementation Rule for the 2015 ozone NAAQS outlining requirements for nonattainment areas, to take effect in early 2019. The requirements are similar in most respects to those for the 2008 ozone NAAQS, although there are some new requirements for evaluating Reasonably Available Control Measures (especially intrastate transport analysis provisions), Reasonably Available Control Technology implementation, Reasonable Further Progress (milestone compliance demonstrations), interprecursor trading for ozone offsets pursuant to New Source Review activities, and emissions inventories/Emissions Statements.

### **Action Plan/Steps for Implementation:**

1. Participate in SIP coordination meetings with air districts, EPA and the State during the continued development of the SIP. Make every attempt to stick with the schedule noted above and prod CARB as needed to provide their work products on time.
2. The primary goal of this district will be to assure that ozone transport continues to be a high priority and is addressed in all technical aspects during the development of the SIP. Continue to take a proactive role in lobbying for greater ozone controls on upwind sources to decrease ozone transport to western Nevada County. Possibly attend Board meetings of the upwind air districts of the Bay Area and Sacramento if crucial control measures to reduce ozone precursors are being considered.
3. As necessary, hold community meetings to discuss the SIP process, the role the upwind contributing counties play, and Nevada County's strategy to reduce emissions.
4. Participate in CAPCOA Planning Managers to help keep up with all relevant developments.
5. Evaluate adequacy of existing SIP elements under the new Implementation Rule, including the NSAQMD's New Source Review rule, Reasonably Available Control Technologies, Emissions Statements, Transportation Conformity procedures and Vehicle Inspection & Maintenance and initiate corrections/updates as needed.



6. Begin developing key elements of the 2015 ozone NAAQS SIP, including Reasonable Further Progress, Contingency Measures, Reasonably Available Control Measures, emissions inventory and other modeling inputs, ozone transport documentation, and the Attainment Demonstration.

**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**Goal #2:** Implement the requirements of the Federal and California Clean Air Act for the ozone nonattainment area of western Nevada County

**Objective 2B:**

Develop, maintain and document programs to ensure local emissions are adequately quantified and SIP requirements are fulfilled.

**Background:**

The California Air Resources Board realizes that attainment in Nevada County is dependent primarily upon the upwind areas' (Sacramento and Bay Area) emission reductions. Grant programs such as Carl Moyer and AB2766 are very cost-effective strategies for reducing emissions of ozone precursor pollutants. These programs also have the co-benefit of reducing diesel particulate matter, which the California Air Resources Board has formally found to be a toxic air contaminant.

Since all of the AB2766 and other mobile source incentive projects are evaluated for tailpipe emission reductions, all of the projects have a great potential to be utilized as SIP credit in western Nevada County.

Emissions quantification is a key component of the Attainment Demonstration

**Action Plan/Steps for Implementation:**

1. Implement the Carl Moyer Heavy Duty Diesel Engine Incentive Program, and the AB2766 DMV Surcharge emissions reductions programs providing pass-through grants that reduce ozone precursors and diesel particulate matter. For Carl Moyer, staff will participate in monthly meetings with California Air Resources Board (CARB) and other air districts. ARB requires several reports per year on implementation progress. Staff will continue to apply for funding and advertise to gain greater participation. Staff will regularly report Carl Moyer progress to the Board through quarterly reports and the approval of individual contracts.
2. Annually, staff will present a Request for Proposal for AB2766 to the Board for approval. Staff will distribute the approved RFP, screen applicants, prepare final report for the Board's approval of individual projects.
3. Emissions quantification inputs will continue to be obtained through stationary source reporting requirements, processed in accordance with established methodologies and reported to CARB via CARB's emissions reporting platform.
4. Continue to coordinate with the Nevada County Transportation Commission to maintain up-to-date on-road mobile source emissions estimates.

**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**Goal #2:** Implement the requirements of the Federal and California Clean Air Act for the ozone nonattainment area of western Nevada County

**Objective 2C:**

Continue work with EPA and CARB on implementing Transportation Conformity, which is a required SIP component under the Clean Air Act.

**Background:**

CARB and EPA are working together with districts, FHWA, Caltrans and other agencies to satisfy transportation conformity implementation requirements under the federal Clean Air Act.

**Action Plan/Steps for Implementation:**

1. Continue communications with CARB and other agencies regarding transportation conformity procedures and rule changes.
2. Work on developing a Transportation Conformity rule if EPA determines that one is necessary (currently an established process is adequate, but this is under review and CARB has begun considering a statewide transportation conformity rule/approach).
3. Participate in CAPCOA Planning Managers and the statewide Transportation Conformity Working Group to keep up with all relevant developments.

**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**Goal #2:** Implement the requirements of the Federal and California Clean Air Act for the ozone nonattainment area of western Nevada County

**Objective 2D:**

Follow up on the SIP submitted to EPA in 2018 for the 2008 federal ozone standard and address any outstanding issues. Work with CARB to track and document Reasonable Further Progress and assure the timely implementation of Contingency Measures if needed in 2020 or 2021.

**Background:** Western Nevada County submitted a SIP to EPA (via CARB) in late 2018 for the 2008 ozone NAAQS which addresses previous determinations of inadequacy as well as numerous complicated SIP requirements. The District worked closely with CARB and EPA to develop this SIP and EPA is expected to approve the SIP, although there could be some revisions required, particularly regarding Contingency Measures. The recent Bahr court decision essentially found that CARB's historic approach to Contingency Measures was not in line with the intent of the federal Clean Air Act, so CARB has developed a suite of statewide Contingency Measures that hinge largely on increased enforcement of California's mobile source rules in areas that fail to meet the Reasonable Further Progress/Milestone requirements set forth in their SIPs.

**Action Plan/Steps for Implementation:**

1. Respond to EPA concerns in coordination with CARB and other air districts as appropriate (actions to be determined as events unfold and determinations are handed down).
2. Participate in CAPCOA Planning Managers to help keep up with all relevant developments.

**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**GOAL#3:** Continue to Assist Owners of Heavy Duty Diesel Trucks with Funding from Carl Moyer, AB 2766 and AB 923 programs

**Objective 3A:** Implement Carl Moyer, AB2766 and AB 923 Grant programs for owners of Heavy Duty Diesel Engines.

**Background:** The District has been working with local truck owners/operators to disburse grant funds for the Carl Moyer Heavy Duty Diesel Program. The program offers funding for repowers and retrofits only. It has become increasingly difficult for on-road vehicles to qualify for the funding since Carl Moyer funding can not be applied to a vehicle that will have to comply with a state diesel regulation within three years. However, the District modified the program to allow funding for off-road vehicles and the applicants have dramatically increased. AB2766 Funding does not carry such constraints as the Carl Moyer program, however, this is a competitive grant in all three counties. The District administers approximately \$220,000 annually district-wide through the CARB program. The District also can administer more through various new programs implemented during 2018; FARMER, NRM and RAP.

AB923 funding is available only to heavy duty vehicles in Plumas County for Carl Moyer-like programs or for the infrastructure or alternatively fueled stations for alternatively fueled school buses.

**Action Plan/Steps for Implementation:**

1. Turn in applications for funding for Carl Moyer.
2. Request Board Approval through the Authorization of Resolutions to implement Carl Moyer programs for FY 2019/2020.
3. Maintain the CARL Database for Carl Moyer programs.
4. Modify the District's Carl Moyer Policy in time to be implemented for Year 21 funding
5. Continue to pursue additional funding from different programs for Carl Moyer Programs. Spring 2019

**GOAL#3:** Continue to Assist Owners of Heavy Duty Diesel Trucks with Funding from Carl Moyer, AB 2766 and AB 923 programs

**Objective 3B:** Pursue Avenues to Increase Funding for Carl Moyer, AB2766 and AB923

**Background:**

Carl Moyer –  
Legislation (AB8) limits rural air districts to \$200,000 annually without a match. This can be increased to \$290,000 with a required match of \$43,541. Match can come from either AB2766 funds or AB923.

AB2766 –  
District administers approximately \$220,000 annually  
Each county is limited to \$4/vehicle of DMV registration fees.

Plumas – \$4/vehicle  
Sierra – \$2/vehicle  
Nevada – \$4/vehicle

AB923 –  
Each county is limited to \$2/vehicle but the County must have the max \$4 before it can qualify to receive the AB923.  
Plumas county is the only county that receives AB923, the District receives about \$35,000 annually.

**Action Plan/Steps for Implementation:**

1. Present option to Sierra County Board of Supervisors to Increase AB2766 maximum to \$4 and to adopt \$2 AB923. **Fall 2019**
2. Present option to Nevada County Board of Supervisors to adopt \$2 AB923. **Fall 2019**

## Northern Sierra Air Quality Management District Plan of Action for Achieving Objectives

**Goal #4:** Develop and implement air quality strategies to assure continued and enhanced services to county residents.

**Objective 4A:** Maintain and improve (as needed) air quality monitoring in all three counties to assure protection of public health.

### **Background:**

The District's air monitoring program assists the county residents by informing sensitive individuals of air pollution levels; both long term trends and current, up-to-date impacts. Although western Nevada County exceeds the federal ozone standard primarily due to transport from the upwind areas, real time air monitoring allows the District to issue Health Advisories to schools, coaches, hospitals, nursing homes and other sensitive individuals. Additionally, smoke impacts can sometimes be severe during forest fires and large prescribed burns in all areas of the District. Again, the District plans to be prepared to continue monitoring smoke levels on a real-time basis with monitors placed in strategic (densely populated) areas. The District plans to enhance its monitoring program by utilizing specific fund balance accounts to purchase back-up monitors and spare parts, additional training to troubleshoot breakdown of equipment, and repair its equipment in its air monitoring laboratory. Additionally, the District is positioning itself to expand its monitoring network in Sierra, Plumas and Nevada County as continuing growth and need expressed by residents occurs. District staff will present these expenditures for enhanced monitoring to the District Board for approval through the budget process.

### **Action Plan/Steps for Implementation:**

1. Present budget expenditures for monitoring to Board May/June 2019
2. Update Monitoring Network to improve usefulness to public during wildfire smoke impacts. By upgrading existing real-time monitors (BAMs), installing additional BAMs, installing videocams to monitor smoke incursions.
3. Research monitoring sites and rentals of space for particulate matter and ozone monitors in Sierra, Plumas and Nevada Counties.
4. Continue to increase public awareness of monitored air quality values and trends through website improvements.
5. Continue to advertise and provide public health advisories during poor air quality episodes, including the health effects of air pollutants of concern, how the public can minimize their exposure, and how the public can voluntarily help curtail an episode.

## Northern Sierra Air Quality Management District Plan of Action for Achieving Objectives

**Goal #4:** Develop and implement air quality strategies to assure continued and enhanced services to county residents.

**Objective 4B:** Continue to support efforts to utilize biomass as a fuel to reduce smoke impacts from prescribed/residential open burning

### **Background:**

Historically, the District and the public have benefited from working with local biomass plants (SPI-Quincy, SPI-Loyalton and Collins Pine) to utilize greater amounts of both residential yard waste and forest waste as fuel. The District and the biomass plants have accomplished this by promoting alternatives and pre-treatments to fire used for land management and land development clearing. This dramatically decreased smoke impacts in Plumas and Sierra counties and provided a much-needed fuel source to the energy-generating facilities.

With the re-opening of the biomass plant in Loyalton, yard waste generated in Eastern Plumas County and Sierra County is in demand as a fuel source, rather than being burned in uncontrolled open burn piles. The District is committed to supporting the transportation of residential and other green waste to the facility for clean processing.

### **Action/Plan Steps for Implementation:**

1. The District will continue to work cooperatively with the biomass plants located in Chester – Collins Pine, Quincy – SPI and Loyalton – ARP to assure they are in compliance and their permits are in order.
2. The District will pursue funds and mechanism for supplementing transportation of materials to Loyalton Biomass Facility.
3. The District will continue to support the biomass industry's attempts at legislation and/or state-wide policy to secure incentives to utilize biomass that would otherwise be disposed of through open burning.
4. District will continue to support new industries that utilize biomass (e.g. ethanol, mechanized burners, commercial composting, etc.) in lieu of open burning.



**Northern Sierra Air Quality Management District  
Plan of Action for Achieving Objectives**

**Goal #4:** Develop and implement air quality strategies to assure continued and enhanced services to county residents.

**Objective 4C:** Work with various agencies; Forest Service, CAPCOA, California Air Resources Board, etc. to improve burning practices to reduce smoke emissions from prescribed burning.

**Background:** Due to a variety of different factors, emissions of smoke will be significantly increasing from both wildfire and the increased removal of forest fuels.

**Action/Plan Steps for Implementation:**

1. Continue to meet with various working groups attempting to come up with ideas on how to remove large amounts of dead trees.
2. Present various options to the Board for approval or guidance as necessary.

## **Northern Sierra Air Quality Management District Plan of Action for Achieving Objectives**

**Goal #4:** Develop and implement air quality strategies to assure continued and enhanced services to county residents.

**Objective 4D:**

Continue to advertise and provide public health advisories during poor air quality episodes, including the health effects of air pollutants of concern, how the public can minimize their exposure, and how the public can voluntarily help curtail an episode.

**Background:**

Since 1999, the District has notified the public when they are at risk due to unhealthy air quality. Additionally, the District provides education on what types of health risks they are exposed to, how to minimize their exposure, and how to modify their behavior to reduce the local contribution to the air quality problem.

Monitored Particulate Matter levels that are attributable to uncontrolled natural events such as wildfires may be excluded from decisions regarding an area's nonattainment status — if it can be shown that there is a clear causal relationship between measured exceedances and the wildfire. The supporting documentation required to make that case is significant. In order to qualify as a natural event, the U.S. EPA requires the Air District include the following elements: 1) public notification and education, 2) efforts to minimize public exposure to high concentrations of Particulate Matter due to future natural events, and 3) efforts to abate or minimize emissions from contributing sources of Particulate Matter.

**Action/Plan Steps for Implementation:**

1. Continue to refine the District's Public Health Advisory procedures.
2. Expand system to include greater numbers of notifications when a health advisory is being issued. Aggressively pursue educating the public and health officials about being included in the notification list.
3. Present a yearly update to the BOD on health advisories issued.

## 2019 OVERALL WORK PLAN

### WORK ELEMENT 1 - ADMINISTRATION

#### Project 1.1 - General Services

**Purpose:** Provide administrative support for the operation of the Northern Sierra Air Quality Management District, the Board of Directors, and the Hearing Board.

#### Normal, Ongoing Work:

- Prepare Board meeting agendas, minutes, hearing notices, resolutions, and correspondence.
- Develop and oversee Overall Work Plan and annual budgets.
- Develop and implement financial controls and program cost tracking systems.
- Annual review of program effectiveness.
- Plan and coordinate staff activities.
- Contract with CPA for annual audit and assist with audit.
- Prepare annual report and subvention request for ARB.
- Track legislation pertinent to managing air quality.
- Procure and maintain equipment.
- Divest surplus property.
- Track and control District assets and movable property.
- Develop and approve (Board) codified Policies and Procedures.
- Supervise and evaluate personnel.
- Conduct salary surveys as needed.
- Coordinate personnel benefits and control costs.
- Provide continuing education and training as needed.
- Coordinate databases and spreadsheets used in multi-functional areas.
- Improve personnel safety in all activities.
- Draft contracts/agreements with other agencies as needed.
- Request annual county contributions and review appropriateness of contributions.
- Conduct fee studies to assure costs are recovered.
- Maintain computer network and software upgrades, including virus protection.
- Work with Counsel on any litigation efforts.

#### Products:

- Annual Overall Work Plan and Strategic Plan
- Annual Budget
- Documentation of Board meetings
- Quarterly Budget Reports

**District Rules and Regulations**

**Benefits Package**

**Codified Policies and Procedures**

**Assets and Movable Property Inventory**

**Annual ARB Report and Subvention Application**

**Payroll Codes, Chart of Accounts, Tracking Tools**

**Payroll**

**Time sheets**

**Annual Renewal Questionnaire for Special District Risk Management Authority**

## WORK ELEMENT 1 - ADMINISTRATION

### **Project 1.2 - Mountain Counties Air Basin**

#### **Purpose:**

**Provide support for the Basin Control Council, in partnership with basin air districts.  
Encourage uniform planning, rule development, and permitting activities.  
Share information  
Share resources, where appropriate.**

#### **Normal, Ongoing Work:**

**Assist in preparation of annual plan of activities.  
Assist in preparation of annual budget and district appropriations.  
Assist in preparation of agendas, minutes, notices, and correspondence.  
Participate in monthly meetings of the Mountain Counties Air Basin Technical Advisory Committee and subcommittees.  
Participate in semi-annual meetings of the Mountain Counties Air Basin Control Council.  
Analyze rules and regulations, and recommend changes to achieve better consistency.  
Develop consistent land use development review/CEQA policies.  
Prepare comment letters on federal and state legislation, regulations, and policies  
Procure basin equipment.  
Assist with maintenance of basin assets inventory.**

#### **Products:**

**Annual Budget and Overall Work Plan  
Documentation of Basin Control Council meetings  
Budget reports  
Documentation of Technical Advisory Committee meetings  
Basin assets inventory  
Public education pamphlets**

## WORK ELEMENT 2 - STATIONARY SOURCE PROGRAM, NON-MAJOR SOURCES

### **Project 2.1 - Permitting Activities**

#### **Purpose:**

**Provide and maintain a permitting system that meets the requirements of the HSC §42300 et seq, and ARB Criteria.**

**Ensure that any emissions equipment or process does not interfere with the attainment or maintenance of any air quality standard, as well as any state or federal regulation.**

**Evaluate and process permit renewals to ensure that permit conditions accurately represent all current regulations. Meet any new requirements and address requested changes by the facility owner/operator.**

#### **Normal, Ongoing Work:**

**Evaluate emissions, air toxic exposure, and controls for new sources of air pollution.**

**Issue Authorities to Construct and renew Permits to Operate.**

**Issue and enforce portable equipment permits.**

**Respond to stationary source-related inquiries.**

**Develop and maintain an emissions inventory for criteria pollutants.**

**Review and comment on proposed state and federal regulations.**

**Develop rules and regulations.**

**Conduct and promote workshops to help individuals and businesses understand new district rules, and state and federal air pollution regulations.**

**Review new state and federal regulations to determine applicability to local facilities.**

**Participate in CAPCOA Committee meetings related to implementing state and federal rules and regulations affecting stationary sources.**

**Attend CARB training sessions on permitting of stationary sources.**

**Prepare monthly, quarterly, and annual reports to CARB.**

**Collect fees.**

#### **Products:**

**Engineering Evaluations for all new sources.**

**Authorities to Construct.**

**Permits to Operate.**

**Annual emissions inventory update to CARB.**

**Monthly, quarterly, and annual reports to CARB.**

**Staff reports on new and amended rules.**

**Correspondence**

# **WORK ELEMENT 2 - STATIONARY SOURCE PROGRAM, NON-MAJOR SOURCES**

## **Project 2.2 - Compliance/Enforcement**

**Purpose: Provide a system to assure compliance with the District's rules and regulations, permit conditions, and applicable state and federal regulations.**

### **Normal, Ongoing Work:**

- Maintain Visual Emissions Evaluation (VEE) inspection certifications for inspectors.**
- Conduct inspections of permitted sources to confirm the equipment/process is operating within their permitted conditions.**
- Conduct inspections of sources of pollutants that might cause reasonably foreseeable risk to K-12 schools from air toxics under AB 3205.**
- Enforce rules and regulations that reduce air pollution and protect public health.**
- Draft and issue Notices to Comply and Notices of Violation.**
- Prepare staff reports for variance/Hearing Board activity.**
- Prepare variance orders issued by the Hearing Board.**
- Monitor progress toward meeting variance order requirements.**
- Prepare monthly variance report to CARB.**
- Review source testing protocols, witness source tests, and review source test reports.**
- Respond to and investigate complaints related to stationary sources.**
- Attend CARB training sessions on compliance inspections of stationary sources.**
- Compile monthly, quarterly, and annual reports to CARB.**
- Apply the mutual settlement policy for administrative settlements of violation citations.**
- Draft and issue settlement letters.**
- Participate with the District Attorney's office on stipulated judgements when mutual settlements are not possible.**
- Provide compliance assistance.**
- Collect penalties.**

### **Products:**

- Inspection records showing compliance with permit conditions.**
- Notices to Comply and Notices of Violation.**
- Mutual settlements and settlement letters.**
- Variance Orders.**
- Monthly Variance Report to CARB**
- Monthly Significant Violators/High Priority Violators Report to CARB.**
- Quarterly Excess Emissions Report to CARB**
- Complaint Reports**
- Mutual Settlement Policies and Procedures**
- Stipulated Judgements**

**WORK ELEMENT 3 - ENFORCEMENT/COMPLIANCE PROGRAM (non-Stationary Source, non-Smoke Management)**

**Project 3.1 - Miscellaneous Enforcement**

**Purpose: Provide a system of enforcing District rules, and state and federal regulations that do not fall under the Stationary Source Program and Smoke Management Program (e.g. odors, illegal asbestos activities, woodstoves, accidental/emergency releases, and dust emissions from mobile sources, etc.)**

**Normal, Ongoing Work:**

**Respond to and investigate miscellaneous complaints.  
Prepare staff reports for variance/Hearing Board activity.  
Monitor progress toward meeting variance order requirements.  
Attend training sessions on compliance inspections of miscellaneous emissions sources.  
Coordinate emergency response activities with County OES, County Dept. of Environmental Health.  
Develop mutual settlements on violations where possible.  
Participate with the District Attorney's office on stipulated judgements when mutual settlements are not possible.  
Draft and issue settlement letters.  
Coordinate multi-jurisdictional and cross-jurisdictional enforcement activities.  
Provide compliance assistance.  
Collect penalties.**

**Products:**

**Complaint Reports  
Variances  
Notices to Comply and Notices of Violation  
Mutual Settlement Policies and Procedures  
Settlement letters  
Stipulated Judgements  
Annual AB 3205 Notifications to School Districts with Charter Schools**



## **WORK ELEMENT 4 - VAPOR RECOVERY PROGRAM**

### **Project 4.1 - Vapor Recovery Permits and Inspections**

**Purpose: Provide a system for permitting and inspection of vapor recovery systems at gasoline marketing operations in Compliance with related rules in District Regulation 2 and Title 17, Subchapter 8, Article 1, Section 94000 et seq.**

#### **Normal, Ongoing Work:**

**Evaluate emissions and controls for new gasoline service stations and bulk plants.  
Issue Authorities to Construct and renew Permits to Operate.  
Attend CARB training sessions on permitting and inspection of gasoline service stations and bulk plants.  
Follow ARB/CAPCOA Vapor Recovery Committee activity/information  
Inspect gasoline dispensing facilities in Nevada, Plumas and Sierra Counties  
Respond to and investigate complaints.  
Draft Notices to Comply.  
Draft Notices of Violation.  
Develop mutual settlements on violations where possible.  
Participate with the District Attorney's office on stipulated judgements when mutual settlements are not possible.  
Draft and issue settlement letters.  
Annual billing and fee collection.  
Develop and maintain database.  
Provide compliance assistance.  
Collect penalties.  
Implement requirements of Enhanced Vapor Recovery**

#### **Products:**

**Authorities to Construct and Permits to Operate.  
Inspection Reports.  
Complaint Reports.  
Notices to Comply and Notices of Violation  
Settlement letters**

## WORK ELEMENT 5 - SMOKE MANAGEMENT PROGRAM

### Project 5.1 - Burn Permits

**Purpose:** Provide a system to regulate and lessen smoke impacts from open burning and prescribed burning conducted in accordance with the District's rules and regulations and CCR Title 17, 80100, et seq.

**Normal, Ongoing Work:**

- Review smoke management plans to assure compliance with all rules and regulations.
- Issue burn permits and daily burn authorizations.
- Inspect burn projects to assure that burn plan and permit conditions are being met.
- Compile annual report on all permitted burn activity per Title 17, §80130 et seq.
- Prepare staff reports for rule development.
- Amend and adopt open burning rules, as needed.
- Conduct workshops and public hearings on new and amended open burning rules.
- Attend meetings of councils and committees established to balance the need for healthy air with the need to reduce fire risk and provide a healthy ecosystem (e.g. Interagency Air and Smoke Council, Fire Safe Council of Nevada County, Mountain Counties Air Basin Smoke Management Alliance, Northeast Air Alliance).
- Review and comment on state and federal regulations, policies, and guidance as they are developed to assure the rural and urban-rural perspective is represented.
- Notify adjacent air districts/states of prescribed burn projects to prevent combined impacts and coordinate where necessary.
- Review, comment, inspect, and canvass fire agency training burns.
- Review applications for variance from burn-day and issue *No-Burn Authorizations*.
- Maintain data base to track burn permits and complaints.
- Document and track actual burn acres for state and federal land managers for annual billing.
- Educate building and planning departments and contractors associations on burn rules and regulations.
- Review/Respond to CEQA/NEPA environmental documents with regards to prescribed burning.
- Collect fees.

**Products:**

- Burn permits
- Burn plan comments
- Annual Agricultural Burning Summary to CARB
- Policies and Procedures for reviewing burn plans and issuing permits
- Comments on regulations, policies, guidance
- Smoke Management Program
- Smoke Management Plan forms
- Staff Reports, Rules and Regulations
- No Burn Authorizations
- EIR/EIS responses
- Annual Report to CARB

## **WORK ELEMENT 5 - SMOKE MANAGEMENT PROGRAM**

### **Project 5.2 - Open Burning Enforcement/Compliance**

**Purpose: Provide a system to assure compliance with the District's rules and regulations, and permit conditions related to open burning.**

#### **Normal, Ongoing Work:**

**Draft and issue Notices to Comply and Notices of Violation.**

**Draft and issue settlement letters.**

**Maintain burn day messages on burn recorders 365 days per year.**

**Maintain and repair burn day messages as needed.**

**Use aerial surveillance to locate the source of smoke intrusions if needed.**

**Review air quality monitoring data and correlate with prescribed burns and wildfires.**

**Develop and maintain complaint database.**

**Collect penalties.**

**Track and log-in all complaints in database.**

#### **Products:**

**Notices to Comply and Notices of Violation**

**Settlement Letters**

**Support new local ordinances for open burning.**

**Annual report to the Board on complaints**

## **WORK ELEMENT 5 - SMOKE MANAGEMENT PROGRAM**

### **Project 5.3 - Public Education**

#### **Purpose:**

- Reduce the smoke impacts from open burning and woodstoves.**
- Improve public awareness of the health impacts related to fine particles (smoke).**
- Improve the public's awareness of alternatives to open burning.**
- Notify the public when poor air quality exists.**

#### **Normal, Ongoing Work:**

- Develop media for public awareness.**
- Educate Chambers of Commerce, and community groups.**
- Conduct workshops and utilize other public education techniques to train the public on composting, mulching, firewise landscaping, reducing the burden on landfills, and soil erosion prevention.**
- Provide public education on the health effects of fine particulate (PM2.5).**
- Request voluntary curtailment steps from the public when air quality is poor.**
- Provide education to the public and public officials on regulatory impacts of federal nonattainment of particulate matter ambient air quality standards.**
- Proactively work with Fire Safe Council, local governments, waste management, neighborhood associations to find alternatives to open burning of vegetative material and reduce residential open burning emissions.**
- Promote green waste pickup.**
- Work with fire agencies.**

#### **Products:**

- Pamphlets on woodstoves, residential open burning, composting**
- Reduced open burning smoke impacts**
- Changes in open burning habits/behaviors/practices**
- Changes in woodstove burning habits/behaviors/practices**

## **WORK ELEMENT 5 - SMOKE MANAGEMENT PROGRAM**

### **Project 5.4 - PM 2.5 Attainment Plan**

#### **Purpose:**

**Protect the public health by preventing exceedances of the PM2.5 National Ambient Air Quality Standards.**

**Provide a regulatory framework to maintain attainment, if necessary.**

#### **Normal, Ongoing Work:**

**Educate elected officials on the health effects of fine particulate and the ramifications of federal nonattainment.**

**Conduct workshops on control strategies, local ordinances, air quality management plans.**

**Develop local ordinances where needed.**

**Conduct or participate in public hearings for adoption of air quality management plans, local ordinances, and rules and regulations.**

**Promote woodstove change-out incentive programs.**

**Provide support for the Grass Valley, Portola, Quincy, and Truckee woodstove ordinances.**

#### **Products:**

**Clean Air Plan or Air Quality Management Plan for Nonattainment areas.**

**Local ordinances**

**Rules and regulations**

**Great Stove Change-Out promotions**

## WORK ELEMENT 6 - PLANNING PROGRAM

### Project 6.1 - Land Use Plan Review

#### Purpose:

Assure that additional air pollution emissions associated with land use projects do not interfere with the attainment or maintenance of any air quality standard.  
Prevent public health impacts due to short-term and long-term air quality degradation  
Prevent onerous and burdensome state and federal requirements that damage, or eliminate healthy economic growth.

#### Normal, Ongoing Work:

Review land use plans for public and private development projects and provide *Commenting Agency* comments.

Review emissions increases associated with projects and determine if the emissions increases associated with the project exceed the District's levels of significance for each pollutant.

Provide justification and rationale for the necessary mitigations to reduce emissions to below the levels of significance.

Pursue on-site and off-site mitigations where necessary to prevent significant impacts. Coordinate with planning agencies to streamline and simplify the review process and assure consistency.

Review developments and changes related to state and federal ambient air quality standards as they apply to the planning function.

Implement ARB's Air Toxic Control Measure (ATCM) for asbestos in serpentine rock, as it pertains to construction. Develop land use comments to address dust control when serpentine rock is found at construction sites.

Evaluate cumulative exposure. Work with other air district's to develop guidelines on cumulative exposure.

#### Products:

Commenting Agency comments (including Regional Transportation Plan).

Emissions calculations on proposed projects and recommended mitigations.

## **WORK ELEMENT 6 - PLANNING PROGRAM**

### **Project 6.2 - General Plan Review**

**Purpose: Assure City and County General Plans adequately address air quality, including goals, policies, and programs that when adopted will control the growth of vehicle trips and miles traveled and prevent deterioration of air quality.**

#### **Normal, Ongoing Work:**

**Assist cities and counties with general plan air quality elements, providing appropriate recommendations and technical support.**

**Provide local planning agencies with a comprehensive set of goals, and policies that will improve or maintain (as needed) air quality if adopted in a general plan.**

**Provide justification and rationale for the goals and policies that will help decision makers, developers, and the public understand that they are appropriate and necessary to prevent public health impacts and onerous, burdensome state and federal requirements that damage, or eliminate healthy growth.**

#### **Products:**

**Commenting Agency comments.**

## WORK ELEMENT 6 - PLANNING PROGRAM

### **Project 6.5 - Attainment Plan (SIP) for Ozone National Ambient Air Quality Standard (Western Nevada County Only)**

**Purpose:** Re-attain the NAAQS for 8-hour ozone.

#### **Normal, Ongoing Work:**

**Review and comment on enhanced emissions inventories for the Statewide and local State Implementation Plan (SIP)**

**Stationary Source**

**Area Source**

**Review mobile source inputs**

**Maintain pressure on upwind areas for additional controls designed to bring attainment to downwind areas.**

**Attend workshops and meetings to learn about development of Transportation Conformity consultation procedures with NCTC and CalTrans District 3 to:**

**Circulate documents.**

**Define agency roles and responsibilities.**

**Establish framework for planning and technical meetings.**

**Develop list of transportation control measures.**

**Choose models and assumptions for regional transportation modeling.**

**Choose triggers for conformity review.**

**Define regionally significant projects.**

**Assist NCTC with transportation conformity determinations**

**Land use planning**

**Review and comment on all updates to general plans for incorporated areas in western Nevada County to make air quality elements more effective .**

#### **Products:**

**Emissions inventory**

**Urban air shed model for ozone for Central California, that includes western Nevada County.**

**Ozone Attainment Plan (SIP).**

**Transportation Conformity Consultation Agreement**



## WORK ELEMENT 7 - FEDERAL OPERATING PERMIT PROGRAM

### **Project 7.1 - Title V**

**(Plumas and Sierra Counties Only)**

#### **Purpose:**

**Implement the requirements of Title V of the *Clean Air Act of 1990* (CAA) and related District Rule 522 for permits to operate required for major sources of regulated air pollutants and other applicable sources.**

#### **Normal, Ongoing Work:**

**Maintain Visual Emissions Evaluation (VEE) inspection certifications for inspectors.  
Review applications for completeness as they become due.  
Issue required permits.  
Conduct inspections of permitted sources to confirm the equipment/process is operating within their permitted conditions.  
Draft Notices to Comply and Notices of Violation.  
Draft and issue settlement letters.  
Prepare staff reports for Hearing Board variances/compliance plans.  
Track progress of meeting the requirements contained in a compliance plan.  
Participate in CAPCOA Committee meetings and CARB workshops related to the Title V Program.  
Review Title V implementation guidance received from ARB and EPA and notify major sources of White Papers and assist in their understanding.  
Conduct workshops to help Title V sources understand and comply with federal requirements.  
Review source testing protocols, witness source tests, and review source test reports.  
Respond to and investigate complaints related to Title V sources.  
Compile monthly, quarterly, and annual reports to CARB/EPA.  
Collect fees and penalties**

#### **Products:**

**Title V Permits  
Inspection Reports  
Notices to Comply  
Notices of Violation  
Settlement Letters  
Complaint Reports  
Hearing Board Compliance Plans  
Monthly Significant Violator Report to CARB  
Quarterly Excess Emissions Reports to CARB**

## **WORK ELEMENT 8 - AIR TOXICS PROGRAM**

### **Project 8.1 - Air Toxic "Hot Spots" Act Implementation and Fee Regulation**

#### **Purpose:**

**Determine emissions of air toxics and hazardous air pollutants from applicable sources and whether such emissions present a significant health risk to neighboring public and sensitive receptors.**

**Develop an air toxics emission inventory.**

**Reduce the health risk to below the level of significance for high risk facilities.**

#### **Normal, Ongoing Work:**

**Implement Air Toxics Control Measures promulgated by the State.**

**Implement NESHAPS promulgated by EPA (Federal law requires states to implement, State law requires districts to implement).**

**Provide information and assistance to affected facilities on the requirements.**

**Review and approve facility emission inventory plans submitted by the facilities that comply with the requirements. Provide further assistance where necessary.**

**Review and approve the one-time surveys submitted by facilities that comply with the requirements. Provide further assistance where necessary.**

**Notify new facilities of deadlines for compliance.**

**Calculate air toxics emissions for "Industry-wide" facilities.**

**Develop and maintain air toxics emissions inventory and report to ARB.**

**Respond to ARB surveys for facility counts, emissions, fees, documentation, etc.**

**Place sources on quadrennial update status and fee applicability when prioritization score is between 1 and 10.**

**Collect District and ARB fees.**

#### **Products:**

**Facility Prioritization Guidelines**

**Approved Air Toxics Emissions Inventory Plans**

**Approved Air Toxics Emissions Inventory Reports**

**Prioritization scores for applicable facilities**

**Risk assessments for applicable facilities**

**District Air Toxics Emissions Inventory**

**Fee Regulation with related documentation**

**Annual Report to Public/Board**

## **WORK ELEMENT 8 - AIR TOXICS PROGRAM**

### **Project 8.2 - Air Toxics Control Measures**

#### **Purpose:**

**Reduce air toxics exposure and risk to the public and nearby businesses.  
Reduce the health risk to below the level of significance for high risk facilities.**

#### **Normal, Ongoing Work:**

**Attend workshops and meetings, and review and comment on draft regulations - state Air Toxics Control Measures (ATCMs) and related National Emissions Standards for Hazardous Air Pollutants (NESHAPS).**

**Provide public notices, staff reports, public hearings and rule adoptions to adopt state and federal regulations by reference.**

**Implement state ATCMs and related NESHAPS as required by state law.**

**Monitor the NESHAPS being developed and approved for applicable facilities in the District.**

#### **Products:**

**Rules that refer to the State and federal regulations.**

**Permits with special conditions designed to comply with state and federal regulations and protect the public health.**

## **WORK ELEMENT 9 - AB 2766 GRANTS PROGRAM**

### **Project 9.1 - External Project Selection, Monitoring, and Reporting**

**Purpose:** Reduce air pollution from motor vehicles and conduct related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988.

#### **Normal, Ongoing Work:**

- Develop plan and projected budget for DMV registration funds on external projects.**
- Develop and distribute a screening RFP for external grant projects and programs.**
- Review screening proposals, select best ones for detailed proposal, provide comments that will improve the quality of these proposals.**
- Conduct RFP workshops to train applicants on proposal requirements.**
- Arrange meetings of Board's ad hoc grant committees to review, evaluate, and rank proposals.**
- Prepare grant award recommendations for Board consideration.**
- Negotiate alternative funding and scope of work with applicants where needed.**
- Draft contractual agreements for each grant.**
- Develop and distribute Grant Guidance.**
- Review and approve monthly requests for reimbursement and request clarifications, as needed.**
- Track funds dispersed for each grant.**
- Review monthly progress reports and request clarifications, as needed.**
- Notify grantees that mid-cycle monitoring reports are due.**
- Review mid-cycle monitoring reports and request clarifications, as needed.**
- Request each grantee notify the District of funds needed for disbursement after the end of the fiscal year.**
- Encumber grant funds that have not be used by the end of the fiscal year, but which will be needed to complete Board-approved work during the next fiscal year, but during grant cycle.**
- Notify grantees that work should be complete and final reports are due.**
- Review Final Reports for each grant project and request clarifications, as needed.**
- Prepare Annual CARB Report on all internal and external projects and programs, in addition to overall District program. Check the cost-effectiveness of each project.**
- Audit selected grants, if needed.**

#### **Products:**

- Plan for Use of AB 2766 DMV Surcharge Funds**
- Screening RFP for grant projects**
- Detailed RFP for grant projects**
- Budget for External AB 2766 DMV Projects and Programs**
- Project proposal ranking and recommendations**
- Grant contract agreements**
- Grant Guidance**

## **WORK ELEMENT 10 - AB 2766 INTERNAL PROGRAMS**

### **Project 10.1 - Public Education**

#### **Purpose:**

**Reduce air pollution from motor vehicles and conduct related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988.**

**Notify the public when air quality is poor, educate the public on public health impacts, and how they can voluntarily improve air quality (episode curtailment).**

#### **Normal, Ongoing Work:**

**Issue predictions of the Air Quality Index (AQI) and recommended steps the public can take to protect themselves and help prevent the air from getting worse.**

**Issue public health advisories to local newspapers, radio stations, schools, recreation districts, hospitals, senior centers, convalescent hospitals, etc. when air pollution episodes occur. Advise on public health impacts of the pollutant of concern, how to avoid exposure, and what the public can do to help curtail an episode.**

**Speak to local businesses and service organizations on air quality issues and what they can do personally to reduce emissions of nonattainment pollutants.**

**Participate in radio, newspaper, and cable television interviews on air quality impacts on public health, and what the public can do voluntarily to reduce emissions of air pollution.**

**Promote public reporting of smoking vehicles to CARB, who will send violators a letter asking them to repair or scrap their vehicles.**

**Attend meetings of committees, coalitions, and forums related to clean fuels, clean air, and ozone transport to learn about what other areas are doing and to lobby upwind areas to do more to clean up their air (thus reducing the air pollution being transported to downwind areas, which impacts air quality and pollutant attainment status).**

**Develop pamphlets, flyers and inserts that can be used to convey the message of what the public can do to change their behavior in a way that reduces emissions of nonattainment pollutants.**

**Work with dealers of electric vehicles and super low emissions vehicles to promote their products in western Nevada County.**

#### **Products:**

**Daily AQI notifications.**

**CARB Smoking Vehicle Reports.**

**Notifications to affected parties of upcoming rules and regulations.**

**Pamphlets, fliers, inserts, and videos related to SPARE THE AIR AND AQI.**

**Report to ARB.**

## **WORK ELEMENT 10 – Carl Moyer INTERNAL PROGRAMS**

**Project 10.2 - Carl Moyer Air Quality Standards Attainment Program; Incentives for Lower Emission Heavy Duty Diesel Engines.**

**Purpose: Reduce emissions from heavy duty diesel engines.**

### **Normal, Ongoing Work:**

**Apply annually to ARB for grant funding.**

**Implement District Carl Moyer Program.**

**Promote the program locally.**

**Conduct workshops.**

**Review applications, on first come first served basis. Calculate cost-effectiveness for each project. Select most cost-effective projects.**

**Draft and approve contractual agreements for each project.**

**Inspect pre- and post-installations of engines.**

**Review reimbursement requests and issue reimbursement checks.**

**Track funds for each project.**

**Monitor maintenance records, fuel consumption, miles traveled (or hours operated) within and outside of District.**

**Report to ARB.**

**Follow changing program requirements as they develop.**

### **Products:**

**District Carl Moyer Program**

**Grant agreements.**

**Reduced diesel engine emissions.**

**Reports to ARB.**

## **WORK ELEMENT 11 - AIR MONITORING PROGRAM**

### **Project 11.1 - Air Monitoring**

#### **Purpose:**

**Required to determine attainment status for state and federal ambient air quality standards. Attainment status establishes the regulatory basis for and the scope of control strategies for industrial, area, and motor vehicle air pollution sources.**

#### **Normal, Ongoing Work:**

**Install and maintain air monitoring equipment.  
Conduct calibration, maintenance, equipment upgrades, and quality assurance checks on the instruments and data acquisition equipment.  
Collect data and reduce to data reporting formats.  
Investigate new technologies to reduce maintenance costs.  
Identify exceedances of the California Ambient Air Quality Standard (CAAQS) and National Ambient Air Quality Standard (NAAQS), and analyze and document the District's opinion on whether they are due to transport or natural events beyond the control of man.  
Flag data and prepare reports to justify the exclusion of data related to transport, prescribed burns, and/or natural events.  
Analyze monitoring data to determine air quality trends.  
Make recommendations on what monitoring is needed.  
Attend CAPCOA/CARB meetings and training related to air monitoring.  
Report to EPA through AIRS.  
Prepare NSAQMD Annual Air Monitoring Report for Board, public, and interested parties review.  
Bill CAPCOA/ARB/EPA for funding of the PM2.5 monitoring network.  
Maintain the PM2.5 monitoring network in accordance with the agreement with CAPCOA/ARB/EPA.**

#### **Products:**

**Data used to make the AQI predictions.  
Daily, monthly, quarterly, and annual reports to CARB.  
NSAQMD Annual Air Monitoring Report.  
Annual Agreement with ARB to conduct air monitoring in Quincy.  
Agreement with CAPCOA/ARB/EPA**

**To:** Northern Sierra Air Quality Management District Board of Directors  
**From:** Gretchen Bennett, Air Pollution Control Officer  
**Date:** January 28, 2019

**Agenda Item: IV.G**

**Agenda Description:** District Accomplishments 2018

**Issues:** The District's accomplishments for 2018 are attached. These are accomplishments above and beyond regular ongoing activities. All regular ongoing activities are also included for informational purposes.

**Requested Action:** Discuss and provide direction

**Attachments:**

1. Northern Sierra Air Quality Management Air District Accomplishments 2018



NORTHERN SIERRA AIR QUALITY MANAGEMENT AIR DISTRICT  
ACCOMPLISHMENTS 2018

**MISSION STATEMENT**

*Preserving air quality and protecting the public health and public welfare in Nevada, Plumas, and Sierra Counties.*

Very productive year for the District. District staff completed the following accomplishments above and beyond the normal, routine, ongoing activities.

1. Staff continued to implement a \$2.48 million federal grant from the EPA for a wood stove change-out program in the Plumas County PM2.5 Nonattainment Area.

The EPA had a goal of changing out 350 non-certified stoves by the end of 2018. The District changed out 280 stoves by December 31, 2018.

Staff involved: Julie Ruiz and Gretchen Bennitt

2. Staff worked extensively with EPA and CARB to modify the existing Portola Target Grant to include the changeout of fireplaces to certified woodstoves and to pay for repairs to certified woodstoves.

Staff involved: Julie Ruiz and Gretchen Bennitt

3. Staff worked extensively with EPA and CARB to apply for a new Target Grant for Portola for the amount of \$3.2 million.

Staff involved: Gretchen Bennitt and Julie Ruiz

4. Staff implemented a voluntary curtailment program for non EPA-certified wood stoves in Portola.

Staff Involved: Julie Ruiz

5. Staff hired specialists from accounting firms (Scinto and Associates and Rose Asquith Business) to amend and complete accounting for the District. District completed its 2017 financial audit with no findings.

Staff involved: Gretchen Bennitt

6. Staff developed a new position description, interviewed applicants and hired a new staff person – Accounting Technician/Administrative Assistant.

Staff involved: Gretchen Bennitt

7. Staff worked with CARB and EPA to prepare a RACT SIP document for Western Nevada county's Federal Ozone Nonattainment area.

Staff Involved: Sam Longmire

8. Staff worked extensively with CARB and EPA to complete and submit documents to EPA in order to avoid sanctions.

Staff involved: Sam Longmire

9. Staff implemented the woodsmoke reduction program, a program funded by the Cap and Trade statewide funding program. The program was a woodstove changeout program throughout all three counties of the Air District. Staff initially was granted \$ 225,000 Due to the efficiency of the program, staff was able to obtain additional amounts of funding for changeouts throughout the counties (\$75,000, \$50,000 and \$50,000). Staff was able to disburse all of the funding and changed out 114 stoves throughout the three counties.

Staff involved: Sam Longmire

10. Staff continued to meet regularly with EPA and CARB to implement the State Implementation Plan for the Portola Nonattainment Area. In December 2018, EPA proposed approval of the Portola SIP.

Staff involved: Gretchen Bennitt, Julie Ruiz.

11. Staff submitted quarterly reports on the woodstove changeout program to the EPA, as required by the grant.

Staff involved: Julie Ruiz and Gretchen Bennitt

12. Staff continued to work with the City of Portola to destroy old wood stoves. The District and the City have a signed memorandum of agreement which reimburses the City for destroying the stoves.

Staff involved: Julie Ruiz

13. The District administers the State's Carl Moyer Heavy Duty Diesel Program throughout all three counties in the District. This program is intended to provide incentives to owners of heavy duty diesel engines to retrofit these engines to lower emitting models. This is easily one of the most cost-effective and pollution reducing programs that the State sponsors and the District administers. Staff made modifications to the policy to include agricultural tractors to the program. This made the program very popular and competitive. Due to the increased competitiveness, the Board directed

staff to modify the competitive process prior to receipt of next year's funding cycle. This was accomplished and approved by the Board.

\$277,452 was disbursed during 2018.

Staff involved: Joe Fish and Gretchen Bennitt.

14. Staff was able to increase the grant funding for Carl Moyer like projects by applying for the CAPCOA program of Rural Assistance Program (RAP). Staff received an additional \$60,000 for a Carl Moyer Project from RAP.

Staff involved: Joe Fish

15. Staff was able to AGAIN increase the grant funding for Carl Moyer like projects by applying for the Nox Remediation Measure (NRM). Staff received an additional \$70,706 for a Carl Moyer like project from NRM.

Staff involved: Gretchen Bennitt

16. Staff worked extensively with the American Renewable Products (ARP) Biomass Facility in Loyalton.

Staff involved: Gretchen Bennitt, Julie Ruiz, Joe Fish

17. The District administers the State's AB2766 DMV surcharge grant money to worthwhile projects throughout all three counties of the District. This funding comes from a DMV surcharge fee for each registered vehicle in each county. Nevada and Plumas County charge a fee of \$4/vehicle. Sierra County charges a fee of \$2/vehicle.

Project proponents go through a sometimes competitive process to request full or partial sponsorship for projects which reduce vehicle emissions.

\$243,515 was disbursed during 2018. New proposals were accepted by the board for 2017/2018 projects, which total \$219,134.

Staff involved: Joe Fish and Gretchen Bennitt.

18. Staff has disbursed \$245,700 from a \$400,000 EPA settlement to woodstove replacements in the Plumas County PM2.5 Nonattainment Area.

Staff involved: Gretchen Bennitt

19. Staff successfully requested and received an additional \$18,000 from the U.S. EPA to use for monitoring equipment and web cams for the monitoring sites.

Staff involved: Joe Fish.

20. Julie Ruiz regularly participated in the Environmental Crimes Task Force meetings in Plumas county.
21. Gretchen Bennitt regularly participated in the Environmental Crimes Task Force meeting for Nevada/Placer counties.
22. Julie Ruiz regularly participated in the Plumas County Fire Safe Council meetings.
23. The Executive Director and the Board have continued to support local efforts to utilize biomass as a fuel to reduce smoke impacts from prescribed/residential open burning.
24. The Executive Director continued to be a Board Member on the Nevada County Fire Safe Council.
25. Sam Longmire tackled some challenging planning issues in Nevada County.
26. Joe Fish participated in CAPCOA Air Monitoring meetings.
27. Sam Longmire participated in CAPCOA Planning Managers Meetings
28. Julie Ruiz participated in CAPCOA Enforcement Managers Meetings
29. Gretchen Bennitt was re-elected as a member of the CAPCOA Board of Directors for 2019. Additionally, she was appointed as an officer of the CAPCOA Board of Directors.

**To:** Northern Sierra Air Quality Management District Board of Directors

**From:** Gretchen Bennitt, Air Pollution Control Officer

**Date:** January 28, 2019

**Agenda Item: V.A**

**Agenda Description: Closed Session Item** - Performance Evaluation of the Air Pollution Control Officer, Gretchen Bennitt (Government Code Section 54957).

**Issues:** The Executive Director's Annual Performance Evaluation is due. All Board members have been provided with a checksheet that will assist in determining her performance for the past year. Closed session will be provided for frank discussions concerning performance.

**Attachments:**

1. Northern Sierra Air Pollution Control Officer Evaluation Checksheet

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT  
BOARD EVALUATION OF  
AIR POLLUTION CONTROL OFFICER PERFORMANCE**

		<u>Unsatisfactory</u>	<u>Adequate</u>	<u>Good</u>	<u>Outstanding</u>
<b><u>RELATIONSHIP WITH BOARD OF DIRECTORS</u></b>					
1.	Keeps Board informed about issues, needs, and operations.	_____	_____	_____	_____
2.	Offers professional advice to Board on items requiring Board action, with appropriate recommendations based on thorough study and analysis.	_____	_____	_____	_____
3.	Interprets and executes the intent of Board policy.	_____	_____	_____	_____
4.	Supports Board policy and actions to the public and staff.	_____	_____	_____	_____
5.	Seeks and accepts constructive criticism of his work.	_____	_____	_____	_____
6.	Remains impartial, treating all Board members alike.	_____	_____	_____	_____
7.	Maintains an effective liaison between the Board and employees working toward a high degree of understanding and respect between staff and Board.	_____	_____	_____	_____
8.	Refrains from criticism of individual or group members of the Board.	_____	_____	_____	_____
9.	Feels free to maintain an independent opinion on matters under discussion by the Board until an official decision has been reached. Effectively implements subsequent Board action.	_____	_____	_____	_____
10.	Has a good working relationship with the Board.	_____	_____	_____	_____
<b><u>ADMINISTRATION OF THE DISTRICT</u></b>					
11.	Distinguishes between major and minor issues.	_____	_____	_____	_____
12.	Plans own time so that matters of greatest importance are dealt with thoroughly.	_____	_____	_____	_____
13.	Has strong organizational skills and is able to engage in short- and long-range planning.	_____	_____	_____	_____
14.	Encourages teamwork and creativity among employees.	_____	_____	_____	_____

**COMMUNITY AND INTERGOVERNMENTAL RELATIONSHIPS**

- 15. Works effectively with other governmental and private agencies. \_\_\_\_\_
- 16. Has gained respect and support of the community on the functioning of the District operation. \_\_\_\_\_
- 17. Gives attention to issues and opinions of all groups and individuals. \_\_\_\_\_
- 18. Develops cooperative relationships with news media. \_\_\_\_\_

**STAFF AND PERSONNEL RELATIONSHIPS**

- 19. Develops and executes sound personnel procedures and practices. \_\_\_\_\_
- 20. Develops good staff morale and loyalty. \_\_\_\_\_
- 21. Treats all personnel fairly, without favoritism or discrimination, while insisting on performance of duties. \_\_\_\_\_
- 22. Delegates authority to staff members appropriate to the position each holds. \_\_\_\_\_
- 23. Encourages participation of appropriate staff members and groups in planning, procedures, and policy implementation. \_\_\_\_\_
- 24. Evaluates performance of staff members, giving commendation for good work as well as constructive suggestions for improvement. \_\_\_\_\_
- 25. Takes an active role in development of salary schedules for all personnel, and recommends to the Board the levels which, within budgetary limitations, will best serve the interests of the District. \_\_\_\_\_
- 26. Within parameters set by the Board, provides overall guidance to the meet-and-confer process with employees. \_\_\_\_\_

**BUSINESS AND FINANCE**

- 27. Supervises operations, insisting on competent and efficient performance. \_\_\_\_\_
- 28. Recommends a realistic annual budget for District operations. \_\_\_\_\_
- 29. Evaluates financial need and makes recommendations for adequate financing. \_\_\_\_\_

**PERSONAL QUALITIES**

- |  |       |       |       |       |
|--|-------|-------|-------|-------|
| 30. Defends principle and conviction in the face of pressure and partisan influence.                     | _____ | _____ | _____ | _____ |
| 31. Maintains high standards of ethics, honesty, and integrity in all personal and professional matters. | _____ | _____ | _____ | _____ |
| 32. Earns respect and standing among professional colleagues.  | _____ | _____ | _____ | _____ |
| 33. Devotes time and energy effectively to job.  | _____ | _____ | _____ | _____ |
| 34. Demonstrates ability to work well with individuals and groups.                                       | _____ | _____ | _____ | _____ |
| 35. Maintains professional manner in the full range of professional activities.                          | _____ | _____ | _____ | _____ |
| 36. Writes clearly and concisely.  | _____ | _____ | _____ | _____ |
| 37. Speaks well in front of large and small groups, expressing ideas in a logical and forthright manner. | _____ | _____ | _____ | _____ |

**BOARD OBSERVATIONS**

Things the APCO does now that I would like him/her to continue:

Things the APCO does now that I would like him/her to discontinue:

Things the APCO does now that I would like him/her to do:

Any other observation you would like to share regarding the APCO's performance:

Board Member: \_\_\_\_\_

Date: \_\_\_\_\_