

8.0 1997 PM_{2.5} NONATTAINMENT AREA PLAN COMMITMENTS

Achieving the results shown in this Plan requires a commitment to implement the regulatory measures upon which the plan is based. The States and the District are taking action to implement regional measures to reduce emissions of PM_{2.5} and PM_{2.5} precursors. Tables 8-1, 8-2, and 8-3 provide information on the implementation of each measure by Maryland, Virginia and the District of Columbia.

Commitments for regulations required by the 40 CFR Part 51 are shown in Table 8-4.

9.1 Schedules of Adopted Control Measures

**Table 9-1
District of Columbia Schedule of Adopted Control Measures
Washington Nonattainment Area**

No.	Control Measure	Mandate	Regulation Number	Effective Date
	<i>Point Source Controls</i>			
5.1.1	RACT and Regional Transport Requirements	Federal Regulation	20 DCMR Sec. 805 20 DCMR Ch. 10 20 DCMR Chapter 11	11/19/93 1/20/2000 No later than Jan. 1, 2009
5.1.2	Opacity Regulations	Federal Regulation	20 DCMR 606	March 15, 1985
	<i>Area Source Controls</i>			
5.2.1	Seasonal Open Burning Restrictions	State Regulation	20 DCMR Sec. 604	2/1/85
	<i>Nonroad Source Controls</i>			
5.3.1	EPA Non-Road Gasoline Engines Rule	Federal Regulation	40 CFR parts 90 and 91	12/3/96
5.3.2	EPA Non-Road Diesel Engines Rule	Federal Regulation	40 CFR Part 9 et al.	Model Year 2000-2008 depending on engine size

No.	Control Measure	Mandate	Regulation Number	Effective Date
5.3.3	EPA Nonroad Spark Ignition Marine Engine Rule	Federal Regulation	40 CFR Parts 89, 90, 91	1998 Model Year
5.3.4	EPA Large Spark Ignition Engines Rule	Federal Regulation	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002
5.3.5	Emissions Controls for Locomotives	Federal Regulation	63 FR 18998	6/15/98
	<i>On-road Measures</i>			
5.4.1	High Tech Inspections & Maintenance	Federal Regulation	18 DCMR** Chapters 4, 6, 7, 10, 11; 26 DCMR Chapter 26	4/30/99
5.4.2	Federal Tier I Vehicle Standards and new Car Evaporative Standards	Federal Regulation	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
5.4.3	National Low Emissions Vehicle Program	Federal Regulation	20 DCMR, Sec 915	1/20/2000
5.4.4	Tier 2 Motor Vehicle Emission Standards	Federal Regulation	65 FR 6698	2/10/2000
5.4.5	Heavy-Duty Diesel Engine Rule	Federal Regulation	62 FR 54694	12/22/97

* This information was obtained from the District Department of the Environment.

**District of Columbia Municipal Regulations.

*** For measures not yet adopted, an anticipated schedule for adoption is provided.

**Table 9-2
Maryland Schedule of Adopted Control Measures
Washington Nonattainment Area**

No.	Control Measure	Mandate	Regulation Number	Effective Date
	<i>Point Source Controls</i>			
5.1.1	NOx Phase II Controls	Federal Regulation	26.11.27 & .28 26.11.29 & 30	10/18/99
5.1.1	Regional Transport Requirements	Federal Regulation	26.11.29.08 26.11.27	5/10/93 No later than Jan. 1, 2009
5.1.2	Opacity Regulations	Federal Regulation	26.11.01 26.11.06 26.11.07 26.11.08 26.11.09 26.11.10 26.11.12 26.11.18 26.11.20 26.11.25	July 22, 1991 July 18, 1980 January 2, 1980 April 17, 2000 May 28, 1968 May 28, 1968 June 8, 1981 February 10, 1984 November 19, 1983 September 24, 1984
	<i>Area Source Controls</i>			
5.2.1	Seasonal Open Burning Restrictions	State Regulation	26.11.07	5/22/95
	<i>Non-road Source Controls</i>			
5.3.1	EPA Non-Road Gasoline Engines Rule	Federal Regulation	40 CFR parts 90 and 91	12/3/96
5.3.2	EPA Non-Road Diesel Engines Rule	Federal Regulation	40 CFR Part 9 et al.	Model Year 2000-2008 depending on engine size
5.3.3	EPA Nonroad Spark Ignition Marine Engine Rule	Federal Regulation	40 CFR Parts 89, 90, 91	1998 Model Year
5.3.4	EPA Large Spark Ignition Engines Rule	Federal Regulation	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002

No.	Control Measure	Mandate	Regulation Number	Effective Date
5.3.5	Emissions Controls for Locomotives	Federal Regulation	63 FR 18998	6/15/98
	<i>On-road Source Controls</i>			
5.4.1	High Tech Inspections & Maintenance	Federal Regulation	11.14.08	1/2/95 & 1/1/2000
5.4.2	Federal Tier I Vehicle Standards and new Car Evaporative Standards	Federal Regulation	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
5.4.3	National Low Emissions Vehicle Program	Federal Regulation	26.11.20.04	3/22/99
5.4.4	Tier 2 Motor Vehicle Emission Standards	Federal Regulation	65 FR 6698	2/10/2000
5.4.5	Heavy-Duty Diesel Engine Rule	Federal Regulation	63 FR 54694	12/22/97

*This information was obtained from the Maryland Department of the Environment.

** For measures not yet adopted, an anticipated schedule for adoption is provided.

Table 9-3
Virginia Schedule of Adopted Control Measures
Washington Nonattainment Area

No.	Control Measure	Mandate	Regulation Number	Effective Date
	<i>Point Source Controls</i>			
5.1.1	State NOx RACT Requirements	Federal Regulation	9 VAC 5-40-310; 9 VAC 5-40-311	1/1/93
5.1.1	RACT and Regional Transport Requirements	Federal Regulation	By permit or compliance agreement 9 VAC 5 Chapter 130	6/25/98 No later than Jan.1, 2009
5.1.2	Existing Stationary Sources, Part II "Emission Standards" Article 1 "Visible Emissions and Fugitive Dust/Emissions (Rule 4-1)"	Federal Regulation	9 VAC 5 Chapter 40	March 17, 1972 Amended: February 1, 2003
5.1.2	New and Modified Stationary Sources Part II "Emission Standards" Article 1 "Visible Emissions and Fugitive Dust/Emissions (Rule 5-1)"	Federal Regulation	9 VAC 5 Chapter 50	August 9, 1975 Amended: February 1, 2003
	<i>Area Source Controls</i>			
5.2.1	Seasonal Open Burning Restrictions	State Regulation	9 VAC 5-40-5630	4/1/96
	<i>Non-road Source Controls</i>			
5.3.1	EPA Non-Road Gasoline Engines Rule	Federal Regulation	40 CFR parts 90 and 91	12/3/96
5.3.2	EPA Non-Road Diesel Engines Rule	Federal Regulation	40 CFR part 9 et al.	Model Year 2000-2008 depending on engine size
5.3.3	EPA Nonroad Spark Ignition Marine Engine Rule	Federal Regulation	40 CFR Parts 89, 90, 91	1998 Model Year
5.3.4	EPA Large Spark Ignition	Federal	40 CFR Parts 89,	11/8/2002

No.	Control Measure	Mandate	Regulation Number	Effective Date
	Engines Rule	Regulation	90, 91, 94, 1048, 1051, 1065, and 1068	
5.3.5	Emissions Controls for Locomotives	Federal Regulation	63 FR 18998	6/15/98
	<i>On-road Measures</i>			
5.4.1	High Tech Inspection & Maintenance	Federal Regulation	9 VAC 5 Chapter 91	4/2/97
5.4.2	Federal Tier I Vehicle Standards and new Car Evaporative Standards	Federal Regulation	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
5.4.3	National Low Emissions Vehicle Program	Federal Regulation	9 VAC 5-200	4/14/99
5.4.4	Tier 2 Motor Vehicle Emission Standards	Federal Regulation	65 FR 6698	2/10/2000
5.4.5	Heavy-Duty Diesel Engine Rule	Federal Regulation	63 FR 54694	12/22/97

*This information was obtained from the Virginia Department of Environmental Quality.

** For measures not yet adopted, an anticipated schedule for adoption is provided.

8.2 New Source Review Permitting

Section 173 of the Clean Air Act Amendments required the states in PM_{2.5} nonattainment areas to adopt major stationary source permitting thresholds of 100 tpy for any regulated New Source Review pollutant, including PM_{2.5}. Maryland, Virginia and the District of Columbia adopted these measures, listed in Table 8-4, on the schedule shown.

Major modification thresholds in PM_{2.5} nonattainment areas are for net significant emissions increases of more than 10 tpy PM_{2.5} or 15 tpy PM₁₀ from any existing major facility.

Additional requirements for NSR permitting include the generation or purchase of PM_{2.5} offsets, at a ratio of one to one, and the implementation of Lowest Achievable Emissions Rate (LAER) for new or modified units.

Table 8-4
Stationary Source Permitting Revisions
Washington Nonattainment Area

State	Control Measure	Regulation Number	Effective Date
Maryland	Control of NO _x Emissions for Major Stationary Sources	COMAR 09.08	Adoption: 10/03
Virginia	Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas or the Ozone Transport Region.	9 VAC 5-80 Part II Article 9	PM offset requirement adopted 2/27/02; effective 9/1/06. PM PM _{2.5} significance level adopted 6/21/06, effective 9/1/06.
District of Columbia	Major Source Thresholds	20 DCMR Sections 715.2,715.3,715.4	8/29/03

8.3 RACT Applicability

40 CFR 51.1010 notes that for each PM_{2.5} nonattainment area, a SIP revision demonstrating that all reasonably available control measures, including RACT for stationary sources, necessary to demonstrate attainment as expeditiously as practicable have been adopted. The section of the implementation rule goes on to state that potential measures that are reasonably available considering technical and economic feasibility must be adopted as RACM if, considered collectively, they would advance the attainment date by one year or more. As discussed in Section 7.2.1, the states determined that there are no additional control measures that could be adopted by January 1, 2008. Further, existing measures, and those planned for implementation by 2009, are expected to enable the region to continue to demonstrate compliance with the PM_{2.5} NAAQS (1997) through the 2009 attainment date. As such, no further actions on RACT is warranted.

8.4 Revision of New Source Review (NSR) Regulations

In the near future, EPA intends to promulgate further PM_{2.5} nonattainment requirements, including requirements for precursor emissions, controls and offsets. When these regulations are finalized, state agencies will adopt these changes into their respective state implementation plans.