

# **Metropolitan Washington Air Quality Committee**

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January 26, 2007

Honorable Catherine Hudgins, Chair  
National Capital Region Transportation Planning Board  
777 North Capitol Street, NE  
Washington, D.C. 20002

Dear Chair Hudgins:

As TPB members know, the Metropolitan Washington Air Quality Committee (MWAQC) is preparing a State Implementation Plan (SIP) due to EPA by June 2007. The SIP is a plan to meet the Clean Air Act requirements for attaining EPA's 8-hour ozone National Ambient Air Quality Standard. A contingency plan is a SIP requirement (see attachment) and one that the Washington region is unable to meet without assistance from the transportation sector.

The SIP contingency plan will take effect in the event the region fails to meet the ozone standard by September 2009. EPA would notify the states in 2010 of the region's failure to meet the ozone standard and the region would be required, without further action by the States or EPA, to implement reduction measures providing 13-16 tons of VOC and/or NOx reductions by 2011.

It is very important that the contingency plan be included in the draft SIP by mid-February. In early March the draft SIP will go to MWAQC to be approved for public hearings. The draft SIP will be establishing new mobile source emissions budgets for 2008, a Reasonable Further Progress requirement, and for 2009, the attainment year.

MWAQC is working to finalize the list of emissions reductions for the contingency plan and to use as much reduction as can possibly be obtained from non-mobile measures. At this time, reductions from the non-mobile measures amount to about sixty to seventy percent of the required contingency reduction. It appears that mobile source contributions will be needed to meet the target amount of reductions. Mobile reductions of up to 9 tons per day of NOx will be needed to meet the target for contingency. The exact amount of reductions will depend on EPA decisions regarding credit for the proposed non-mobile measures.

Based on discussions with EPA, state Departments of Transportation, and TPB staff, we believe that considerable mobile NOx reductions on the order of 14 tons per day will be generated between 2009 and 2010 in the Washington region. These mobile NOx reductions are benefits from currently adopted federal vehicle and fuel technology control standards. A part of these of these reductions, up to 9 tons per day of NOx could be credited towards the total amount of contingency reductions for the SIP.

The SIP process for establishing mobile NOx credits for contingency would be to set new emissions budgets for the mobile sector for 2010. The new mobile emissions budgets would be the 2009 mobile budgets less the amount of NOx reductions set aside for contingency. The additional NOx reductions will be needed only if the region does not attain the 8 hour ozone standard by September 2009 and is notified by the EPA to implement the contingency measures in the SIP. Consultations with EPA staff indicate that this approach would be allowed.

On behalf of MWAQC, I ask your support for this proposal and ask you to authorize COG's Department of Transportation Planning staff to work with MWAQC staff to finalize the contingency plan element of the 8-hour ozone SIP including new 2010 mobile source emissions budgets. Timing is of the essence in order to complete the SIP by the deadline. Please respond no later than February 21, 2007, so that MWAQC can finalize the draft SIP at its March 15, 2007 meeting.

Thank you for considering this request to contribute mobile emissions reductions to the SIP in the event that the region does not attain the 8-hour ozone standard. As always, we appreciate your contributions to improving the air quality in the Metropolitan Washington region.

Sincerely,

A handwritten signature in black ink that reads "Nancy Floreen". The signature is written in a cursive style. To the right of the signature is a vertical red line.

Nancy Floreen, Chair  
Metropolitan Washington Air Quality Committee

## **Attachment**

### **Clean Air Act Amendments of 1990**

CAA 182(c)(9) "Contingency provisions. In addition to the contingency provisions required under section 172(c)(9), the plan revision shall provide for the implementation of specific measures to be undertaken if the area fails to meet any applicable milestone. Such measures shall be included in the plan revision as contingency measures to take effect without further action by the State or the Administrator upon a failure by the State to meet the applicable milestone."

### **EPA Guidance**

"The CAAA preamble requires that the contingency measures generally must provide reductions of 3 percent of the emissions from the adjusted base year inventory. The reductions must be achieved in the year following that in which the failure has been identified. Three percent represents one year's worth of reductions under the post 1996 rate-of-progress requirement. EPA has determined that States must adopt a minimum of 0.3 percent in VOC measures of the 3 percent contingency measure requirement to be legally defensible. The minimum contingency plan could contain up to 2.7% of the baseline NOx emissions." (appendix D of the Post-1996 Rate of Progress Plan and Attainment Demonstration Guidance).