

U.S. Environmental Protection Agency - Region 9

FACT SHEET

**Finding of Failure to Submit
Clean Air Act PM-10 Requirements - Section 189(d)
San Joaquin Valley, California**

March 7, 2003

Today's Action

- EPA is today issuing a finding that the State of California has failed to submit a plan for the San Joaquin Valley which demonstrates a 5% annual reduction in PM-10 or PM-10 precursor emissions until attainment (5% attainment plan). Section 189(d) of the Clean Air Act requires a 5% attainment plan for areas which have failed to attain by their applicable attainment date. The San Joaquin Valley's attainment date was December 31, 2001 and their 5% attainment plan was due on December 31, 2002.
- EPA understands that the Valley plans to adopt and submit a PM-10 plan which addresses the section 189(d) requirements by May 2003.
- Today's action will begin a set of sanctions and Federal Implementation Plan (FIP) clocks for the Valley. California must make the required submittals by September 2004 to avoid more stringent requirements for new sources and by March 2005 to avoid highway sanctions. Furthermore, EPA must approve the submittals by March 2005 to avoid promulgating a federal plan.

Background

- The San Joaquin Valley acquired a designation of "moderate nonattainment" for PM-10 on the date of enactment of the 1990 Clean Air Act Amendments. On January 8, 1993, EPA determined that the San Joaquin Valley could not achieve clean air by the deadline for moderate areas and so reclassified the San Joaquin Valley to "serious."
- In 1997, the State submitted a serious area PM-10 attainment plan for the San Joaquin Valley to EPA; however, the State withdrew this plan from EPA consideration in February 2002. This withdrawal led EPA to issue a finding of failure to submit the San Joaquin Valley's serious area plan requirements in February 2002.
- Following the passage of the serious area attainment date of December 31, 2001, EPA issued a finding of failure to attain the PM-10 standard for the San Joaquin Valley.
- For areas which fail to attain the PM-10 standard by the applicable attainment date, CAA section 189(d) requires a 5% attainment plan submittal within one year of the attainment date. As discussed above, for the San Joaquin Valley, this plan was due on December 31, 2002.

Air Quality in the San Joaquin Valley

- The San Joaquin Valley is one of only eight serious PM-10 nonattainment areas in the country.
- Comparing PM-10 levels statewide, the San Joaquin Valley has 3 of the 15 worst violating monitors in the State.

- PM-10 concentrations recorded over the last few years in Corcoran and Bakersfield have been more than 35% above the federal health standard.
- Particulate matter can accumulate in the respiratory system or penetrate deeply into the lungs and can contribute to health effects such as asthma, decreased lung function and alterations in respiratory tract defense mechanisms.

Further Information

- A copy of the final notice will soon be available in the Air Programs section of EPA Region 9's website, <http://www.epa.gov/region09/air/>.
- For more information, please contact Doris Lo, U.S. EPA Region 9, Air Planning Office, at 415-972-3959; lo.doris@epa.gov.