

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 9



**FACT SHEET
NOTICE OF FINAL RULEMAKING
Partial Approval/Partial Disapproval of Ozone Attainment Plan
and
Finding of Failure to Attain
San Francisco Bay Area, CA**

August 29, 2001

Today's Announcement

- Late yesterday, EPA approved parts and disapproved parts of the San Francisco Bay Area Ozone Attainment Plan (1999 Plan). EPA also made a finding that the Bay Area failed to meet its deadline to attain the 1-hour national ozone standard. These actions were originally proposed on March 30, 2001 at 66 FR 17379 .

Background

- In July 1998, EPA formally declared that the Bay Area's air was not meeting the federal health standard for ozone. EPA set an attainment deadline of November 15, 2000 and required the State and local air quality planning agencies to come up with a strategy to meet that deadline.
- In August 1999, the California Air Resources Board (CARB) submitted on behalf of the Bay Area Air Quality Management District (BAAQMD), the Metropolitan Transportation Commission (MTC), and the Association of Bay Area Governments (ABAG) an ozone attainment plan, the 1999 Plan.
- Under Federal law, EPA was required to either approve or disapprove the 1999 Plan by October 28, 2000. EPA missed that deadline.

How Polluted is the Air in the Bay Area?

- While air quality in the Bay Area is improving, there continue to be days when ozone levels exceed Federal health standards. There has been one exceedance day so far this year. Last year, the Bay Area exceeded the federal ozone standard on 3 days. In 1999, there were also 3 exceedance days. In 1998, there were 8.
- Unlike stratospheric ozone, ground-level ozone (the prime ingredient of smog) is harmful to public health. Exposure, even at relatively low levels, can cause respiratory symptoms such as a reduction in lung function, chest pain, and cough. Repeated exposure can make people more susceptible to respiratory infection and lung inflammation, and can aggravate

preexisting respiratory diseases.

- There are a number of sources that contribute to ozone formation, including how much and how fast people drive their cars; the age, type, and maintenance of vehicles on the road; and industrial sources such as factory production, power plants, and refineries.

Why was the 1999 Plan Unsuccessful?

- The 1999 Plan led to tangible control measures, but the emissions reductions associated with those measures were not sufficient to prevent ozone levels from exceeding the federal standard in the 2000 attainment year.

What are the outcomes of this rulemaking?

- There are potential penalties associated with yesterday's partial disapproval. Upon its effective date, the partial plan disapproval triggers a freeze on the approval of new or amended transportation plans and programs. It also starts an 18-month clock for New Source Review offset sanctions, a 2-year clock for highway funding sanctions, and a 2-year clock for EPA to develop a federal implementation plan (FIP). EPA expects these penalties to be lifted before any adverse impacts are felt based on progress the State and local agencies have made to correct the 1999 Plan deficiencies.
- The failure to attain finding establishes the requirement for a new ozone attainment plan. The new plan is due 1 year after the effective date of this rulemaking and must demonstrate attainment by no later than fall 2006.
- This rulemaking has resulted in a number of positive developments. The State and local air quality and transportation agencies have committed to improved science, further emissions reductions, and greater public involvement in future plans.

Further Information

- A copy of yesterday's final rulemaking is available in the Air Programs section of EPA Region IX's website, <http://www.epa.gov/region09/air/sfbayoz/>.
- For more information, contact Celia Bloomfield at (415) 744-1249 or bloomfield.celia@epa.gov.