



South Coast Air Quality Management District

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July 19, 2024

Honorable Steve Cliff, Ph.D.
Executive Officer
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Re: Withdrawal of the Final Contingency Measure Plan for Attainment of the 1997 80 ppb 8-Hour Ozone Standard in the South Coast Air Basin

Dear Dr. Cliff,

The South Coast AQMD requests that the California Air Resources Board (CARB) withdraw the Final Contingency Measure Plan (CMP) for Attainment of the 1997 Ozone Standard in the South Coast Air Basin from the U.S. EPA.

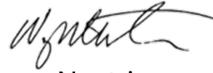
The CMP was submitted to CARB in December 2019 following its adoption by the South Coast AQMD Governing Board.¹ CARB subsequently submitted the CMP to U.S. EPA later that month. The CMP was developed to address requirements at the time under section 182(e)(5) of the Clean Air Act (CAA). Following submission of the CMP to U.S. EPA, South Coast AQMD filed suit against U.S. EPA for failing to take final action on this State Implementation Plan (SIP) revision. U.S. EPA entered into a consent decree with South Coast AQMD and a group of environmental advocacy organizations to take final action on the CMP by July 31, 2024.

Over the past several months, staff and executive management from South Coast AQMD, CARB, and U.S. EPA have met frequently to discuss actions each agency can take to attain all ozone standards in the South Coast Air Basin, including the 1997 standard. As we understand, these actions will be memorialized in a joint statement from all three agencies, and in supporting letters detailing intended future actions from each agency. We also expect that U.S. EPA will soon issue a proposed notice of Failure to Attain the 1997 ozone standard in 2023. This action, once finalized, is expected to trigger Clean Air Act (CAA) Section 185 fees (covered under South Coast AQMD Rule 317.1 – Clean Air Act Nonattainment Fees for 8-Hour Ozone Standards) as well as a contingency measure under CAA Section 172(c)(9) (covered under South Coast AQMD Rule 445 - Wood Burning Devices). It is South Coast AQMD's understanding that all three agencies intend to pursue these actions, and that by withdrawing the CMP, U.S. EPA will not impose a sanctions clock for this action.

¹ Contingency Measure Plan is available at: <https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/1997-ozone-contingency-measure-plan/1997-8-hour-ozone-draft-contingency-measure-plan---120619.pdf>

We look forward to continuing the important work of improving air quality with CARB and U.S. EPA. If you have any questions or would like to discuss these issues, please contact either myself or Dr. Sarah Rees (srees@aqmd.gov), Deputy Executive Officer for Planning, Rule Development, and Implementation.

Sincerely,



Wayne Natri
Executive Officer
South Coast AQMD

cc (email):

Edie Chang, CARB

Joe Goffman, U.S. EPA, Office of Air and Radiation

Alejandra Nunez, U.S. EPA, Office of Air and Radiation

Martha Guzman, U.S. EPA, Region IX

Matt Lakin, U.S. EPA, Region IX