

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[CA286-0404A; FRL-7518-1]****Approval and Promulgation of State Implementation Plans; California—San Joaquin Valley Ozone Nonattainment Area****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: EPA is proposing to approve a state implementation plan (SIP) revision submitted by the State of California regarding the San Joaquin Valley ozone nonattainment area (San Joaquin Valley). The submittal revises commitments for adoption of control measures for attaining the 1-hour ozone national ambient air quality standard (NAAQS). EPA is proposing to approve the SIP revision under provisions of the Clean Air Act (CAA or the Act) regarding EPA action on SIP submittals. EPA is also proposing to find that the adoption and implementation of the measures that are the subject of this SIP revision correct a previous finding regarding non-implementation of the SIP. If finalized, this finding would terminate the sanctions and FIP clocks associated with the previous finding.

DATES: Written comments on this proposal must be received by July 24, 2003.

ADDRESSES: Comments should be addressed to the EPA contact listed below. The rulemaking docket for this notice may be inspected by appointment at: EPA Region 9, Air Division Planning Office, 75 Hawthorne Street, San Francisco, CA.

Copies of the SIP materials are also available for inspection at the following locations: California Air Resources Board, 1001 I Street, Sacramento, CA. San Joaquin Valley Unified Air Pollution Control District, 1990 East Gettysburg, Fresno, CA.

FOR FURTHER INFORMATION CONTACT: Doris Lo at (415) 972-3959, lo.doris@epa.gov, or EPA Region 9 (AIR-2), 75 Hawthorne Street, San Francisco, California 94105-3901.

SUPPLEMENTARY INFORMATION:**I. Background**

When the CAA was amended in 1990, each area of the Country that was designated nonattainment for the 1-hour ozone standard was classified by the severity of the area's air quality problem. See CAA sections 107(d)(1)(C) and 181(a). The San Joaquin Valley¹ was initially classified as "serious" with an attainment date of no later than November 15, 1999. See 56 FR 56694 (November 6, 1991) and CAA section 181(a)(1).

On November 15, 1994, the California Air Resources Board (CARB) submitted an ozone SIP for the San Joaquin Valley (1994 SIP). On January 8, 1997 (62 FR 1149), EPA published a final approval of the 1994 SIP which included, among

other things, a list of commitments to adopt and implement 19 local control measures for volatile organic compounds (VOC) and oxides of nitrogen (NO_x), a rate of progress (ROP) demonstration and an attainment demonstration.

On November 8, 2001 (66 FR 56476), EPA found that the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or District) had failed to implement six of the 19 control measure commitments in the 1994 SIP. On the effective date of this finding (December 10, 2001), an 18 month 2:1 offset sanction clock and a 2-year highway sanction and FIP clock were started pursuant to CAA sections 110(c) and 179. In order to terminate these clocks, EPA stated that the SJVUAPCD must adopt and implement the six control measures by November 15, 2002.

II. 2001 SIP Amendment

On June 11, 2002, CARB submitted the San Joaquin Valley 2001 Amendment to the 1994 ozone SIP (2001 Amendment). This submittal became complete by operation of law pursuant to CAA section 110(k)(1)(B) on December 11, 2002. The purpose of the 2001 Amendment was primarily to address EPA's non-implementation finding and to reflect more accurate information gathered during the rule development process. Table 1 summarizes the relevant commitments in the 1994 SIP and the commitments in the 2001 Amendment.

TABLE 1

Rule	1994 SIP			2001 Amendment		
	Adopt	Implement	TPD	Adopt	Implement	TPD
4601, Architectural Coatings	1Q/96	1Q/98	1.51 (VOC)	10/31/01	11/30/01	1.3 (VOC)
4662, Organic Solvent Degreasing	1Q/96	1Q/98	2.44 (VOC)	4/2001	5/2001	11.28 (VOC)
4692, Commercial Charbroiling	2Q/96	2Q/98	0.39 (VOC)	3/31/02	4/30/02	0.39 (VOC)
4623, Organic Liquid Storage	2Q/91	2Q/96	13.2 (VOC)	12/20/01	1/20/02	0.2 (VOC)
4411, Oil Production Well Cellars	2Q/96	2Q/98	0.56 (VOC)	none	none	none
4663, Organic Solvent Waste *	2Q/96	2Q/96	0.19 (VOC)	12/20/0	1/20/02	*0.73 (VOC)
4412, Oil Workover Rigs	2Q/96	2Q/98	0.87 (NO _x)	none	none	none
4703, Stationary Gas Turbine Engines	4/19/02	5/19/02	1.8 (NO _x)

* This estimated reduction also includes reductions from related modifications to Rules 4602, 4603, 4604, 4605, 4606, 4607, 4653, 4661, 4662, 4663 and 4684.

The District deleted the commitment for rule 4411 after evaluating an analogous but more stringent existing California requirement (see title 14, California Code of Regulations, section 1774). Similarly, the District deleted the commitment for rule 4412 because it was preempted by CARB's adoption of

the Statewide Portable Equipment Registration Program (see 13 CCR 2450-2466). The 1.8 ton/day emission reduction in rule 4703 is a new commitment in the 2001 Amendment and, as such, does not replace a prior commitment.

Some of the control measures that are the subject of commitments in the 2001 Amendment achieve more emission reductions than their analogues in the 1994 SIP, while others achieve fewer. The cumulative emission reductions achieved by the six measures in the 2001 Amendment (13.9 ton/day VOC

¹ The San Joaquin Valley ozone nonattainment area includes the following counties in California's

central valley: San Joaquin, part of Kern (see 66 FR

56476), Fresno, Kings, Madera, Merced, Stanislaus and Tulare.