

Emissions Statement Certification

Section 182(a)(3)(B) of the Clean Air Act (CAA) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of oxides of nitrogen (NO_x) or volatile organic compounds (VOC). Specifically, section 182(a)(3)(B)(i) of the CAA requires air agencies to submit to the U.S. EPA a revision to the State Implementation Plan (SIP) requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NO_x and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the CAA allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NO_x if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the U.S. EPA or other methods acceptable to the U.S. EPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The emissions statement requirement for the 70 parts per billion (ppb) 8-hour ozone standard are described in *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998, December 6, 2018). If a nonattainment area has a previously-approved emissions statement rule in force for a previous 8-hour or 1-hour ozone standard covering all portions of the nonattainment area for the 70 ppb 8-hour ozone standard, the existing rule should be sufficient for the 70 ppb 8-hour ozone standard. If the existing rule does not meet section 182(a)(3)(B) requirements, a revised or new rule would have to be submitted as part of the current ozone SIP.

South Coast AQMD Rule 301, Permitting and Associated Fees, fulfills the CAA section 182(a)(3)(B) emissions statement requirements. To address this requirement for the 2008 ozone standard, South Coast AQMD Rule 301 was amended on July 12, 2019, submitted to U.S. EPA on August 5, 2019 and approved by U.S. EPA for inclusion into the SIP on October 31, 2019 (84 FR 52005). The boundaries of the South Coast Air Basin and the Coachella Valley nonattainment areas for the 70 ppb 8-hour ozone standard are the same as those for the 75 ppb 2008 ozone standard. The South Coast AQMD has reviewed existing Rule 301 to ensure it is adequate and, based on the rationale in the table below, determined that the existing rule is adequate to meet the section 182(a)(3)(B) emissions statement requirements for the 70 ppb 8-hour ozone standard.

The South Coast AQMD hereby certifies that the existing provisions of Rule 301 adequately meet the emissions statement requirements of section 182(a)(3)(B) of the CAA for the purposes of the 70 ppb 8-hour ozone standard, and that no revision of the rule is required.

Rationale that South Coast AQMD Rule 301 is adequate to meet the requirements of CAA 182(a)(3)(B) for the 70 ppb 8-hour ozone standard

| CAA 182(a)(3)(B) Requirements | South Coast AQMD Rule 301 Provision¹ |
|--|---|
| <p>CAA 182(a)(3)(B)(i)</p> <p>“Within 2 years after November 15, 1990, the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source.”</p> | <p>Rule 301 paragraph (e)(2)²</p> <p><i>All major stationary sources of NOx and VOC, as defined in Rule 317, shall annually report and pay the appropriate clean air act non-attainment fees for all actual source emissions including but not limited to permitted, unpermitted, unregulated and fugitive emissions. Each facility subject to subparagraph (e)(1)(B) shall annually report all emissions for all pollutants listed in paragraph (e)(5) and Table IV and incur an emissions fee as prescribed in Table III. Non-permitted emissions which are not regulated by the District shall not be reported and shall be excluded from emission fees if the facility provides a demonstration that the emissions are not regulated and maintains sufficient records to allow the accurate demonstration of such non-regulated emissions.</i></p> |
| <p>“The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter.”</p> | <p>Rule 301 subparagraph (e)(8)(A)²</p> <p><i>(A) The owner/operator of equipment subject to paragraph (e)(2) shall report to the Executive Officer the total emissions for the immediate preceding reporting period of each of the air contaminants listed in Table III and Table IV from all equipment. The report shall be made at the time and in the manner prescribed by the Executive Officer. The permit holder shall report the total emissions for the twelve (12) month period reporting for each air contaminant concerned from all equipment or processes, regardless of the quantities emitted.</i></p> |
| <p>“The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.</p> | <p>Rule 301 subparagraph (e)(8)(D)</p> <p><i>The reported emissions shall be certified by an authorized official. For purposes of reporting, an “authorized official” is defined as an individual who has knowledge and responsibility for emissions data and has been authorized by an officer of the permit holder to submit and certify the accuracy of the data presented in the emissions report on behalf of the permit holder, based on best available knowledge.</i></p> |

¹ Rule 301 was submitted to U.S. EPA on August 5, 2019 and approved by U.S. EPA into the SIP on October 31, 2019.

² <http://www.aqmd.gov/docs/default-source/rule-book/reg-iii/rule-301-July-2019.pdf?sfvrsn=4>.

| CAA 182(a)(3)(B)(ii) | | | | | | | | | | | | | | | | | | | | | |
|--|---|----------------------------|----------------------------|--|--------|--|--------|--|--------|--|--------|--------------------------|--------|-----------------|----------|---------|----------|---------------------|----------------|-----------------------|----------------|
| <p>“The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs (1) or (3)(A), provides an inventory of emissions from such class or category of sources based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator.”</p> | <p>Rule 301 applies to facilities exceeding the thresholds set forth in paragraph (e)(5) as listed below:</p> <p>Emission Fee Thresholds</p> <table border="1"> <thead> <tr> <th>Air Contaminant(s)</th> <th>Annual Emissions Threshold</th> </tr> </thead> <tbody> <tr> <td>Gaseous sulfur compounds (expressed as sulfur dioxide)</td> <td>≥4 TPY</td> </tr> <tr> <td>Total organic gases (excluding methane and exempt compounds as defined in Rule 102, and specific organic gases as specified in subdivision(b))</td> <td>≥4 TPY</td> </tr> <tr> <td>Specific organic gases as specified in subdivision (b)</td> <td>≥4 TPY</td> </tr> <tr> <td>Oxides of nitrogen (expressed as nitrogen oxide)</td> <td>≥4 TPY</td> </tr> <tr> <td>Total particulate matter</td> <td>≥4 TPY</td> </tr> <tr> <td>Carbon monoxide</td> <td>≥100 TPY</td> </tr> <tr> <td>Ammonia</td> <td>>0.1 TPY</td> </tr> <tr> <td>Chlorofluorocarbons</td> <td>>1 lb per year</td> </tr> <tr> <td>1,1,1 Trichloroethane</td> <td>>1 lb per year</td> </tr> </tbody> </table> | Air Contaminant(s) | Annual Emissions Threshold | Gaseous sulfur compounds (expressed as sulfur dioxide) | ≥4 TPY | Total organic gases (excluding methane and exempt compounds as defined in Rule 102, and specific organic gases as specified in subdivision(b)) | ≥4 TPY | Specific organic gases as specified in subdivision (b) | ≥4 TPY | Oxides of nitrogen (expressed as nitrogen oxide) | ≥4 TPY | Total particulate matter | ≥4 TPY | Carbon monoxide | ≥100 TPY | Ammonia | >0.1 TPY | Chlorofluorocarbons | >1 lb per year | 1,1,1 Trichloroethane | >1 lb per year |
| | Air Contaminant(s) | Annual Emissions Threshold | | | | | | | | | | | | | | | | | | | |
| | Gaseous sulfur compounds (expressed as sulfur dioxide) | ≥4 TPY | | | | | | | | | | | | | | | | | | | |
| | Total organic gases (excluding methane and exempt compounds as defined in Rule 102, and specific organic gases as specified in subdivision(b)) | ≥4 TPY | | | | | | | | | | | | | | | | | | | |
| | Specific organic gases as specified in subdivision (b) | ≥4 TPY | | | | | | | | | | | | | | | | | | | |
| | Oxides of nitrogen (expressed as nitrogen oxide) | ≥4 TPY | | | | | | | | | | | | | | | | | | | |
| | Total particulate matter | ≥4 TPY | | | | | | | | | | | | | | | | | | | |
| | Carbon monoxide | ≥100 TPY | | | | | | | | | | | | | | | | | | | |
| | Ammonia | >0.1 TPY | | | | | | | | | | | | | | | | | | | |
| | Chlorofluorocarbons | >1 lb per year | | | | | | | | | | | | | | | | | | | |
| 1,1,1 Trichloroethane | >1 lb per year | | | | | | | | | | | | | | | | | | | | |
| <p>In its submissions under CAA 182 (a)(1) or 182(a)(3)(A), California Air Resources Board provides an inventory of emissions from stationary sources which emit less than four tons per year of volatile organic compounds or oxides of nitrogen.</p> | | | | | | | | | | | | | | | | | | | | | |