SAN DIEGO CONFORMITY WORKING GROUP
The San Diego Conformity Working Group may take action on any item appearing on this agenda.

Wednesday, December 4, 2013
10:30 a.m. to 12 noon
SANDAG, Conference Room 7D
401 B Street, Suite 800
San Diego, CA 92101-4231

Staff Contact: Rachel Kennedy
(619) 699-1929
rachel.kennedy@sandag.org

AGENDA HIGHLIGHTS

- SAN DIEGO FORWARD: THE REGIONAL PLAN SCHEDULE AND INTERAGENCY CONSULTATION
- 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM DRAFT SCHEDULE

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To request this document or related reports in an alternative format, please call (619) 699-1900, (619) 699-1904 (TTY), or fax (619) 699-1905.
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| 2.     | SUMMARY OF MARCH 6, 2013, MEETING  
The summary of the March 6, 2013, San Diego Conformity Working Group (CWG) meeting is attached. The CWG is asked to review the meeting summary.  |
| 3.     | PUBLIC COMMENTS/COMMUNICATIONS  
Members of the public will have the opportunity to address the Working Group during this time.  |
| 4.     | SAN DIEGO FORWARD: THE REGIONAL PLAN SCHEDULE AND INTERAGENCY CONSULTATION  
SANDAG is currently working on the development of San Diego Forward: The Regional Plan. Staff will provide updates on the following items:  
+A. San Diego Forward: The Regional Plan Schedule  
+B. The 2050 Regional Growth Forecast  
+C. Transportation Modeling (see [www.sandag.org/ABM](http://www.sandag.org/ABM))  |
| 5.     | 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM DRAFT SCHEDULE  
Staff will present the draft schedule for the development of the 2014 Regional Transportation Improvement Program.  |
| 6.     | EMFAC2011 AND DEVELOPMENT OF NEXT VERSION OF EMFAC  
On March 6, 2013, the U.S. Environmental Protection Agency (EPA) approved the EMFAC2011 Motor Vehicle Emission Factor Model for conformity purposes. All new regional emissions analysis and CO, PM 10, and PM 2.5 hot-spot analyses that are started on or after September 6, 2013, must use EMFAC2011. California Air Resources Board staff will update the CWG on the development of the next version of the EMFAC model.  |
+7. **REDESIGNATION OF SAN DIEGO COUNTY TO ATTAINMENT FOR THE 1997 8-HOUR OZONE STANDARD**

On June 4, 2013, the EPA published the Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of California; Redesignation of San Diego County to Attainment for the 1997 8-Hour Ozone Standard in the Federal Register as a final rule. The rule took effect on July 5, 2013. The budgets included in the plan were found adequate for use in conformity determinations effective April 5, 2013.

+8. **IMPLEMENTATION OF THE 2008 NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE: STATE IMPLEMENTATION PLAN REQUIREMENTS RULE**

On May 29, 2013, the EPA proposed a rule that would address a range of implementation requirements for the 2008 National Ambient Air Quality Standards for ground-level ozone. The proposed rule was published in the Federal Register on June 6, 2013, and the public comment period closed on September 4, 2013. EPA staff will provide an update on this rule.

9. **OTHER BUSINESS**

10. **ADJOURNMENT AND NEXT MEETING**

    The next meeting of the CWG is scheduled for February 5, 2014, from 10:30 a.m. to 12 noon at SANDAG.
SUMMARY OF MARCH 6, 2013, MEETING

ITEM #1: INTRODUCTIONS

Self-introductions were made. See attached attendance list.

ITEM #2: SUMMARY OF MARCH 6, 2013, MEETING

Rachel Kennedy, SANDAG, asked the Conformity Working Group (CWG) to review the meeting summary. No comments were made.

ITEM #3: PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

No public comments were made.

ITEM #4: DRAFT AIR QUALITY CONFORMITY ANALYSIS FOR THE 2012 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT NO. 2 AND 2050 REGIONAL TRANSPORTATION PLAN CONFORMITY REDETERMINATION

Ms. Kennedy provided a summary of the Draft Air Quality Conformity Analysis for the 2012 Regional Transportation Improvement Program (2012 RTIP) Amendment No. 2 and 2050 Regional Transportation Plan Conformity Redetermination document.

The U.S. Environmental Protection Agency (EPA) designated the San Diego region as a marginal nonattainment area for the 2008 Ozone National Ambient Air Quality Standard, effective July 20, 2012. The San Diego region is required to demonstrate transportation conformity to the new standard by July 20, 2013. The CWG will discuss the draft air quality conformity document to redetermine conformity of the 2050 RTP and determine conformity of the 2012 RTIP Amendment No. 2.

On October 28, 2011, the SANDAG Board made a finding of conformity of the 2050 San Diego Regional Transportation Plan: Our Region, Our Future (2050 RTP) and the 2010 RTIP Amendment No. 13 and adopted the plan. The U.S. DOT, in consultation with the EPA, made its conformity determination on December 2, 2011.

On September 28, 2012, the SANDAG Board of Directors adopted the final 2012 RTIP and its conformity determination and redetermination of conformity for the 2050 RTP. The U.S. DOT, in consultation with the EPA, made its conformity determination on December 14, 2012.

On April 15, 2004, the EPA designated the San Diego air basin as nonattainment for the 1997 Eight-Hour Ozone Standard. This designation took effect on June 15, 2004. However, several areas that are tribal lands in eastern San Diego County were excluded from the nonattainment designation. As shown in Figure B.1, La Posta Areas #1 and #2, Cuyapaipe, Manzanita, and Campo Areas #1 and #2 are attainment areas for the 1997 Eight-Hour Ozone National Ambient Air Quality Standards.

The air basin initially was classified as a basic nonattainment area under Subpart 1 of the Clean Air Act, and the attainment date for the 1997 Eight-Hour Ozone Standard was set as June 15, 2009. In cooperation with SANDAG, the San Diego Air Pollution Control District (APCD) developed an Eight-Hour Ozone Attainment Plan for the 1997 standard, which was submitted to the EPA on June 15, 2007.

The budgets in the Eight-Hour Ozone Attainment Plan for San Diego County were found adequate for transportation conformity purposes by the EPA, effective June 9, 2008.

Rachel Kennedy, SANDAG, stated that the CWG comment period ends on March 27, 2013. She provided a summary of the sections of the document related to transportation modeling procedures. Every three to five years, SANDAG produces a long-range forecast of population, housing, and employment growth for the San Diego region. The most recent is the 2050 Regional Growth Forecast, which was adopted by the SANDAG Board on October 28, 2011, and was utilized in the development of the 2050 RTP and the 2012 RTIP, as amended. It also was noted that SANDAG follows a widely used, four-step transportation modeling process of trip generation, trip distribution, mode choice, and assignment to forecast travel activity in the San Diego region. The estimates of regional transportation-related emissions analysis meet the requirements established in the Transportation Conformity Rule, Sections 93.122(b) and 93.122(c). These requirements relate to the procedures used to determine regional transportation-related emissions, including the use of network-based travel models, methods to estimate traffic speeds and delays, and the estimation of vehicle miles of travel (VMT).

Ms. Kennedy then referenced page 22 of the agenda package, which details EMFAC2007 and EMFAC2011, which were both used for the regional emissions analysis.

In November 2006, California Air Resources Board (CARB) released EMFAC2007, an emissions inventory model that calculates emissions for motor vehicles operating in California. It is an integrated model that combines emission rate data with vehicle activity to calculate regional emissions. The EPA approved EMFAC2007 for use in conformity determinations on January 18, 2008.

In September 2011, CARB released an updated version of the emission inventory model, EMFAC2011. CARB has submitted EMFAC2011 to the EPA for approval for use in conformity determinations. EMFAC2011 is an integrated model that combines emission rate data with vehicle activity to calculate regional emissions. EMFAC2011 reflects recent CARB rulemakings for on road
diesel fleet rules, Pavely Clean Car Standards, and the Low Carbon Fuel Standard (LCFS). EMFAC2011 is made up of three modules: EMFAC2011-SG (scenario air quality assessment); EMFAC2011-LDV (passenger vehicle emissions); and EMFAC2011-HD (diesel trucks and buses). As noted in CARB’s EMFAC2011 Technical Documentation, EMFAC2011-SG takes the output from EMFAC2011-LDV and EMFAC2011-HD and applies scaling factors to estimate emissions consistent with regional VMT and speeds. Scaling factors are based on changes in total VMT, VMT distribution by vehicle class, and speed distribution. The SG module reports total emissions as tons per average weekday for each pollutant by vehicle class, and the total vehicle fleet for years between 1990 and 2035.

As the EPA has yet to approve EMFAC2011 for use in conformity determinations, SANDAG staff has conducted the regional emission analysis with both versions of the software and included both analyses in the draft document.

Ms. Kennedy stated that effective June 9, 2008, the EPA found the Eight-Hour Ozone budgets included in the Eight-Hour Ozone Attainment Plan for San Diego County adequate for transportation conformity purposes. Beginning in February 2013, SANDAG prepared countywide forecasts of average weekday ROG and NOx emissions for 2015, 2020, 2025, 2035, 2040, and 2050 (for informational purposes), using the EMFAC2007 and EMFAC2011 models. ROG and NOx emissions are based upon the summer season.

Regional transportation forecasts were initiated in February 7, 2013. Output from the TransCAD model was then reformatted and adjusted to be useful for emissions modeling. The analysis years were selected to comply with 40 CFR Sections 93.106(a)(1) and 93.118(a) of the Transportation Conformity Rule and the approved methodology for conducting the air quality conformity analyses for the 2012 RTIP, as amended, and 2050 RTP, which shortened the conformity horizon to 2040 and requires an informational analysis of the plan horizon year (2050). According to these sections of the Conformity Rule, the first horizon year (2015) must be within ten years from the base year used to validate the regional transportation model (2008). The last horizon year must be the last year of the transportation plan’s forecast period, or in the case of the 2012 RTIP, as amended, and 2050 RTP, the last year of the conformity determination (2040), and the horizon years may be no more than ten years apart (2025 and 2035). If the budgets from the Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County are deemed adequate for use in conformity determinations prior to the approval of this document, an analysis year of 2020 also will be included to demonstrate conformity to the budget included in the Maintenance Plan.

Carbon monoxide (CO) regional emissions were projected for 2015, 2018 (interpolated), 2020, 2025, 2035, 2040, and 2050 (for informational purposes) for the conformity determination of the 2012 RTIP, as amended, and 2050 RTP Conformity Redetermination. CO emissions are based upon “the winter season.”

Ms. Kennedy highlighted Table B.8, which illustrated the projects that are considered exempt from conformity. This table shows short-term exempt projects and it was noted that additional unidentified projects could be funded with revenues expected to be available from the continuation of existing state and federal programs.

It was also noted that there are four federally-approved Transportation Control Measures (TCMs) that must be implemented in San Diego, which the SIP refers to as transportation tactics. They
include ridesharing, transit improvements, traffic flow improvements, and bicycle facilities and programs. These TCMs were established in the 1982 SIP, which identified general objectives and implementing actions for each tactic. The TCMs have been fully implemented. Ridesharing, transit, bicycling, and traffic flow improvements continue to be funded, although the level of implementation established in the SIP has been surpassed.

Ms. Kennedy noted that the consultation process followed to prepare the air quality conformity analysis for the 2012 RTIP, as amended and the 2050 RTP complies with the San Diego Transportation Conformity Procedures adopted in July 1998. In turn, these procedures comply with federal requirements under 40 CFR 93. Interagency consultation involves SANDAG (as the Metropolitan Planning Organization for San Diego County), the APCD, Caltrans, CARB, U.S. DOT, and U.S. EPA. Consultation is a three-tier process that:

1. Formulates and reviews drafts through a conformity working group
2. Provides local agencies and the public with opportunities for input through existing regional advisory committees and workshops
3. Seeks comments from affected federal and state agencies through participation in the development of draft documents and circulation of supporting materials prior to formal adoption

SANDAG consulted on the development of the Air Quality Conformity Analysis of the 2012 RTIP and 2050 RTP at meetings of the San Diego Region Conformity Working Group (CWG), as follows:

- On December 5, 2012, SANDAG staff presented the schedule for the preparation of the 2012 RTIP Amendment No. 2 and its air quality conformity analysis. The CWG also discussed the conformity analysis budgets, timeframe, and boundary. Staff confirmed that a redetermination of conformity would be done for the 2050 RTP, in conjunction with the 2012 RTIP, as amended, for consistency purposes.

- On February 6, 2013, SANDAG staff presented information about the criteria and procedures to be followed for its conformity analysis. Staff presented information on the 2050 Regional Growth Forecast, Travel Demand Model, Transportation Control Measures, the Revenue Constrained financial assumptions, latest emissions model and emissions budgets, and public involvement and outreach. Staff also confirmed that the conformity timeline would be shortened to the year 2040, and an informational analysis will be conducted for projects in the 2041-2050 timeframe.

- On February 6, 2013, SANDAG staff distributed the draft list of capacity increasing and noncapacity increasing projects to be included in the 2012 RTIP amendment for interagency consultation. The project lists were discussed at the February 6, 2013, CWG meeting.
On February 26, 2013, SANDAG released the draft air quality conformity analysis of the 2012 RTIP, as amended, and 2050 RTP to the CWG for a 30-day review-and-comment period. The draft air quality analysis was discussed at the March 6, 2013 meeting of the CWG. The draft 2012 RTIP, as amended, will be presented to the TransNet Independent Taxpayer Oversight Committee on April 10, 2013, for input.

On April 5, 2013, the SANDAG Transportation Committee will be asked to release the draft 2012 RTIP, as amended, and its conformity determination and the 2050 RTP Conformity Redetermination for a 30-day public review period.

On May 24, 2013, the SANDAG Board will be asked to adopt the Final 2012 RTIP, as amended, and its conformity determination and the 2050 RTP Conformity Redetermination. Members of the public are welcomed to provide comments at meetings of the CWG, the Transportation Committee, and the SANDAG Board of Directors.

Ms. Kennedy asked if the CWG had any questions or comments. Carl Selnick from SDAPCD noted that as an interpolation was done for the year 2018 to show consistency with the carbon monoxide budgets, the projects for 2018 should be shown in the project tables. Mike Brady from Caltrans concurred with this statement.

Ms. Kennedy and Elisa Arias, SANDAG, stated that SANDAG staff would review the project tables and make appropriate edits. No other comments or questions were made at this time.

ITEM #5: REDESIGNATION REQUEST AND MAINTENANCE PLAN FOR THE 1997 NATIONAL OZONE STANDARD FOR SAN DIEGO COUNTY UPDATE

John Kelly, U.S. EPA, provided an overview of the item and stated that the staff contact for this project is John Ungvarskey. Mr. Ungvarskey is in the process of getting the proposal document signed and approved within the next few weeks. The budget letters that will be sent to the state need to be deemed adequate and signed as well.

Ms. Kennedy asked if SANDAG would need to wait to use the budgets until after the adequacy process and public comment period, or if it is possible to use the budgets once the letter had been received. Mr. Kelly stated that he is unsure of the answer to that question, but he thinks that publication in the Federal Register notice may need to occur first and that the budgets are effective 15 days after publication. Mr. Brady stated that once you receive the letter, you can use the budgets.

To clarify the conversation, Ms. Arias stated that the goal is to have the budgets approved prior to May 24, 2013, when the SANDAG Board will meet and be asked to approve the 2012 RTIP Amendment No. 2 and its conformity document. Mr. Brady and Mr. Kelly stated that there should not be any type of timing problem because usually the letter is signed at the same time the Federal Register notice is signed and published, which is followed by a 15-day public comment period, so in total, the process should take less than a month.
ITEM #6: EMFAC2011 AND DEVELOPMENT OF NEXT VERSION OF EMFAC

Ms. Kennedy stated that approval of EMFAC2011 for use in conformity determinations was published in the Federal Register. Jason Crow, CARB, provided an update on the EMFAC2013 development process. He stated that the 2013 update is going to complete the modernization of the EMFAC model that was started with EMFAC 2011. The update will bring the model into a database structure, update all the emissions factors, include a new focus on greenhouse gases, and enhance the scenario-based planning potential. There will be a workshop on EMFAC2013 in April to get input from users. Ms. Kennedy requested that Mr. Crow send the workshop information to the group once the date is established.

ITEM #7: OTHER BUSINESS

Mr. Brady informed the CWG that the Statewide Conformity Working Group meeting is scheduled for March 13, 2013, from 10 a.m. until 1 p.m.

ITEM #8: ADJOURNMENT AND NEXT MEETING

Ms. Kennedy stated that the next meeting is for scheduled meeting on April 3, 2013, from 10:30 to 12 noon at SANDAG. The agenda package will be sent out prior to the meeting.
San Diego Region Conformity Working Group

Meeting Attendance
March 6, 2013

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<td>Jason Crow (phone)</td>
<td>CARB</td>
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<td>Mike Brady (phone)</td>
<td>Caltrans</td>
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<td>John Kelly (phone)</td>
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<td>Elisa Arias</td>
<td>SANDAG</td>
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<td>Andrea Hoff</td>
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<td>Rachel Kennedy</td>
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<td>Michelle Merino</td>
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<td>Evan Wasserman</td>
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<td>Carl Selnick (phone)</td>
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<td>Domingo Vigil (phone)</td>
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<td>Carla Walecka (phone)</td>
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### SAN DIEGO FORWARD: THE REGIONAL PLAN SCHEDULE

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<td>FINALIZE PRIOR PLANNING COMMITMENTS FROM THE 2050 RTP/SCS</td>
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<td>Regional Transit-Oriented Development Policy</td>
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<td>Regional Complete Streets Policy</td>
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<td>Active Transportation Implementation Strategy (Bike Early Action Program, Safe Routes to School, Safe Routes to Transit)</td>
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<td>Travel Demand Model Enhancements</td>
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<td>Land Use/Transportation Scenarios &amp; GHG Target Setting including Parking &amp; Pricing Strategies</td>
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<td>LAND USE/TRANSPORTATION SCENARIOS &amp; GHG TARGET SETTING INCLUDING PARKING &amp; PRICING STRATEGIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>REGIONAL TRANSIT-ORIENTED DEVELOPMENT POLICY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>REGIONAL COMPLETE STREETS POLICY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>ARTICULATE REGIONAL VISION, GOALS, &amp; OBJECTIVES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>ESTABLISH REGIONAL TRANSIT-ORIENTED DEVELOPMENT FRAMEWORK</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>ESTABLISH REGIONAL COMPLETE STREETS FRAMEWORK</td>
<td></td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>ENGAGE PUBLIC OUTREACH &amp; INVOLVEMENT</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**LEGEND:**
- Major Task
- Sub-Task
- Milestone
SERIES 13 REGIONAL GROWTH FORECAST

Introduction

During the past year, SANDAG staff, representatives and elected officials from each of the San Diego region’s 19 jurisdictions, and stakeholders have worked together to develop a long-range growth forecast for the San Diego region and its neighborhoods.

Discussion

The Series 13 Regional Growth Forecast and accompanying slide presentation (Attachment 1) was presented to the Regional Planning Committee and the Board of Directors in September, and presentations have been made to the majority of the jurisdictions during the past several months.

Next Steps

Upon acceptance, the Series 13 Regional Growth Forecast will be used to inform SANDAG planning efforts such as San Diego Forward: The Regional Plan as well as by partner agencies such as the San Diego County Water Authority for use in its Urban Water Management Plan.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Series 13 Regional Growth Forecast Report, Table, and Slide Presentation from September 13, 2013, Board of Directors meeting

Key Staff Contacts: Kirby Brady, (619) 699-6924, kirby.brady@sandag.org
Clint Daniels, (619) 699-6946, clint.daniels@sandag.org

Recommendation

The Board of Directors is asked to accept the Series 13 Regional Growth Forecast for use in San Diego Forward: The Regional Plan and other planning efforts.
SERIES 13 REGIONAL GROWTH FORECAST: DRAFT SUBREGIONAL FORECAST

Introduction

During the past 12 months, SANDAG staff and representatives and elected officials from each of the San Diego region’s 19 jurisdictions and stakeholders have worked together to develop a long-range growth forecast for the San Diego region and its neighborhoods. The Series 13 Regional Growth Forecast\(^1\) will serve as the foundation for San Diego Forward: The Regional Plan, including the alternative land use and transportation scenarios and other planning documents (e.g., water, general plans) across the region. The preliminary results of that effort are described in detail, below.

Discussion

Overview of Forecasted Regional Growth

As shown in Table 1, SANDAG projects the region’s population will grow by nearly one million people by 2050. This forecast is consistent with previous expectations, although future growth rates have been reduced due to increased domestic migration out of the region. The growth in population will drive job growth and housing demand within the region, adding nearly 500,000 jobs and more than 330,000 housing units by 2050.

Table 1: Series 13 San Diego Regional Growth Forecast

<table>
<thead>
<tr>
<th></th>
<th>Population</th>
<th>Housing Units</th>
<th>Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Percent Average Annual Change</td>
<td>Total</td>
</tr>
<tr>
<td>2010(^2)</td>
<td>3,095,313</td>
<td>-</td>
<td>1,158,076</td>
</tr>
<tr>
<td>2012</td>
<td>3,143,429</td>
<td>0.8%</td>
<td>1,165,818</td>
</tr>
<tr>
<td>2020</td>
<td>3,435,713</td>
<td>1.1%</td>
<td>1,249,654</td>
</tr>
<tr>
<td>2035</td>
<td>3,853,698</td>
<td>0.8%</td>
<td>1,394,688</td>
</tr>
<tr>
<td>2050</td>
<td>4,068,759</td>
<td>0.4%</td>
<td>1,491,804</td>
</tr>
<tr>
<td>2010-2050</td>
<td>973,446</td>
<td>0.7%</td>
<td>333,728</td>
</tr>
</tbody>
</table>

\(^1\) SANDAG denotes forecasts by a sequential series number. The current working forecast is known as the Series 13: 2050 Regional Growth Forecast. The forecast used in the 2050 Regional Transportation Plan and its Sustainable Communities Strategy adopted by the Board of Directors in October 2011 was the Series 12: 2050 Regional Growth Forecast.

\(^2\) Data from 2010 are included as reference to the U.S. Census for population. Housing and Jobs in 2010 are sourced from the SANDAG land inventory system and California Employment Development Department. San Diego Forward: The Regional Plan will use 2012 as its reference year.
Much of the region’s growth will be driven by natural increase, total births minus deaths. Longer life expectancies will contribute to the aging population seen in the outer years of the forecast, while the trends of increased deaths (as a result of the older population) and net out-migration will factor into the slower growth rates anticipated in the future. By 2050 it is expected that nearly 20 percent of the population will be ages 65 and over, compared with just 12 percent today.

In terms of the race and ethnic composition of the region, significant changes are on the horizon. The 2010 census revealed San Diego to now be a majority-minority region, meaning no single race or ethnic group comprises more than 50 percent of the total population. In 2010 the two dominant race and ethnic groups were non-Hispanic whites and Hispanics, accounting for 48 percent and 32 percent of the region’s total population, respectively. By 2050, however, it is expected that Hispanics will account for more than 46 percent of the total population while the non-Hispanic White population will decline to approximately 30 percent. The Asian population is expected to increase to more than 15 percent, up from 11 percent in 2010. Non-Hispanic blacks, two or more races, and “other” groups each comprise less than 5 percent of the total population today and are expected to remain relatively unchanged out to 2050.

Changing Local Plans

This forecast represents a continuing trend in the San Diego region to provide more housing and job opportunities in the existing urbanized areas of the region. Since 1999, more than three quarters of the local jurisdictions have made or are in the process of making significant updates to their general plans. In 1999, SANDAG projected 21 percent of future housing growth would occur in the unincorporated areas of the county under the local general plans at the time. Today, SANDAG expects 17 percent of growth to occur in the unincorporated areas, and much of that is focused in existing villages such as Lakeside, Valley Center, Ramona, and Alpine. As a result of these updates, SANDAG has identified sufficient housing opportunities in the existing general plans for the first time in nearly two decades.

The forecasted growth also reflects more sustainable general plans from the local jurisdictions. At the turn of the century, about 90 percent of vacant residential land in the cities was planned for single-family use. The Series 13 Forecast shows 82 percent of housing growth by 2050 being multifamily. Local and regional conservation programs also continue to protect more of the San Diego region’s sensitive lands. Currently, more than 50 percent of the region is preserved as open space, parks, or habitat, and SANDAG forecasts that dedicated open space will increase by almost 30 percent by 2050.

General Intensification of Existing Uses

As a result of changing local plans, SANDAG forecasts a general intensification of existing land uses within urban communities and along key transportation corridors. For example, National City's general plan update results in opportunities for more than 10,000 additional multifamily units near the Blue Line Trolley and the planned Trolley line connecting San Ysidro and University Towne Centre (UTC) via National City. San Marcos has drafted specific plans for the San Marcos Creek and University districts, adding mixed-use developments near California State University, San Marcos and the SPRINTER rail corridor. Finally, over half of the growth in new housing will occur in the city of San Diego. Downtown San Diego will continue to thrive over the next few decades, and the growth also will start to occur into areas of Barrio Logan, Golden Hill, and Uptown communities.
In terms of jobs, SANDAG expects the existing employment centers to continue to thrive. The UTC/Sorrento Valley/Torrey Mesa employment cluster will continue to be the largest job center in the region. SANDAG expects downtown San Diego to add another 30,000 jobs by 2050. The Otay Mesa border area will become a much larger job center, growing from approximately 15,000 jobs today to more than 45,000 by 2050. Finally, Chula Vista will add nearly 50,000 new jobs as the Chula Vista Bayfront, downtown investments, and new planned communities in eastern Chula Vista come online.

More detailed results of this growth forecast are shown by jurisdiction in Attachment 1.

**SANDAG Forecasting Process**

The SANDAG forecast is completed in two steps. The first is the development of a regional forecast of population, housing, and jobs. The regional forecast establishes the framework for the next step, the subregional forecast. The regional forecast is developed by SANDAG, with input from expert demographers, economists, developers, local planning directors, and natural resource managers. These experts review economic and demographic assumptions about fertility, migration, inflation, and other indicators. In addition to the traditional expert panel review conducted by the agency, SANDAG also has reviewed the forecast with key stakeholders across the region, including transportation, land use, and economic development advocates.

SANDAG uses its Demographic and Economic Forecasting Model (DEFM) to develop the regional forecast. DEFM was first developed to support the Series 4 forecast in the late 1970s. DEFM uses a standard demographic (i.e., cohort-survival) economic modeling technique to estimate future growth. Forecasts developed using DEFM have had strong accuracy; since Series 4 (1977), on average DEFM regional forecasts have been within 4 percent of observed population growth.

The DEFM results feed the subregional allocation models to develop city- and community-level forecasts. The Series 13 subregional forecast employs a new tool called the Production, Exchange, Consumption, and Allocation System (PECAS). This new model offers several enhancements beyond the subregional forecasting models used in prior forecasts by introducing economic conditions and return on investment calculations into the projections of development, redevelopment, and infill. PECAS, in addition to new data sources, continues to rely upon the land use plans, policies, and zoning ordinances of the 18 cities, the County of San Diego, and other land use authorities.

For the development of the subregional forecast, SANDAG staff works extensively with each jurisdiction to collect and verify detailed land use inputs down to the parcel level. The data collected includes information on remaining housing capacity, zoning, existing and planned land use, as well as constraints to development (e.g., steep slopes, habitat lands, floodplains, etc.).

In addition to providing land use information, each jurisdiction is asked to provide guidance on the most likely development patterns for their jurisdiction by 2050.

A preliminary draft of the subregional forecast was presented to the Regional Planning Technical Working Group (the region’s planning directors) on June 13, 2013. SANDAG staff consulted with each jurisdiction to review these numbers and incorporate any necessary changes to the revised draft subregional forecast.
This report is scheduled to be presented to the Regional Planning Committee for discussion at its September 6, 2013, meeting. Any comments resulting from that discussion will be included in the September 13, 2013, presentation to the Board of Directors.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Draft Series 13 Subregional Growth Forecast

Key Staff Contacts:  Kirby Brady, (619) 699-6924, kirby.brady@sandag.org
                  Clint Daniels, (619) 699-6946, clint.daniels@sandag.org
### POPULATION

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2020</th>
<th>2035</th>
<th>2050</th>
<th>2010-2020</th>
<th>2020-2035</th>
<th>2035-2050</th>
<th>Total</th>
<th>Percent</th>
<th>Avg Ann</th>
</tr>
</thead>
<tbody>
<tr>
<td>El Cajon</td>
<td>37,626</td>
<td>41,412</td>
<td>45,146</td>
<td>49,780</td>
<td>3,786</td>
<td>3,734</td>
<td>4,634</td>
<td>12,154</td>
<td>32.3%</td>
<td>0.7%</td>
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<tr>
<td>Encinitas</td>
<td>59,518</td>
<td>62,829</td>
<td>64,718</td>
<td>66,178</td>
<td>3,311</td>
<td>1,889</td>
<td>1,460</td>
<td>6,660</td>
<td>11.2%</td>
<td>0.3%</td>
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<tr>
<td>Escondido</td>
<td>143,951</td>
<td>165,051</td>
<td>172,890</td>
<td>173,253</td>
<td>21,100</td>
<td>7,839</td>
<td>363</td>
<td>29,302</td>
<td>20.4%</td>
<td>0.5%</td>
</tr>
</tbody>
</table>

### HOUSING

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2020</th>
<th>2035</th>
<th>2050</th>
<th>2010-2020</th>
<th>2020-2035</th>
<th>2035-2050</th>
<th>Total</th>
<th>Percent</th>
<th>Avg Ann</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carlsbad</td>
<td>44,422</td>
<td>48,390</td>
<td>49,978</td>
<td>50,212</td>
<td>3,968</td>
<td>1,588</td>
<td>234</td>
<td>5,790</td>
<td>13.0%</td>
<td>0.3%</td>
</tr>
<tr>
<td>Chula Vista</td>
<td>78,384</td>
<td>89,063</td>
<td>98,924</td>
<td>107,471</td>
<td>10,679</td>
<td>9,861</td>
<td>8,547</td>
<td>29,087</td>
<td>37.1%</td>
<td>0.8%</td>
</tr>
<tr>
<td>Coronado</td>
<td>9,581</td>
<td>9,667</td>
<td>9,702</td>
<td>9,799</td>
<td>86</td>
<td>35</td>
<td>97</td>
<td>218</td>
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<td>0.1%</td>
</tr>
<tr>
<td>Del Mar</td>
<td>2,606</td>
<td>2,639</td>
<td>2,650</td>
<td>2,667</td>
<td>33</td>
<td>11</td>
<td>17</td>
<td>61</td>
<td>2.3%</td>
<td>0.1%</td>
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</table>

### DISCUSSION

This forecast represents one possibility for future growth in the San Diego region. It is intended to represent a likely prediction of future growth, but it is not intended to be a prescription for growth. The Series 13 Regional Growth Forecast represents a combination of economic and demographic projections and existing plans and policies.
Series 13
Regional Growth Forecast

Preliminary Subregional Forecast

Board of Directors
September 13th, 2013

An aging, diversifying population...

Growing more sustainably...

Dedicating more lands to preservation...
Forty Years in San Diego

2050 California Forecast

- 50 Million By 2050 (13 Million New Residents)
- San Diego is 2nd Most Populous County
- Majority of Growth in Southern California
Population, Jobs, and Housing

2010 - 2050
973,000 more people
489,000 more jobs
333,000 more housing units

Population, Jobs, and Housing

Series 13 Subregional Forecast: Population Trends

San Diego Region Population by Age and Gender

San Diego Region Population

2010
2050

White, 48%
Hispanic, 32%
Asian, 11%

White, 30%
Hispanic, 46%
Asian, 16%

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%
Series 13 Subregional Forecast: Land Use Inputs

- Updated General Plans
  - Chula Vista (SP)
  - Escondido
  - Imperial Beach
  - National City
  - San Diego
  - San Marcos (SP)
  - Vista
  - County

- Site Specific Projects

- Sufficient Housing Lands
Proposed Conserved Habitat Lands

Open space will increase by 30%
(based on MHCP & MSCP plans)

- Proposed Conserved Habitat Lands
- Conserved Land (2013)
- Series B Planned Open Space (2020)

Series 13 Subregional Forecast: Housing Trends

2010-2050 Housing Units Growth, Region Total by Jurisdiction

- San Diego 43%
- Unincorporated 1%
- National City 3%
- Escondido 2%
- La Mesa 2%
- La Jolla 1%
- Santee 1%
- Lemon Grove 1%
- Imperial Beach 1%
- Coronado 1%
- Del Mar 1%

2010-2050 Housing Units Growth, Region Total by Jurisdiction

- 2050
- 2035
- 2020
- 2010
Series 13 Subregional Forecast
Housing Growth

- 87% of growth within 1/2 mile to transit

Housing Growth
(n = 333,728)

Series 13 Subregional Forecast: Job Trends

2010-2050 Jobs Growth, Region Total by Jurisdiction
Series 13 Subregional Forecast
Job Growth

- 79% of growth within 1/2 mile to transit

Total Jobs, by Industry

<table>
<thead>
<tr>
<th>Industry</th>
<th>2050</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional</td>
<td>350k</td>
<td>220k</td>
</tr>
<tr>
<td>Business Services</td>
<td>175k</td>
<td>110k</td>
</tr>
<tr>
<td>Government</td>
<td>150k</td>
<td>110k</td>
</tr>
<tr>
<td>Hospitality</td>
<td>100k</td>
<td>70k</td>
</tr>
<tr>
<td>Education / Health</td>
<td>75k</td>
<td>50k</td>
</tr>
<tr>
<td>Military</td>
<td>50k</td>
<td>30k</td>
</tr>
<tr>
<td>Construction</td>
<td>25k</td>
<td>20k</td>
</tr>
</tbody>
</table>
Dedicating more lands to preservation…

An aging, diversifying population…

Growing more sustainably…

Dedicating more lands to preservation…
<table>
<thead>
<tr>
<th>Due Dates</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-Jan</td>
<td>2014 RTIP Presentation at Interagency Technical Working Group on Tribal Transportation Issues</td>
</tr>
</tbody>
</table>
| 10-Jan     | Memo to all jurisdictions regarding schedules/procedures for the 2014 RTIP process including:  
• Any new or updates to capacity increasing projects                                                                                                                                                                                                                                                                                                                                                         |
| 6-Feb      | 2014 RTIP Presentation at CTAC                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 20-Feb     | 2014 RTIP Workshop at SANDAG                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5-Mar      | Consultation with San Diego Conformity Working Group (CWG) on conformity criteria and procedures including: revenue-constrained program assumptions, latest planning assumptions, transportation control measures, emissions model, emissions budgets, exempt projects, consultation, and public involvement                                                                                                                                                                                                 |
| 14-Mar     | All projects proposed for 2014 RTIP due in ProjectTrak including new/updates to capacity increasing projects                                                                                                                                                                                                                                                                                                                                                     |
| 28-Mar     | Issue 2014 Project List to CWG for interagency consultation (NCI and CI)                                                                                                                                                                                                                                                                                                                                        |
| 2-Apr      | Discuss 2014 RTIP Project List at CWG meeting                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11-Apr     | Close of CWG project list interagency consultation (NCI and CI)                                                                                                                                                                                                                                                                                                                                                  |
| 25-Apr     | Complete coding of 2014 RTIP Capacity Increasing (CI) projects/review project submittals                                                                                                                                                                                                                                                                                                                                                                                    |
| 9-May      | Complete model runs of 2014 RTIP Capacity Increasing (CI) projects                                                                                                                                                                                                                                                                                                                                               |
| 12-May     | Presentation at ITOC to discuss Draft projects and report                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 16-May     | Issue 2014 RTIP Draft Conformity Analysis for 30-day CWG review and comment                                                                                                                                                                                                                                                                                                                                    |
| 4-Jun      | Discuss 2014 RTIP Conformity Analysis at CWG meeting                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 27-Jun     | Signed resolutions with proof of public hearing due from all jurisdictions                                                                                                                                                                                                                                                                                                                                       |
| 16-Jun     | 30-day CWG comment period for 2014 RTIP draft Conformity Analysis ends                                                                                                                                                                                                                                                                                                                                       |
| 23-Jun     | Incorporate CWG comments for 2014 RTIP into revised draft Conformity Analysis                                                                                                                                                                                                                                                                                                                                    |
| 9-Jul      | Independent Taxpayer Oversight Committee (ITOC) reviews draft 2014 RTIP                                                                                                                                                                                                                                                                                                                                       |
| 18-Jul     | Transportation Committee (TC) requested to recommend the release of draft 2014 RTIP including its air quality conformity determination for public comment                                                                                                                                                                                                                                                      |
| 23-Jul     | Present Draft 2014 at Interagency Technical Working Group on Tribal Transportation Issues                                                                                                                                                                                                                                                                                                                                                                                   |
| 25-Jul     | Board requested to release the draft 2014 RTIP including its air quality conformity determination for a 30-day public comment period; and set September 5, 2014, TC meeting to hold public hearing.  
SANDAG submits draft 2014 RTIP to state for review and comment                                                                                                                                                                                                                                                                                                                                       |
| 25-Aug     | 30-day comment period ends for draft 2014 RTIP including the Draft Conformity Analysis                                                                                                                                                                                                                                                                                                                                                                                     |
| 5-Sep      | TC holds public hearing to review the draft 2014 RTIP including its air quality conformity determination and asked to recommend Final 2014 RTIP to the SANDAG Board for approval                                                                                                                                                                                                                                                                                     |
| 26-Sep     | SANDAG Board asked to adopt the Final 2014 RTIP including its air quality conformity                                                                                                                                                                                                                                                                                                                                                                                      |
| 30-Sep     | Deadline to submit Final 2014 RTIP to state                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7-Oct      | Start of state FSTIP Public Participation process                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 28-Oct     | State Public Participation process ends                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 14-Nov     | FSTIP submittal to Federal Highway Administration (FHWA)/Federal Transit Administration (FTA)                                                                                                                                                                                                                                                                                                                                                                        |
| 17-Dec     | Federal approval for FSTIP                                                                                                                                                                                                                                                                                                                                                                                                                                               |

Arvind Chawla
ENVIRONMENTAL PROTECTION AGENCY

[ EPA—R09—OAR—2013—0126; FRL—9768—3 ]


AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability.

SUMMARY: EPA is approving and announcing the availability of the latest version of the California EMFAC model (short for EMission FACTor) for use in state implementation plan (SIP) development and transportation conformity in California. EMFAC2011 is the latest update to the EMFAC model for use by California state and local governments to meet Clean Air Act (CAA) requirements. The new model, which is based on new and improved data, calculates air pollution emissions factors for passenger cars, trucks, motorcycles, motor homes and buses. Today’s notice also sets the date after which EMFAC2011 is required to be used statewide in all new regional emissions analyses and CO, PM_{10} and PM_{2.5} hot-spot analyses for transportation conformity determinations in California. Since the EMFAC model is used only in California, EPA’s approval of the model does not affect MOVES model users in other states.

DATES: EPA’s approval of the EMFAC2011 emissions model for SIP and conformity purposes is effective March 6, 2013. EMFAC2011 must be used for all new regional emissions analyses and CO, PM_{10} and PM_{2.5} hot-spot analyses that are started on or after September 6, 2013.

FOR FURTHER INFORMATION CONTACT: Karina O’Connor, oconnor.karina@epa.gov, (775) 433–8176, Air Planning Office (AIR–2), Air Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, California, 94105–3901.

SUPPLEMENTARY INFORMATION: Copies of the official version of the EMFAC2011 model are available on the California Air Resources Board (CARB) Web site: http://www.arb.ca.gov/nssei/modeling.htm (model, technical support documents, etc.).

I. Background

A. What is the EMFAC model?

The EMFAC model is a computer model that can estimate emission rates for on-road mobile sources ("motor vehicle") for calendar years from 1990 to 2035 operating in California. Pollutant emissions for hydrocarbons (HC), CO, nitrogen oxides (NOx), PM_{10}, PM_{2.5}, lead, carbon dioxide (CO2), and sulfur oxides are output from the model. Emissions are calculated for forty-two different vehicle classes composed of passenger cars, various types of trucks and buses, motorcycles, and motor homes.

EMFAC is used to calculate current and future inventories of motor vehicle emissions at the state, air district, or county level. EMFAC contains default vehicle activity data, and the option of modifying that data, so it can be used to estimate a motor vehicle emissions inventory in tons/day for a specific year, month, or season, and as a function of ambient temperature, relative humidity, vehicle population, mileage accrual, miles of travel and speeds. Thus the model can be used to make decisions about air pollution policies and programs at the local or state level. Inventories based on EMFAC are also used to meet the federal CAA’s SIP and transportation conformity requirements. Transportation conformity is required under CAA section 176(c) to ensure that federally supported transportation plans, transportation improvement programs (TIPs), and highway and transit projects are consistent with ("conform to") the purpose of the SIP. Conformity to a SIP means that a transportation activity will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards (NAAQS) or interim milestones. EPA’s transportation conformity regulations (40 CFR Parts 51.390 and 93) describe how federally funded and approved highway and transit projects meet these statutory requirements.

B. What versions of EMFAC are currently in use in California?

Most SIPs in California were developed using EMFAC2007 (released by CARB in October 2007) or EMFAC2002 (released by CARB in October 2002). EPA approved EMFAC2007 on January 16, 2008 (73 FR 3464) and approved EMFAC2002 on April 1, 2003 (68 FR 15720) for all areas in California. EMFAC2007 was considered a major update to previous versions of EMFAC and most SIPs in California were updated with EMFAC2007 in the 2007–2008 timeframe. EMFAC2007 included new data and methodologies regarding calculation of motor vehicle emissions, and revisions to implementation data for control measures.

C. Why is EPA announcing its approval of the EMFAC model?

CAA section 172(c)(3) and 40 CFR 51.112(a)(1) require that SIP inventories be based on the most current, accurate, and applicable models that are available at the time the SIP is developed. CAA section 176(c)(1) requires that the latest emissions estimates be used in conformity analyses. EPA approves models that fulfill these requirements.

Under 40 CFR 93.111(a), EPA must approve new versions of EMFAC for SIP purposes before they can be used in transportation conformity analyses. In an April 6, 2012 letter, CARB requested that EPA approve EMFAC2011 for use in developing SIPs and in determining conformity in California. EMFAC2011 is a significant change from previous EMFAC models with a new model user interface and is capable of calculating motor vehicle emissions for all California areas. EMFAC2011 is being approved as the latest emissions model for statewide use in SIP development and emissions analyses for conformity purposes. Since the EMFAC model is only used in California, EPA’s statewide approval of the model does not affect MOVES emissions factor model users in other states.

II. EPA Action

A. What version of EMFAC is EPA approving?

In this notice, EPA is approving and announcing that EMFAC2011 is available to use in statewide California SIP development and for regional emissions analyses and CO, PM_{10} and PM_{2.5} hot-spot analyses for transportation conformity. EMFAC2011 was developed by CARB and transmitted for approval to EPA on April 6, 2012.

The EMFAC2011 model is composed of a new modular structure that will facilitate future model updates and allow CARB to incorporate updated information about truck and bus activity and emissions data into the model. The three major modules of EMFAC include EMFAC—LDV, EMFAC—HD and EMFAC—SG. EMFAC—LDV can be used to estimate emissions for gasoline powered on-road vehicles and smaller on-road diesel vehicles. EMFAC—HD provides
emissions factors for heavy-duty diesel trucks and buses. EMFAC–SG allows users to run one tool for SIP inventories and regional emissions analyses to combine the emissions factors from both EMFAC–LDV and EMFAC–HD with user defined vehicle miles of travel and speeds, combine emissions from multiple model-defined subareas and incorporate reductions associated with CARB’s Pavley and Low Carbon Fuel standard regulations.

CARB developed the EMFAC–SG module to provide users, including transportation planners, with a simplified method to generate emissions with different future growth scenarios for specific geographic areas needed for transportation conformity and SIP development. CARB also developed the EMFAC–PL tool for use for doing multiple model runs to extract emissions factors for project-level analyses needed for hot-spot analyses. Due to the modular structure of the EMFAC2011 model, to obtain emissions factors for project-level analyses, an EMFAC2011 user would have to run multiple modules to generate emission factors. Therefore ARB has developed the EMFAC–PL tool to produce emissions factors for projects that are consistent with the default assumptions in EMFAC2011. For projects that have site-specific ambient temperature and relative humidity profiles, project-specific vehicle age distributions and/or project-specific rest and soak time data, the user will have to use a more detailed approach other than EMFAC–PL, that requires getting emissions factors from EMFAC–LDV and EMFAC–HD. As discussed later in this notice, EPA is consulting with CARB to provide updated EMFAC guidance for how to apply the EMFAC2011 emissions model through either the EMFAC–PL tool or the more detailed approach that would not use EMFAC–PL.

B. What analyses can EMFAC2011 be used for?

EPA is approving the model to estimate regional emissions of HC, NOx, PM10, PM2.5, lead, and sulfur oxides. However, EMFAC2011 will only be used in transportation conformity for pollutants and precursors that affect transportation-related conformity purposes within California. As mentioned earlier, CARB has developed the EMFAC–PL tool, as a simplified method to extract the appropriate emissions factors for alternative vehicle data and speeds from EMFAC2011 for appropriate projects. In today’s notice, EPA recognizes the importance of this tool for ensuring that project-level conformity analyses are done in a consistent and accurate manner. To that end, we are also approving the EMFAC–PL tool for project-level conformity analyses, and allowing other tools to be approved by EPA, if such alternate project-level tools provide for similar performance in applying EMFAC2011 emissions factors for appropriate projects.

EPA is updating Section 5 and related appendices of our PM hot-spot quantitative guidance to describe how to use the EMFAC2011 model for PM hot-spot analyses. EPA’s revised guidance will include details on what PM hot-spot analyses can rely on the EMFAC–PL tool and which projects will require a different approach to obtain the appropriate project-level EMFAC2011 emission factors. EPA intends to complete its PM hot-spot guidance revision in the near future. When completed, the updated guidance will be made available on EPA’s Web site: www.epa.gov/otaq/stateresources/transconf/projectlevel-hotspot.htm.

D. Why does EPA consider EMFAC2011 as a major update to EMFAC?

EMFAC2011 includes significant changes to its model interface, new data and methodologies regarding calculation of motor vehicle emissions and revisions to implementation data for control measures. EMFAC2011 includes updated data on truck activity, and emissions reductions associated with the 2010 Truck and Bus rule, supporting new estimates of emissions from heavy-duty diesel trucks and buses. Motor vehicle fleet age, vehicle types and vehicle population have also been updated based on 2009 California Department of Motor Vehicle (DMV) data. EMFAC2011 incorporates new temperature and humidity profiles. Each of these changes impact emission factors for each area in California. In addition to changes to truck activity, EMFAC incorporates updated vehicle emissions, e.g., HC, NOx, CO, PM10 and PM2.5.

EPA is also approving EMFAC2011 to estimate CO, PM10 and PM2.5 emissions for conformity hot-spot analyses involving individual transportation projects. A hot-spot analysis is defined in 40 CFR 93.101 as an estimation of likely future localized pollutant concentrations and a comparison of those concentrations to the relevant NAAQS. This analysis is conducted on a smaller scale than a nonattainment or maintenance area, e.g., for a congested roadway intersection.

EPA also notes that today’s approval action does not impact what methodology is required for calculating re-entrained road dust for regional PM10 and PM2.5 SIPs and transportation conformity analyses. EMFAC2011’s PM10 and PM2.5 estimates do not include such emissions. When applicable, PM10 and PM2.5 nonattainment and maintenance areas are required to use EPA’s AP–42 road dust method for calculating road dust emissions, unless a local method is approved in advance by EPA. In addition, EMFAC2011 does not estimate ammonia emissions; air quality and transportation agencies should contact the EPA Regional Office if ammonia emissions estimates are needed for SIPs or regional conformity emissions analyses.

C. Why is EMFAC2011 being approved for PM10 and PM2.5 hot-spot analyses at this time?

On December 20, 2010, EPA published a notice which announced the availability of EPA guidance documents for completing quantitative hot-spot analyses and approved the use of the MOVES and the EMFAC2007 models for use in quantitative PM10 and PM2.5 hot-spot analyses (75 FR 79370). That notice started a two-year grace period requiring project sponsors to use EMFAC2007 for new quantitative PM10 and PM2.5 hot-spot analyses in California, for conformity determinations involving projects of local air quality concern.

As with EMFAC2007, EMFAC2011 is capable of assessing project-level emission factors for PM10 and PM2.5 hot-spot analyses, therefore EPA is approving EMFAC2011 for use in quantitative PM hot-spot analyses for transportation

For further information, see EPA’s February 4, 2011 Notice of Availability for the January 2011 AP–42 Method for Estimating Re-entrained Road Dust from Paved Roads (76 FR 6328). Also, for using AP–42 for unpaved roads, see EPA’s August 2, 2007 memorandum, “Policy Guidance on the Use of the November 1, 2006, Update to AP–42 for Re-entrained Road Dust for SIP Development and Transportation Conformity.”

2 The EMFAC–PL tool is available at: http://www.arb.ca.gov/otqa/modeling.htm. In an email to EPA dated 2/20/2013, CARB clarified that the EMFAC–PL tool is available for use in project-level assessments.

3 EPA notes that EMFAC2011 can be used for CO2 emissions analyses as well, but there are no SIP or transportation conformity requirements for greenhouse gases (GHGs).

4 EPA would approve any alternate project-level tool through a letter, after completion of its review of model documentation showing consistency with the EMFAC–PL approach.


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miles traveled (VMT) for all vehicle classes. The new model interface EMFCAC—SG module will allow users to update the default VMT data and speed profiles by vehicle class for different future scenarios. CARB's website describes these and other model changes at: http://www.arb.ca.gov/msei/emfac2011-documentation-final.pdf.

E. How were stakeholders and the public involved in the EMFAC development process?

Since 2010, CARB has held a series of public workshops to discuss emissions inventory updates related to California’s In-Use Heavy-Duty Diesel Fueled Truck and Bus regulation (“Truck and Bus Regulation”), and to receive comments on the regulations and the resulting changes in the emissions inventory. Since the major changes to the EMFAC model are associated with incorporation of the Truck and Bus Regulation into the model, the technical foundations of these changes were presented to the public in these workshops. CARB also conducted extensive beta testing of interim versions of the model with air districts and Metropolitan Planning Organizations (MPOs). These stakeholders had the opportunity to request briefings with CARB staff and provide them with comments and suggestions to improve the model. EPA was included in those discussions and our suggestions were incorporated into the material available on the CARB EMFAC2011 public web site. CARB also developed and posted training modules for EMFAC2011 and supports a mobile source emissions inventory email listserv to announce updates and changes to the EMFAC supporting material.7

CARB also released a series of technical memos that describe each update to the model and public presentations that summarize the changes from earlier versions of the model. The technical memos are available on CARB’s Web site at: http://www.arb.ca.gov/msei/supportdocs.htm and at http://www.arb.ca.gov/msei/categories.htm#onroad_motor_vehicles. Specific changes incorporated into the EMFAC2011 model are also discussed in http://www.arb.ca.gov/msei/emfac2011-documentation-final.pdf. All presentations from the public workshops are available on the CARB Web site at: http://www.arb.ca.gov/msprag/onrdiesel/workshops.htm.

7To subscribe to CARB’s ListServ for Mobile Source Emission Inventory development, see “Join our MSEE ListServ” at www.arb.ca.gov/msei/msei.htm.

F. Will a transportation conformity grace period be set by this approval?

Yes. The transportation conformity rule (40 CFR 93.111) requires that conformity analyses be based on the latest motor vehicle emissions model approved by EPA for SIP purposes for a state or area. Section 176(c)(1) of the CAA states that " ** ** [the determination of conformity shall be based on the most recent estimates of emissions, and such estimates shall be determined from the most recent population, employment, travel, and congestion estimates. ** **]"

When EPA approves a new emissions model such as EMFAC2011, EPA will consult with the U.S. Department of Transportation (DOT) to establish a grace period before the model is required for conformity analyses (40 CFR 93.111(b)). However, areas have the option of using the new model prior to the end of the grace period. The conformity rule provides for a grace period for new emissions models of between 3 to 24 months. In consultation with the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), EPA considers many factors in establishing the length of the grace period, including the degree of change in emissions models and the effects of the new model on transportation planning in order to assure conformity (40 CFR 93.111).

Upon consideration of all of these factors, EPA is establishing a 6-month grace period before EMFAC2011 is required for the following conformity analyses:

• All new HC, NOx, PM10, PM2.5 and CO regional emissions analyses (e.g., supporting transportation plan and TIP conformity determinations); and
• All new CO, PM10 and PM2.5 hot-spot analyses supporting project-level conformity determinations.

The grace period begins on March 6, 2013 and ends on September 6, 2013. As discussed earlier in the notice, EMFAC2011 incorporates significant changes to the model interface and procedures used to estimate both emissions for regional emissions analysis and emissions factors for hot-spot analyses for CO and PM. While these changes are significant, the model has been available for review by air quality and transportation agencies, consultants and the public since September 2011.

For application of EMFAC2011 at the project level, CARB’s EMFAC–PL tool for appropriate projects has just recently been released, therefore project sponsors developing project-level analysis may need some time to familiarize themselves with this tool. EPA is also updating our PM hot-spot quantitative guidance to include the new EMFAC2011 procedures. Therefore, it is appropriate to set a 6-month grace period to allow all areas in California to incorporate these new procedures in conformity hot-spot analysis and apply the changes to the model structure and updated planning assumptions incorporated in EMFAC2011 in a timely manner. In the interim, new quantitative PM hot-spot analyses that are started prior to the end of the EMFAC2011 grace period can be based on EMFAC2007 and EPA’s existing PM hot-spot guidance and subsequently completed. When the grace period ends on September 6, 2013, EMFAC2011 will become the only approved motor vehicle emissions model for all new regional and CO, PM10, and PM2.5 hot-spot transportation conformity analyses across California. In general, this means that all new HC, NOx, PM10, PM2.5, and CO regional conformity analyses and CO, PM10, and PM2.5 hot-spot analyses started after the end of the 6-month grace period must be based on EMFAC2011, even if the SIP is based on an earlier version of the EMFAC model.

G. Can areas use any other models during the grace period?

Yes, the conformity rule provides some flexibility for regional emissions analyses that are started before the end of the grace period. Analyses that begin before or during the grace period may continue to rely on EMFAC2007. The Interagency consultation process should be used if it is unclear if an EMFAC2007-based analysis was begun before the end of the grace period. When the grace period ends on September 6, 2013, EMFAC2011 will become the only approved motor vehicle emissions model for regional emissions analyses for transportation conformity in California.

CO, PM10, and PM2.5 hot-spot analyses for project-level conformity determinations can be based on EMFAC2007 if the analysis was begun before the end of the grace period, and if the final environmental document for the project is issued no more than three years after the issuance of the draft environmental document (see 40 CFR 93.111(c)). Therefore new quantitative and qualitative analysis already underway that were started before the
end of the grace period using EMFAC2007 can be completed as long as 93.111(c) is satisfied. The interagency consultation process should be used if it is unclear whether an EMFAC2007-based analysis is covered by the circumstances described above.

H. Future Updates to EMFAC

On January 31, 2006, CARB submitted a letter to EPA and to the California Division of the FHWA indicating the State's intention to make future revisions to update EMFAC. These EMFAC updates would reflect, among other new information, updated vehicle fleet data every three years. In California, MPOs and Air Districts have not been able to update vehicle fleet data embedded into EMFAC. The EPA/USDOT December 2008 guidance on latest planning assumptions and EPA's July 2004 final rule indicate that new vehicle registration data must be used when it is available prior to the start of new conformity analyses and that states and MPOs are strongly encouraged to update the data at least every five years. CARB reaffirmed their commitment to keeping the latest planning assumptions included in EMFAC updated on a three-year cycle in the April 18, 2007 EMFAC submittal letter. The next update to the planning assumptions in EMFAC is expected in 2014 or 2015 which would most likely also include updates to the emissions factors of the model as well.

III. Summary of EPA Actions

As described in this notice, EPA is approving EMFAC2011 as submitted by CARB on April 6, 2012 with the following limitations and conditions:

(1) The approval is limited to California.

(2) The approval is Statewide and applies to estimation of emissions of Hg, CO, NOx, PM10, PM2.5, lead, and sulfur oxides. However, EMFAC2011 will be used in transportation conformity regional emissions analyses for pollutants and precursors that are applicable in a given nonattainment or maintenance area. EPA is approving all components of EMFAC2011, specifically EMFAC–SC, EMFAC–LDV and EMFAC–HD. EPA is also approving EMFAC2011 and the EMFAC–PI tool to estimate project-level emissions for CO, PM10 and PM2.5 conformity hot-spot analyses.

(3) A 6-month statewide transportation conformity grace period will be established beginning March 6, 2013 and ending September 6, 2013 for the transportation conformity uses described in (2) above.


Jared Blumenfeld,
Regional Administrator, Region IX.
[FR Doc. 2013-05245 Filed 3-5-13; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9787–2]

Notification of a Public Teleconference of the Chartered Science Advisory Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA Science Advisory Board (SAB) Staff Office announces a public teleconference of the chartered SAB to conduct a quality review of an SAB draft report on approaches to derive a maximum contaminant level goal for perchlorate.

DATES: The public teleconference will be held on March 29, 2013, from 1:00 p.m. to 4:00 p.m.

ADDRESSES: The public teleconference will be conducted by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to obtain general information regarding the quality review teleconference should contact Dr. Angela Nugent, Designated Federal Officer (DFO), EPA Science Advisory Board (1400R), 1200 Pennsylvania Avenue NW., Washington, DC 20460; via telephone/voice mail (202) 564–2218; fax (202) 565–2098 or via email at augent.angela@epa.gov.

General information concerning the EPA Science Advisory Board can be found on the SAB Web site at http://www.epa.gov/sab.

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2, notice is hereby given that the EPA Science Advisory Board will hold a public teleconference to conduct a quality review of an SAB draft report. The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee under FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Background

Quality review is a key function of the chartered SAB. Draft reports prepared by SAB committees, panels, or work groups must be reviewed and approved by the chartered SAB before transmittal to the EPA Administrator. The chartered SAB makes a determination in a public meeting consistent with FACA about the quality of all draft reports and determines whether the report is ready to be transmitted to the EPA Administrator.

The Safe Drinking Water Act requires the EPA to request comments from the SAB prior to proposal of a maximum contaminant level goal (MCLG) and national primary drinking water regulation. The chartered SAB will conduct a quality review of a draft SAB report reviewing the scientific and technical bases for the approaches EPA is considering for the MCLG for perchlorate, as described in a draft white paper entitled “Life Stage Considerations and Interpretation of Recent Epidemiological Evidence to Develop a Maximum Contaminant Level Goal for Perchlorate.” Background information about this advisory activity can be found on the SAB Web site at http://yosemite.epa.gov/sab/sabproduct.nsf//Fedregstr_activities/Perchlorate%20MCLG%20Approaches?OpenDocument.

Availability of Meeting Materials: The agenda and other materials in support of the teleconference will be placed on the SAB Web site at http://www.epa.gov/sab in advance of the teleconference.

Procedures for Providing Public Input: Public comment for consideration by EPA’s federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit relevant comments pertaining to the group providing advice, EPA’s charge questions and EPA review or background documents. Input from the public to the SAB will have the most impact if it consists of comments that provide specific scientific or technical information or analysis for the SAB to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should contact the DFO for the relevant advisory committee directly.

Oral Statements: In general, individuals or groups requesting time to make an oral presentation at a public SAB teleconference will be limited to three minutes. Those interested in being
required to support the additional year of funding would not impose additional regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1995

This notice of final waiver and extension of the project period does not contain any information collection requirements.

Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance. This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiocassette, or compact disc) on request to the contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: May 29, 2013.

Michael Yudin,
Delegated the authority to perform the functions and duties of the Assistant Secretary for Special Education and Rehabilitative Services.

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III. What comments did EPA receive on the proposed rule?
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I. Summary of Today’s Final Action

EPA is approving several related actions. First, under Clean Air Act (CAA or “Act”) section 110(k)(3), EPA is approving a maintenance plan for the 1997 8-hour ozone standard (“San Diego 8-hour maintenance plan”) for the San Diego County 1997 ozone nonattainment area (“San Diego 8-hour area”) as a revision to the California state implementation plan (SIP). The San Diego 8-hour maintenance plan is included in a document titled Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County (December 2012) submitted by the California Air Resources Board (CARB) on December 28, 2012.

In connection with the San Diego 8-hour maintenance plan, EPA finds that the maintenance demonstration showing how the area will continue to attain the 1997 8-hour ozone national ambient air quality standard (1997 ozone NAAQS or 1997 ozone standard) for at least 10 years beyond redesignation (i.e., through 2025) and the contingency provisions describing the actions that the San Diego County Air Pollution Control District (SDCAPCD) will take in the event of a future monitored violation meet all applicable requirements for maintenance plans and related contingency provisions. In CAA section 175A, EPA is also approving the motor vehicle emissions budgets (MVEBs) in the San Diego 8-hour maintenance plan because we find that they meet the applicable transportation conformity requirements under 40 CFR 93.118(e).

Second, under CAA section 107(d)(3)(D), EPA is approving CARB’s request that accompanied the submittal of the San Diego 8-hour maintenance plan, that is, to redesignate the San Diego 8-hour area to attainment for the 1997 ozone standard. We are doing so based on our conclusion that the area has met the five criteria for redesignation under CAA section 107(d)(3)(E). Our conclusion in this
regard is based on our determination that the area has attained the 1997 ozone standard; that relevant portions of the California SIP are fully approved; that the improvement in air quality is due to permanent and enforceable reductions in emissions; that California has met all requirements applicable to the San Diego 8-hour area with respect to section 110 and part D of the CAA; and is based on our approval of the San Diego 8-hour maintenance plan, which is part of this action.

II. Background

On March 25, 2013 (78 FR 17902), EPA issued a notice of rulemaking proposing to approve California’s request to redesignate the San Diego County area to attainment for the 1997 8-hour ozone standard, as well as proposing to approve California’s ten-year ozone maintenance plan for the area, and the volatile organic compound (VOC) and oxides of nitrogen (NOx) MVEBIs, and VOC and NOx emission inventories as revisions of the California SIP. The proposed rulemaking provided an extensive background on the ozone standards and their relationship to historical air quality in San Diego County. The proposed rulemaking also described the complete, quality-assured air quality monitoring data for San Diego County for 2009–2011 showing that this area attained the 1997 8-hour ozone NAAQS. Preliminary data available to date for 2012 are consistent with continued attainment of the 1997 8-hour ozone NAAQS.

III. What comments did EPA receive on the proposed rule?

EPA’s proposed rule provided a 30-day public comment period. During this period, we received comment letters from the United States Department of the Navy and the Industrial Environmental Association in support of EPA’s March 25, 2013, proposed rule. During the public comment period, we did not receive any comments opposing the proposed rule.

IV. What actions is EPA taking?

Under CAA section 110(k)(3), and for the reasons provided in the proposed

2 Ground-level ozone is generally not emitted directly by sources. Rather, directly-emitted NOx and VOC react in the presence of sunlight to form ground-level ozone, as a secondary pollutant, along with other secondary compounds. NOx and VOC are “ozone precursors.” Reduction of peak ground-level ozone concentrations is typically achieved through controlling VOC and NOx emissions.

rule and summarized herein, EPA is approving CARB’s submittal dated December 28, 2012 of the Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County (December 2012) as a revision to the California state implementation plan (SIP). In connection with the San Diego 8-hour maintenance plan, EPA finds that the maintenance demonstration showing how the area will continue to attain the 1997 8-hour ozone NAAQS for 10 years beyond redesignation (i.e., through 2025) and the contingency provisions describing the actions that SDCA/PCD and CARB will take in the event of a future monitored violation meet all applicable requirements for maintenance plans and related contingency provisions in CAA section 175A. EPA is approving the MVEBIs in the San Diego 8-hour maintenance plan (shown in table 7 of this document) because we find they meet the applicable transportation conformity requirements under 40 CFR 93.118(e).

Second, under CAA section 107(d)(3)(D), we are approving CARB’s request, which accompanied the submittal of the maintenance plan, to redesignate the San Diego County 8-hour ozone nonattainment area to attainment for the 1997 8-hour ozone NAAQS. We are doing so based on our conclusion that the area has met the five criteria for redesignation under CAA section 107(d)(3)(E). Our conclusion in this regard is in turn based on our determination that the area has attained the 1997 ozone NAAQS; that relevant portions of the California SIP are fully approved; the improvement in air quality is due to permanent and enforceable reductions in emissions; that California has met all requirements applicable to the San Diego 8-hour area with respect to section 110 and part D of the CAA; and is based on our approval of the San Diego 8-hour maintenance plan, which is part of this action.

V. Statutory and Executive Order Reviews

Under the CAA, redesignation of an area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by State law. Redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, these actions merely approve a State plan and redesignation request as meeting federal requirements and do not impose additional requirements beyond those by state law. For these reasons, these actions:

• Are not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
• Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
• Are certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
• Do not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
• Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
• Are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
• Are not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
• Are not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
• Do not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law. Nonetheless, in accordance with EPA’s 2011 Policy on Consultation and Coordination with Tribes, EPA has
notified Tribes located within the San Diego County 8-hour ozone nonattainment.

List of Subjects
40 CFR Part 52
Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

40 CFR Part 81
Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: May 14, 2013.

Jared Blumenfeld,
Regional Administrator, Region IX.
Chapter 1, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

§ 52.220 Identification of plan.
* * * * *
(c) * * *(425) A plan was submitted on December 28, 2012, by the Governor’s designee.
     (i) [Reserved]
     (ii) Additional material
     (A) San Diego County Air Pollution Control District (SDAPCD).
     (1) Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County, including motor vehicle emissions budgets (MVEBs) and inventories.
     (2) SDAPCD Resolution Number 12-175, dated December 5, 2012.


(B) State of California Air Resources Board (CARB)


PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

§ 81.305 California.
* * * * *

California—1997 8-hour ozone NAAQS (Primary and Secondary)

<table>
<thead>
<tr>
<th>Designated area</th>
<th>Designation</th>
<th>Category/Classification</th>
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<td>San Diego, CA.</td>
<td>July 5, 2013</td>
<td>Attainment</td>
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<tr>
<td>San Diego County (part), That portion of San Diego County that excludes the areas listed below: La Posta Areas #1 and #2, Cuyapaipa Area, Manzanita Area, Campo Areas #1 and #2, La Posta Areas #1 and #2, Cuyapaipa Area, Manzanita Area, Campo Areas #1 and #2.</td>
<td>Unclassifiable/Attainment</td>
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* Includes Indian Country located in each county or area, except as otherwise specified.

b The boundaries for these designated areas are based on coordinates of latitude and longitude derived from EPA Region 9’s GIS database and are illustrated in a map entitled “Eastern San Diego County Attainment Areas for the 8-Hour Ozone NAAQS,” dated March 9, 2004, including an attached set of coordinates. The map and attached set of coordinates are available at EPA’s Region 9 Air Division office. The designated areas roughly approximate the boundaries of the reservations for these tribes, but their inclusion in this table is intended for CAA planning purposes only and is not intended to be a federal determination of the exact boundaries of the reservations. Also, the specific listing of these tribes in this table does not confer, deny, or withdraw Federal recognition of any of the tribes so listed nor any of the tribes not listed.

* * * * *

1 This date is June 15, 2004, unless otherwise noted.
DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Parts 155 and 156

Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Small Business Health Options Program

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Final rule.

SUMMARY: This final rule implements provisions of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 (collectively referred to as the Affordable Care Act) related to the Small Business Health Options Program (SHOP). Specifically, this final rule amends existing regulations regarding triggering events and special enrollment periods for qualified employees and their dependents and implements a transitional policy regarding employees’ choice of qualified health plans (QHPs) in the SHOP.

DATES: These regulations are effective on July 1, 2013.

FOR FURTHER INFORMATION CONTACT: Leigha Basini at (301) 492-4307.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

Beginning in 2014, individuals and small businesses will be able to purchase private health insurance through competitive marketplaces, called Affordable Insurance Exchanges or “Exchanges” (also called Health Insurance Marketplaces). Section 1311(b)(1)(B) of the Affordable Care Act contemplates that in each State there will be a SHOP that assists qualified employers in providing health insurance options for their employees. The final rule, Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers (Exchange Establishment Rule), as modified by the Notice of Benefit and Payment Parameters for 2014, sets forth standards for the administration of SHOP Exchanges. In this rule, we finalize provisions proposed in the Establishment of Exchanges and Qualified Health Plans; Small Business Health Options Program Notice of Proposed Rule Making, which amends some of the standards established in the Exchange Establishment Rule.

In the Exchange Establishment Rule, we established standards for special enrollment periods for people enrolled through an individual market Exchange, and provided that, in most instances, a special enrollment period is 60 days from the date of the triggering event. See 45 CFR 155.420. We also made these provisions applicable to SHOPs, at §155.725(a)(3). In the proposed rule we proposed and this final rule amends, the special enrollment period for the SHOP to 30 days for most applicable triggering events, so that it aligns with the special enrollment period for the group market established by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). To further align the SHOP provisions with HIPAA, we also proposed that if an employee or dependent becomes eligible for premium assistance under Medicaid or the Children’s Health Insurance Program (CHIP) or loses eligibility for Medicaid or CHIP, this would be a triggering event, and the employee or dependent would have a 60-day special enrollment period to select a QHP. This triggering event had previously been inadvertently omitted from the regulations because it applies only to group health plans and health insurance coverage in the group market. We also proposed to make a conforming change to §156.268(b)(2), so that this section references the SHOP special enrollment periods in a way that is consistent with our proposed changes to §155.725.

In the Exchange Establishment Rule, we also set forth the minimum functions of a SHOP, including that the SHOP must allow employers the option to offer employees all QHPs at a level of coverage chosen by the employer, and that the SHOP may allow employers to offer one or more QHPs to qualified employees by other methods. We proposed and are now finalizing the following transitional policy. For plan years beginning on or after January 1, 2014 and before January 1, 2015, a SHOP will not be required to permit qualified employers to offer their qualified employees a choice of QHPs at a single level of coverage, but will have the option of doing so. Federally facilitated SHOPs (FF-SHOP) will not exercise this option, but will instead allow employers to choose a single QHP from the choices available in FF-SHOP to offer their qualified employees. This transitional policy is intended to provide additional time to prepare for an employee choice model and to increase the stability of the small group market while providing small groups with the benefits of SHOP in 2014 (such as a choice among competing QHPs and access for qualifying small employers to the small business health care tax credit). We also proposed changes to the effective date of the SHOP premium aggregation function set forth at §155.705(b)(4) in the Exchange Establishment Rule consistent with this transitional policy, which we are finalizing in this rule.

II. Background

A. Legislative Overview

Section 1311(b) of the Affordable Care Act establishes that there will be a SHOP in each State to assist qualified small employers in providing health insurance options to their employees. Section 1311(c)(6) of the Affordable Care Act sets forth that the Secretary of Health and Human Services (HHS) shall direct Exchanges to provide for special enrollment periods. Section 155.420 of the Exchange Establishment Rule established special enrollment periods for the individual market, and §155.725(a)(3) established them for the SHOP.

Section 1312(a)(2) of the Affordable Care Act provides that qualified employers may offer qualified employees a choice among all QHPs at a level of coverage chosen by the employer. Section 1312(f)(2)(A) defines a qualified employer as a small employer that elects to make all full-time employees of such employer eligible for one or more QHPs offered in the small group market through an Exchange that offers QHPs. The Exchange Establishment Rule set forth standards for the SHOP and implemented section 1312 at 45 CFR, part 155, subpart H.

B. Stakeholder Consultation and Input

HHS has consulted with a wide range of interested stakeholders on policy matters related to the SHOP, including through regular conversations with the
Today's notice is simply an announcement of a finding that we have already made. EPA Region IX sent a letter to CARB on March 11, 2013 stating that the MVEBs in the submitted San Diego Ozone Redesignation Request and Maintenance Plan for the years of 2020 and 2025 are adequate. The adequate MVEBs are provided in the following table:

**MVEBS in the San Diego Ozone Maintenance Plan**

<table>
<thead>
<tr>
<th>Budget year</th>
<th>Volatile organic compounds</th>
<th>Oxides of nitrogen</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>23</td>
<td>38</td>
</tr>
<tr>
<td>2025</td>
<td>21</td>
<td>30</td>
</tr>
</tbody>
</table>

Receipt of the MVEBs in the San Diego Ozone Redesignation Request and Maintenance Plan was announced on EPA's transportation conformity Web site on December 20, 2012. We received no comments in response to the adequacy review posting. The finding is available at EPA's transportation conformity Web site: [http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm](http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm).

Transportation conformity is required by Clean Air Act section 176(c). EPA's conformity rule requires that transportation plans, transportation improvement programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do conform. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's MVEBs are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4) which was promulgated in our August 15, 1997 final rule (62 FR 43780; 43781–43783). We have further described our process for determining the adequacy of submitted SIP budgets in our July 1, 2004 final rule (69 FR 40004, 40038), and we used the information in these resources in making our adequacy determination. Please note that an adequacy review is separate from EPA's completeness review, and should not be used to prejudice EPA's ultimate approval action for the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

**Authority:** 42 U.S.C. 7401 et seq.

**Dated:** March 12, 2013.

**Jared Blumenfeld,**
Regional Administrator, Region IX.

[FR Doc. 2013–06404 Filed 3–19–13; 8:45 am]

**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**


**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NSPS for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction or Modification Commenced After June 11, 1973 and Prior to May 19, 1978 (Renewal)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR which is abstracted below describes the nature of the collection and the estimated burden and cost.

**DATES:** Additional comments may be submitted on or before April 19, 2013.

**ADDRESSES:** Submit your comments, referencing docket ID number EPA–HQ–OECA–2012–0677, to: (1) EPA online, using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by email to: docket.oeca@epa.gov, or by mail to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, mail code 28221T, 1200 Pennsylvania Avenue NW., Washington, DC 20460; and (2) OMB at: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Learia Williams, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: (202) 564–4113; fax number: (202) 564–0050; email address: williams.learia@epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for
Proposed Rule - Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements Rule

Action

- On May 29, 2013, the U.S. Environmental Protection Agency (EPA) proposed a rule that would address a range of implementation requirements for the 2008 National Ambient Air Quality Standards (NAAQS) for ground-level ozone. The EPA set those final standards at 0.075 ppm on March 12, 2008.

- EPA and the governments of states, tribes, and communities share responsibility for implementing the ozone standards. Today’s proposal seeks comment on a range of options to address the challenge of reducing ozone.

- This implementation rule proposes a number of approaches to address these challenges and has identified several ways to provide states flexibility and assistance in meeting CAA requirements. These approaches minimize administrative burdens while still ensuring public health protection is achieved by meeting the revised ozone standards. The EPA will work closely with states to provide assistance in implementing the 2008 ozone standards.

- Today’s proposal specifically addresses:
  - SIP planning requirements for areas not attaining the 2008 ozone NAAQS, including SIP submission deadlines;
  - Revocation of the 1997 NAAQS; and
  - Anti-backsliding requirements.

- The EPA is proposing to revoke the 1997 8-hour ozone NAAQS for all purposes. The Classifications Rule for the 2008 ozone NAAQS revoked the 1997 ozone NAAQS for purposes of transportation conformity only. This rule revokes the 1997 standard for all remaining purposes upon publication of the final SIP Requirements Rule in the Federal Register.

- The EPA is proposing a number of anti-backsliding measures for areas that remain nonattainment for the 1-hour ozone NAAQS and/or the 1997 8-hour ozone NAAQS after the 1997 standard is revoked. The purpose of anti-backsliding is to make sure that air quality in nonattainment areas does not get worse after a standard is revoked. These anti-backsliding requirements ensure that certain control measures remain in place in nonattainment areas until the NAAQS that triggered those control measures is met.

- The state planning and emissions control requirements in this proposed rule include attainment demonstrations; reasonable further progress (RFP) plans; reasonably available control technology (RACT); reasonably available control measures (RACM); nonattainment new source review; emission inventory; compliance, and attainment; and other implementation-related topics.
• The proposed rule also would establish deadlines for SIP submissions. The rule proposes an option for states to submit a “consolidated SIP” in an effort to reduce regulatory burden.

• This proposal is the second of two rules that will guide implementation of the 2008 ozone standard. The first rule was issued on April 30, 2012, and dealt with thresholds, attainment dates, and revocation of the 1997 ozone NAAQS for purposes of transportation conformity.

• Forty-six areas are designated “nonattainment” for the 2008 ozone standard. On May 31, 2012, the EPA completed area designations for the Chicago area. The EPA designated the rest of the country on April 30, 2012.

• For more information about the 2008 ozone standard, go to http://www.epa.gov/air/ozonepollution/actions.html.

**How to Comment:**

• EPA will accept comment on this proposal for 60 days following publication in the Federal Register.

• EPA will hold one public hearing in Washington, DC.

• Comments should be identified by Docket ID No. EPA-HQ-OAR-2010-0885 and submitted by one of the following methods:
  - Federal eRulemaking Portal (http://www.regulations.gov),
  - e-mail (a-and-r-docket@epa.gov),
  - Mail (EPA Docket Center, Environmental Protection Agency, Mail code 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460), or
  - Hand delivery (EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC).

**For Further Information:**

• To download a copy of the notice, go to EPA’s Worldwide Web site at: http://www.epa.gov/air/ozonepollution/actions.html#impl.

• Today’s proposed rule and other background information are also available either electronically at http://www.regulations.gov, EPA’s electronic public docket and comment system, or in hardcopy at the EPA Docket Center’s Public Reading Room.

• The Public Reading Room is located at EPA Headquarters, room number 3334 in the EPA West Building, 1301 Constitution Avenue, NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.

• Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2010-0885.

For more information on the proposed rule, contact either Dr. Karl Pepple at (919)-541-2683 or e-mail at pepple.karl@epa.gov or Mr. Butch Stackhouse at (919)-541-5208 or e-mail at stackhouse.butch@epa.gov.