MEETING NOTICE AND AGENDA

SAN DIEGO REGION CONFORMITY WORKING GROUP

The San Diego Region Conformity Working Group may take action on any item appearing on this agenda.

Wednesday, September 6, 2017

10:30 a.m. to 12 noon

SANDAG, Conference Room 7
401 B Street, Suite 800
San Diego, CA 92101

Please take the elevator to the 8th floor to access the meeting room.

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

AGENDA HIGHLIGHTS

• 2008 OZONE REASONABLE FURTHER PROGRESS PLAN: 2017 BUDGETS

• EMISSION FACTORS MODEL 2017 DEVELOPMENT

If you would like to participate via conference call, please call (888) 204-5987. The conference call passcode is 6838699#.

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus; makes strategic plans; obtains and allocates resources; plans, engineers, and builds public transit; and provides information on a broad range of topics pertinent to the region’s quality of life.
Welcome to SANDAG. Members of the public may speak to the Working Group on any item at the time the Working Group is considering the item. Please complete a Request to Comment form and then present the form to the Working Group coordinator. Members of the public may address the Working Group on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Public speakers are limited to three minutes or less per person unless otherwise directed by the Chair. The Working Group may take action on any item appearing on the agenda.

Public comments regarding the agenda can be sent to SANDAG via comment@sandag.org. Please include the agenda item, your name, and your organization. Email comments should be received no later than 12 noon, two working days prior to the meeting. Any handouts, presentations, or other materials from the public intended for distribution at the meeting should be received by the Working Group coordinator no later than 12 noon, two working days prior to the meeting.

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To access the meeting room, please arrive on the 8th floor.
<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>1.</td>
<td>INTRODUCTIONS</td>
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<tr>
<td>+2.</td>
<td>MEETING MINUTES</td>
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<td></td>
<td>The San Diego Conformity Working Group (CWG) is asked to review the meeting minutes from its June 7, 2017, meeting.</td>
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<td>3.</td>
<td>PUBLIC COMMENTS/COMMUNICATIONS</td>
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<td>Members of the public shall have the opportunity to address the CWG on any issue within the jurisdiction of SANDAG that is not on this agenda. Anyone desiring to speak shall reserve time by completing a Request to Comment form and giving it to the meeting coordinator prior to speaking. Public speakers should notify the meeting coordinator if they have a handout for distribution to CWG members. Public speakers are limited to three minutes or less per person. CWG members also may provide information and announcements under this agenda item.</td>
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<td>4.</td>
<td>REPORTS</td>
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<td>2008 OZONE REASONABLE FURTHER PROGRESS PLAN: 2017 BUDGETS</td>
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<td>On July 20, 2017, the U.S. Environmental Protection Agency (EPA) posted the San Diego, California, 2008 Ozone Reasonable Further Progress Plan (2017 Budgets) for a public comment period, which closed on August 21, 2017. U.S. EPA staff will provide an update and highlight next steps.</td>
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<td>2015 OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS AREA DESIGNATIONS</td>
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<td>On August 2, 2017, the U.S. Environmental Protection Agency (EPA) withdrew the previous action (82 FR 29246, June 28, 2017), which had extended by one year the October 1, 2017, Clean Air Act deadline for U.S. EPA to complete initial area designations for the 2015 ozone National Ambient Air Quality Standards (NAAQS). U.S. EPA staff will provide an overview of the designation process to be conducted by October 1, 2017.</td>
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<td>6.</td>
<td>EMISSION FACTORS MODEL 2017 DEVELOPMENT</td>
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<td>California Air Resources Board (ARB) staff will provide an update on ARB’s progress in developing an updated version of the Emissions Factor Model, EMFAC2017.</td>
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<td>7.</td>
<td>UPCOMING MEETINGS</td>
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<td>The next meeting of the CWG is scheduled for October 4, 2017, 10:30 a.m.</td>
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<td>8.</td>
<td>ADJOURNMENT</td>
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+ next to an agenda item indicates an attachment
The meeting of the San Diego Region Conformity Working Group (CWG) was called to order by Rachel Kennedy, Senior Regional Planner, at 10:32 a.m.

1. INTRODUCTIONS

Self-introductions were made. See the attached attendance list.

2. NOVEMBER 2, 2016, MEETING MINUTES (INFORMATION)

Ms. Kennedy asked the CWG to review the meeting minutes. No comments or corrections were made.

3. PUBLIC COMMENTS/COMMUNICATIONS

No public comments were entered.

REPORTS

4. EIGHT-HOUR OZONE ATTAINMENT PLAN UPDATE (INFORMATION)

Nick Cormier, San Diego County Air Pollution Control District (APCD), provided an update on the approval process of the Eight-Hour Ozone Attainment Plan. The APCD Board unanimously adopted the Eight-Hour Ozone Attainment Plan and Reasonably Available Control Technology Demonstration for the 2008 National Ozone Standard (75 parts per billion) on December 14, 2016. The documents were approved by the California Air Resources Board (ARB) on March 23, 2017, and were subsequently submitted to the Environmental Protection Agency on April 12, 2017, for review and approval.

5. SAN DIEGO FORWARD: DEVELOPMENT OF THE 2019 REGIONAL PLAN (INFORMATION)

Phil Trom, Senior Regional Planner, provided an overview of the update of San Diego Forward: The Regional Plan (Regional Plan) that is scheduled for adoption in 2019. Federal law requires that SANDAG prepare a long-range transportation plan and make an air quality conformity determination every four years. Ms. Kennedy noted that SANDAG would follow approved interagency consultation procedures and would bring several Regional Plan conformity-related items to the CWG at future meetings.
6. **EMFAC2017 DEVELOPMENT UPDATE (INFORMATION)**

Dennis Wade, ARB, provided an update on the ARB’s progress in developing an updated version of Emissions Factor Model (EMFAC), EMFAC2017. A public webinar was held on June 1, 2017, to discuss updates to the on-road component of the mobile source emission inventory. ARB plans to release an alpha version of EMFAC2017 in late June, a beta version in August 2017, and the final public version of EMFAC2017 is anticipated to be released in December 2017. U.S. Environmental Protection Agency approval is anticipated in spring 2018.

7. **TRANSPORTATION CONFORMITY GUIDE (INFORMATION)**

Ms. Kennedy provided information on the Transportation Conformity: A Basic Guide for State and Local Officials, which was published by U.S. Department of Transportation and Federal Highway Administration in February 2017.

8. **OTHER BUSINESS (INFORMATION)**

Katherin Rhodes, member of the public, provided comments regarding concerns of compliance with seismic analysis laws.

9. **ADJOURNMENT AND NEXT MEETING**

Ms. Kennedy reminded the CWG that the next meeting is scheduled for July 5, 2017, at 10:30 a.m.

Ms. Kennedy adjourned the meeting at 11:12 a.m.
<table>
<thead>
<tr>
<th>Name</th>
<th>Agency</th>
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<tbody>
<tr>
<td>Dennis Wade (phone)</td>
<td>Air Resources Board</td>
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<tr>
<td>Ilene Gallo (phone)</td>
<td>Caltrans District 11</td>
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<td>Melina Pereira (phone)</td>
<td>Caltrans District 11</td>
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<tr>
<td>Katherin Rhodes</td>
<td>Member of public</td>
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<td>Nick Cormier (phone)</td>
<td>San Diego Air Pollution Control District</td>
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<td>Carla Walecka (phone)</td>
<td>Transportation Corridor Agencies</td>
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<td>John Kelly (phone)</td>
<td>U.S. Environmental Protection Agency</td>
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<td>Sue Alpert</td>
<td>SANDAG</td>
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<td>Marcial Gutierrez</td>
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<td>Rachel Kennedy</td>
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<td>Phil Trom</td>
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withdrawn or denied. The proceeds of any such fees will be used to pay the remaining portion of the Agency’s cost of providing credit assistance and the costs of retaining expert firms, including financial, engineering, and legal services, in the field of municipal and project finance, to assist in the underwriting of the Federal credit instrument. All of, or a portion of, this fee may be waived.

(d) Servicing fee. EPA will require borrowers to pay a servicing fee for each credit instrument approved for funding. Separate fees may apply for each type of credit instrument (e.g., a loan guarantee, a secured loan with a single disbursement, or a secured loan with multiple disbursements), depending on the costs of servicing the credit instrument as determined by the Administrator. Such fees will be set at a level sufficient to enable the EPA to recover all or a portion of the costs to the Federal Government of servicing WIFIA credit instruments.

(e) Optional supplemental fee. If, in any given year, there is insufficient budget authority to fund the credit instrument for a qualified project that has been selected to receive assistance under WIFIA, EPA and the approved applicant may agree upon a supplemental fee to be paid by or on behalf of the approved applicant at the time of execution of the term sheet to reduce the subsidy cost of that project. No such fee may be included among eligible project costs.

(f) Reduced fees. To the extent that Congress appropriates funds in any given year beyond those sufficient to cover internal administrative costs, EPA may utilize such appropriated funds to reduce fees that would otherwise be charged under paragraph (c) of this section.

(g) Extraordinary expenses. EPA may require payment in full by the borrower of additional fees, in an amount determined by EPA, and of related fees and expenses of its independent consultants and outside counsel, to the extent that such fees and expenses are incurred directly by EPA and to the extent such third parties are not paid directly by the borrower, in the event that a borrower experiences difficulty relating to technical, financial, or legal matters or other events (e.g., engineering failure or financial workouts) which require EPA to incur time or expenses beyond standard monitoring.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR PART 81

Extension of Deadline for Promulgating Designations for the 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of deadline for promulgating designations.

SUMMARY: The Environmental Protection Agency (EPA) is announcing that it is using its authority under the Clean Air Act (CAA) to extend by 1 year the deadline for promulgating initial area designations for the ozone national ambient air quality standards (NAAQS) that were promulgated in October 2015. The new deadline is October 1, 2018.

DATES: The deadline for the EPA to promulgate initial designations for the 2015 ozone NAAQS is October 1, 2018.

FOR FURTHER INFORMATION CONTACT: For questions regarding this action, contact Denise Scott, Air Quality Planning Division, Office of Air Quality Planning and Standards, Mail Code C539–04, Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–4208; email address: scott.denise@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

Entities potentially affected by this action include state, local and tribal governments that would participate in the initial area designation process for the 2015 ozone standards.

B. Where can I get a copy of this document and other related information?

The EPA has established a docket for designations for the 2015 ozone NAAQS under Docket ID No. EPA–HQ–OAR–2017–0223. All documents in the docket are listed in the http://www.regulations.gov index. Although listed in the index, some information is not publicly available, e.g., confidential business information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in http://www.regulations.gov or in hard copy at the EPA Docket Center EPA/DC, EPA West, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the EPA Docket Center is (202) 566–1742.

An electronic copy of this notice is also available at http://www.epa.gov/ozone-designations along with other information related to designations for the 2015 ozone NAAQS.

II. Designations Requirements

On October 1, 2015, the EPA signed a notice of final rulemaking that revised the 8-hour primary and secondary ozone NAAQS (80 FR 65292; October 26, 2015). The primary standard was lowered from 0.075 parts per million (ppm) to a level of 0.070 ppm. The EPA also revised the secondary standard by making it identical in all respects to the revised primary standard. (The previous ozone NAAQS were set in 2008 and remain effective.)

After the EPA establishes or revises a NAAQS pursuant to CAA section 109, the CAA directs the EPA and the states to begin taking steps to ensure that those NAAQS are met. The first step is to identify areas of the country that do not meet the new or revised NAAQS. This step is known as the initial area designations. Section 107(d)(1)(A) of the CAA provides that, “By such date as the Administrator may reasonably require, but not later than 1 year after promulgation of a new or revised national ambient air quality standard for any pollutant under section 109, the Governor of each State shall * * * submit to the Administrator a list of all areas (or portions thereof) in the State” that designates those areas as nonattainment, attainment, or unclassifiable. The CAA defines an area as nonattainment if it is violating the NAAQS or if it is contributing to a violation in a nearby area. 42 U.S.C. 7407(d)(1)(A)(i).

The CAA further provides, “Upon promulgation or revision of a national ambient air quality standard, the Administrator shall promulgate the designations of all areas (or portions thereof) * * * as expeditiously as practicable, but in no case later than 2 years from the date of promulgation of the new or revised national ambient air quality standard. Such period may be extended for up to one year in the event the Administrator has insufficient information to promulgate the
After the states submit their recommendations, but no later than 120 days prior to promulgating designations, the EPA is required to notify a state of any intended modifications to the state’s recommended designation. The state then has an opportunity to demonstrate why any proposed modification is inappropriate. Whether or not a state provides a recommendation, the EPA must promulgate the designation that the agency deems appropriate within 2 years of promulgation of the NAAQS (or within 3 years if the EPA extends the deadline).

For the 2015 ozone NAAQS, the deadline for states to submit designation recommendations to the EPA for their areas was October 1, 2016. The EPA has been evaluating these recommendations and conducting additional analyses to determine whether it is necessary to modify any of the state recommendations.

III. Extension of Deadline for Promulgating Designations for the 2015 NAAQS

In this action, the EPA is announcing that it is using its authority under section 107(d)(1)(B)(i) of the CAA to extend by 1 year the deadline for promulgating initial area designations for the 2015 ozone NAAQS. The new deadline is October 1, 2018. For the reasons explained in this notice, the EPA Administrator has determined that there is insufficient information to complete the designations by October 1, 2017.

Following the recent change in administrations, the agency is currently evaluating a host of complex issues regarding the 2015 ozone NAAQS and its implementation, such as understanding the role of background ozone levels and appropriately accounting for international transport. The Administrator has determined that he cannot assess whether he has the necessary information to finalize designations until additional analyses from this evaluation are available. In addition, pursuant to language in the recently-enacted Fiscal Year 2017 omnibus bill, the Administrator is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard. It is possible the outcome of that effort could identify flexibilities that could impact the designations process. In light of the analyses currently underway at the agency, the Administrator has determined he needs additional time to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A), including full consideration of exceptional events impacting designations, and determine whether they provide sufficient information to finalize designations. We also note that new agency officials are currently reviewing the 2015 ozone NAAQS rule. The Administrator has determined that in light of the uncertainty of the outcome of that review, there is insufficient information to promulgate designations by October 1, 2017.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.


E. Scott Pruitt,
Administrator.
shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today’s Federal Register, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking action. This action, which approves revisions to section 2101.20 and section 2105.50 under Article XXI (Air Pollution Control), may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

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

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81


Withdrawal of Extension of Deadline for Promulgating Designations for the 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of extension of deadline for promulgating designations.

SUMMARY: The Environmental Protection Agency (EPA) is announcing that it is withdrawing the 1-year extension of the deadline for promulgating initial area designations for the ozone national ambient air quality standards (NAAQS) that were promulgated in October 2015. Thus, unless and until the Administrator takes additional final action, the 2-year deadline for promulgating designations provided in the Clean Air Act (CAA) applies.

DATES: The deadline for the EPA to promulgate initial designations for the 2015 ozone NAAQS is October 1, 2017.

FOR FURTHER INFORMATION CONTACT: For questions regarding this action, contact

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Dated: July 24, 2017.

Cecil Rodrigues,
Acting Regional Administrator, Region III.

[FR Doc. 2017–16806 Filed 8–9–17; 8:45 am]
BILLING CODE 6560–50–P
Carla Oldham, Air Quality Planning Division, Office of Air Quality Planning and Standards, Mail Code C539–04, Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–3347; email address: oldham.carla@epa.gov.

SUPPLEMENTARY INFORMATION:
I. General Information
A. Does this action apply to me?

Entitles potentially affected by this action include state, local and tribal governments that would participate in the initial area designation process for the 2015 ozone standards.

B. Where can I get a copy of this document and other related information?

The EPA has established a docket for designations for the 2015 ozone NAAQS under Docket ID No. EPA–HQ–OAR–2017–0223. All documents in the docket are listed in the http://www.regulations.gov index. Although listed in the index, some information is not publicly available, e.g., confidential business information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in http://www.regulations.gov or in hard copy at the EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the EPA Docket Center is (202) 566–1742.

An electronic copy of this notice is also available at http://www.epa.gov/ozone-designations along with other information related to designations for the 2015 ozone NAAQS.

II. Designations Requirements

On October 1, 2015, the EPA signed a notice of final rulemaking that revised the 8-hour primary and secondary ozone NAAQS (80 FR 65292; October 26, 2015). Both standards were lowered from 0.075 parts per million (ppm) to a level of 0.070 ppm.

After the EPA establishes or revises a NAAQS pursuant to CAA section 109, the CAA directs the EPA and the states to begin taking steps to ensure that those NAAQS are met. The first step is to identify areas of the country that meet or do not meet that NAAQS. This step is known as the initial area designations. Section 107(d)(1)(A) of the CAA provides that, “By such date as the Administrator may reasonably require, but not later than 1 year after promulgation of a new or revised national ambient air quality standard for any pollutant under section [109], the Governor of each State shall * * * submit to the Administrator a list of all areas (or portions thereof) in the State” that designates those areas as nonattainment, attainment, or unclassifiable.

The CAA further provides, “Upon promulgation or revision of a national ambient air quality standard, the Administrator shall promulgate the designations of all areas (or portions thereof) * * * as expeditiously as practicable, but in no case later than 2 years from the date of promulgation of the new or revised national ambient air quality standard. Such period may be extended for up to one year in the event the Administrator has insufficient information to promulgate the designations.” 42 U.S.C. 7407(d)(1)(B)(i).

In the EPA guidance, “Area Designations for the 2015 Ozone National Ambient Air Quality Standards,” the EPA indicated it expected to complete the initial area designations by October 1, 2017, consistent with the statutory requirement that the EPA designate areas no later than 2 years following promulgation of a revised NAAQS. The EPA now intends to reassess whether there are areas with underlying technical issues, whether there are state designation recommendations that the EPA intends to modify, and whether for any area there is insufficient information to promulgate the designation. The EPA believes this reevaluation will help ensure that more Americans are living and working in areas that meet national air quality standards. The agency believes that there may be areas of the United States for which designations could be promulgated in the next few months. Therefore, the EPA is withdrawing its prior announced 1-year extension of the deadline for promulgating initial area designations for the 2015 ozone NAAQS, and the 2-year deadline for promulgating designations provided in section 107(d)(1)(B) of the CAA applies. The Administrator may still determine that an extension of time to complete designations is necessary, but is not making such a determination at this time.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.


E. Scott Pruitt, Administrator.

[FR Doc. 2017–16901 Filed 8–9–17; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

Delaware: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).