

U.S. EPA Fact Sheet

San Joaquin Valley PM_{2.5} Nonattainment Area Action on Contingency Measures

April 29, 2016

Summary

- EPA is withdrawing its 2014 approval of the San Joaquin Valley's (SJV) contingency measures for the 1997 PM_{2.5} standard. Simultaneously, EPA is disapproving the contingency measures.
- These contingency measures relied on CA mobile source control measures that had not been approved into the State Implementation Plan. The Ninth Circuit Court of Appeals recently rejected EPA's rationale for approving plans that rely on such measures. Today's withdrawal and disapproval are in response to the Court's decision.
- The final disapproval triggers mandatory clocks for sanctions and a federal implementation plan (FIP) upon its effective date. Because EPA is issuing a protective finding in accordance with the transportation conformity rules, the disapproval will not result in a transportation conformity freeze.

Background

- The SJV PM_{2.5} nonattainment area is located in the southern half of California's central valley and includes all or part of eight counties: San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and the valley portion of Kern.
- Effective April 5, 2005, EPA designated the SJV area as nonattainment for the 1997 annual and 24-hour PM_{2.5} standards.
- On May 22, 2014, EPA approved the contingency measures for the SJV area. Among other things, the contingency measures relied on ongoing emissions reductions from California waiver measures.
- On May 20, 2015, the Ninth Circuit Court of Appeals issued a decision rejecting EPA's rationale for approving plans that rely on emission reductions from waiver measures that are not approved into the State Implementation Plan (*Committee for a Better Arvin v. EPA*, 786 F.3d 1169 (9th Cir. 2015)).
- On August 17, 2015, EPA proposed to withdraw its May 22, 2014 approval of the SJV PM_{2.5} contingency measures and simultaneously proposed to disapprove these measures.

Next Steps

- This final rule will be effective 30 days after publication in the Federal Register.

For More Information:

<http://epa.gov/region09/air/sjv-pm25/index.html>