Agricultural Air Quality Task Force

April 22, 2015

Office of Air and Radiation
Office of Air Quality Planning and Standards
Overview

► National Ambient Air Quality Standards (NAAQS)
  ► Schedules Reviews and Implementation
  ► Ozone
  ► Particulate Matter

► Animal Production
  ► Petitions/Litigation
  ► NAEMS

► Biomass

► EPA’s Farm, Ranch and Rural Community Committee

► The Farm Bill SAB Agriculture Committee

► Regional Activities

► Additional Agency Activities
## NAAQS Reviews: Status Update
### (as of March 31, 2015)

<table>
<thead>
<tr>
<th>Last Review Completed (final rule signed)</th>
<th>Ozone</th>
<th>Lead</th>
<th>Primary NO₂</th>
<th>Primary SO₂</th>
<th>Secondary NO₂ and SO₂</th>
<th>PM</th>
<th>CO</th>
</tr>
</thead>
</table>

### Recent or Upcoming Major Milestone(s)

1. **Ozone**
   - August 2014 Final REAs Final PA
   - Nov 25, 2014 Proposed rule
   - Oct 1, 2015 Final rule
2. **Lead**
   - May 2014 Final PA
   - Dec 2014 Proposed decision
3. **Primary NO₂**
   - June 2014 Final IRP
   - January 2015 2nd Draft ISA
   - Spring 2015 REA Planning Document
4. **Primary SO₂**
   - October 2014 Final IRP
   - Summer 2015 1st Draft ISA
   - Fall 2015 REA Planning Document
5. **Secondary NO₂ and SO₂**
   - Summer 2015 Draft IRP
6. **PM**
   - Winter 2015/2016 Draft IRP
7. **CO**
   - TBD³

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Additional information regarding current and previous NAAQS reviews is available at: [http://www.epa.gov/ttn/naaqs/](http://www.epa.gov/ttn/naaqs/)

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1. IRP – Integrated Review Plan; ISA – Integrated Science Assessment; REA – Risk and Exposure Assessment; PA – Policy Assessment
2. **Bold and underlined** dates indicate court-ordered or settlement agreement deadlines
3. TBD = to be determined
<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Final NAAQS Date</th>
<th>Designations Effective</th>
<th>Infrastructure SIP Due</th>
<th>Attainment Plans Due</th>
<th>Attainment Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO$_2$ (2010) (primary)</td>
<td>Jan 2010</td>
<td>Feb 2012</td>
<td>Jan 2013</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Ozone NAAQS

► 2008 Revised primary 8-hour Ozone NAAQS (75 ppb)
  ► Area designations (46 nonattainment and 1 unclassifiable) were effective on July 20, 2012
    • On going litigation concerning designations for several areas

► 2008 Ozone NAAQS SIP Requirements Rule and Revocation of 1997 NAAQS
  ► Proposed May 29, 2013 (78 FR 34178), anticipate final rule in early 2015
  ► Emission inventory and RACT SIPs were due in July 2014
  ► Attainment plans and demonstrations due July 2015 (Moderate) or July 2016 (Serious and above)

► 2015 Ozone NAAQS Review
  ► April 29, 2014 court issued ruling on schedule:
    • Signed November 25, 2014
    • Final October 1, 2015
2008 Ozone NAAQS

► Revised primary 8-hour Ozone NAAQS in 2008 (75 ppb)
► Final 2008 Ozone NAAQS Classifications Rule
  ► Published May 21, 2012 (77 FR 30160)
  ► Established air quality thresholds for each ozone nonattainment area classification, attainment deadlines and revocation of the 1997 Ozone standards for transportation conformity
  ► Lawsuit filed by NRDC, challenging end of year attainment date EPA sought to establish in Classifications Rule
  ► DC Circuit issued opinion on December 23, 2014 vacated portion of the Classification Rule that sought to establish attainment date periods from the end of year; held that deadlines calculated as annual periods running from date of designations more appropriate
  ► EPA addressed lawsuit in final 2008 Ozone SIP requirements Rule; established the maximum attainment date as a specific number of years from effective date of designations
2008 Ozone NAAQS: Area Designations

Area designations for 2008 Ozone NAAQS effective July 20, 2012
- 46 nonattainment areas, 1 unclassifiable area
  - 36 Marginal; 3 Moderate; 2 Serious; 3 Severe; 2 Extreme

Attainment Dates for 2008 Ozone NAAQS (attainment date runs from effective date of designations)
- Marginal – 3 years
- Moderate – 6 years
- Serious – 9 years
- Severe – 15 years
- Extreme – 20 years
2008 Ozone NAAQS: Area Designations
(Effective July 20, 2012)

Final Designations
- Unclassifiable / Attainment
- Unclassifiable
- Nonattainment (Partial County)
- Nonattainment (Whole County)

Notes:
EPA has not designated as nonattainment any areas outside the Continental US.
Implementation of the 2008 NAAQS for Ozone: State Implementation Requirements Rule

► Official title: “Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements” (hereafter referred to as Ozone SRR)

► Final Ozone SRR signed on Feb. 13, 2015; published March 6, 2015 80 FR 12264
  • effective date is April 6, 2015

► Webinar for state, local and tribal air agencies held on Feb. 26, 2015
  • webinar slides and recording available online at www.epa.gov/groundlevelozone/actions.html

► Significant amount of implementation detail from the Ozone SRR addressed in webinar
Implementation of the 2008 NAAQS for Ozone: State Implementation Requirements Rule

► In general, the Ozone SSR interprets applicable statutory requirements and provides flexibility (to extent possible) to states to minimize administrative burdens while developing and implementing plans to meet and maintain the NAAQS

► Establishes due dates for attainment plans and clarifies attainment dates for each nonattainment area according to its classification (established based on air quality thresholds)

► Revokes the 1997 ozone NAAQS as of April 6 and establishes anti-backsliding requirements for areas remaining nonattainment for the 1997 ozone NAAQS

► Provides guidance on nearly all aspects of the attainment planning requirements for designated nonattainment areas
Implementation of the 2008 NAAQS for Ozone: State Implementation Requirements Rule

Key implementation dates:
- Emission inventory and RACT SIPs due July 2014
- Attainment plans and demonstrations due July 2015 (Moderate) or July 2016 (Serious and above)
- Marginal area attainment date: July 20, 2015 (attainment to be determined by 2012-2014 air quality data)

EPA anticipates that the Ozone SRR will serve as blueprint for the implementation provisions that would apply to any potential future ozone revisions to the Ozone NAAQS
On November 25, 2014, EPA proposed to strengthen the national ambient air quality standards for ground-level ozone, based on extensive scientific evidence about ozone’s effects on public health and welfare (Federal Register notice published Dec. 17, 2014 (797R75234))

- **Primary Standard Proposal**: 65-70 ppb, accepted comment on lower levels including 60 ppb and on retaining the current standard of 75 ppb
- **Secondary Standard Proposal**: 65-70 ppb, which we proposed would provide the requisite protection equivalent to a seasonal W126 index of 13 to 17 ppm-hours

- Proposed to retain the form and averaging time (8-hour) for both the primary and secondary standards

- The proposed updates will improve public health protection, particularly for children, the elderly and people of all ages who have lung diseases such as asthma

- EPA also proposed to update the Air Quality Index (AQI) for ozone; and make certain updates to monitoring and permitting requirements
On January 29th and February 2nd, three public hearings were held in Arlington, TX, Washington DC, and Sacramento, CA.

We heard from more than 400 speakers representing a variety of positions on our proposal.

The 90 day public comment period for both the proposal and the Regulatory Impact Analysis closed March 17, 2015.

We received and are currently reviewing more than 400,000 comments.

The court-ordered deadline for signature of the final rule is October 1, 2015 and we are on track to meet that date.
2015 Ozone NAAQS: Implementation

Key implementation milestones for NAAQS (if revised)
- Area designations promulgated by October 2017
- Infrastructure SIPs due Oct 2018
- Attainment plans due 2020-21
- Attainment dates 2020-2037 (primary standard only)

Implementation rules and guidance for 2015 Ozone NAAQS
- 2015 ozone NAAQS proposal includes limited grandfathering of PSD permit applications, and process deadlines for ozone-related exceptional events demonstrations
- Also seeking early input on other implementation issues that would be addressed in separate implementation requirement rulemaking
- EPA looking to propose separate implementation rulemaking by October 2016 and finalize by end of 2017
What if Background Ozone Constitutes Violations of NAAQS?

► Proposal acknowledges that background ozone contributes significantly to ozone levels on some days, especially in some areas in the western U.S. (e.g., Denver)
  ► Acknowledges that prescribed fire may be used to mitigate the effects of catastrophic wildfire

► At a prospective standard of 70 ppb, background ozone is unlikely to create significant implementation challenges

► Majority of current 8-hour exceedances attributable to (local and regional) manmade emissions
  ► On high ozone days, about 1/3 – 1/2 of total ozone (on average) is due to background

► Influences include stratospheric ozone intrusion, wildfires and sources outside of the U.S.
  ► Where this is an issue, existing CAA mechanisms help ensure fair and reasonable control requirements (Exceptional Events and 179B)

► EPA working to ensure these mechanisms are as workable as possible for states and EPA to administer
### Intended Schedule for 2015 Ozone NAAQS Implementation Rules/Guidance/Tools

<table>
<thead>
<tr>
<th>Action</th>
<th>After NAAQS Promulgation</th>
<th>(Actual) and Planned Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA proposes 2015 Ozone NAAQS and Monitoring, Exceptional Event Demonstration Schedule, and PSD grandfathering as part of 2015 NAAQS proposal.</td>
<td></td>
<td>(November 25, 2014)</td>
</tr>
<tr>
<td>EPA finalizes 2015 Ozone NAAQS and Monitoring, Exceptional Event Demonstration Schedule, and PSD grandfathering as part of 2015 NAAQS final.</td>
<td>Upon promulgation</td>
<td>October 2015</td>
</tr>
<tr>
<td>EPA proposes Exceptional Events Rule revisions and issues draft Wildfire/Ozone Guidance</td>
<td>Fall 2015</td>
<td></td>
</tr>
<tr>
<td>EPA issues Designations guidance</td>
<td>4 months</td>
<td>January 2016</td>
</tr>
<tr>
<td>States submit Designation recommendations</td>
<td>12 months</td>
<td>October 2016</td>
</tr>
<tr>
<td>As needed, EPA issues revised i-SIP guidance</td>
<td>Up to 12 months</td>
<td>Up to October 2016</td>
</tr>
<tr>
<td>EPA finalizes Exceptional Events Rule revisions and issues Wildfire/Ozone Guidance</td>
<td></td>
<td>Summer 2016</td>
</tr>
</tbody>
</table>
## Intended Schedule for 2015 Ozone NAAQS Implementation

### Rules/Guidance/Tools

<table>
<thead>
<tr>
<th>Action</th>
<th>After NAAQS Promotion</th>
<th>(Actual) and Planned Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EPA proposes</strong> Nonattainment Area SIP rules/guidance (including classification, conformity, emission inventory, modeling [e.g., Appendix W], and nonattainment NSR provisions)**</td>
<td>12 months</td>
<td>October 2016</td>
</tr>
<tr>
<td><strong>EPA finalizes</strong> Designations, Classifications, and Attainment Dates*</td>
<td>24 months</td>
<td>October 2017</td>
</tr>
<tr>
<td><strong>EPA finalizes</strong> Nonattainment Area SIP rules/guidance</td>
<td>24 months</td>
<td>October 2017</td>
</tr>
<tr>
<td><strong>EPA issues final SIP templates, toolkits, etc. to assist states with development of nonattainment area plans</strong></td>
<td>24 months</td>
<td>October 2017</td>
</tr>
<tr>
<td><strong>States submit Infrastructure and Transport SIPs</strong></td>
<td>36 months</td>
<td>October 2018</td>
</tr>
<tr>
<td><strong>States submit Attainment plans</strong></td>
<td>3-4 years</td>
<td>December 2020-2021</td>
</tr>
<tr>
<td><strong>Nonattainment Area Attainment Dates (Marginal – Extreme)</strong></td>
<td>3-20 years</td>
<td>December 2020-2037</td>
</tr>
</tbody>
</table>

* Designations can be finalized in 3 years under certain circumstances.
## Progress on Ozone NAAQS Attainment
(as of March 31, 2015)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Nonattainment Areas</td>
<td>115</td>
<td>46</td>
</tr>
<tr>
<td>Areas Redesignated to Attainment</td>
<td>80 (prior to revocation)</td>
<td>0</td>
</tr>
<tr>
<td>Current Nonattainment Areas</td>
<td>35</td>
<td>46</td>
</tr>
<tr>
<td>Clean Data Determinations</td>
<td>24</td>
<td>1</td>
</tr>
<tr>
<td>Proposed Redesignations/</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Redesignation Substitutes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PM$_{2.5}$ NAAQS and SIP Actions

► Effect of the January 2013 court decision on implementation of the 1997 and 2006 PM2.5 nonattainment areas
  ► States are updating SIPs to address all precursors (including ammonia and VOC), as appropriate
  ► For some current nonattainment areas, EPA action on attainment plans and/or nonattainment NSR SIPs will be required prior to issuance of the final PM2.5 implementation rule

► For areas designated nonattainment for the 2012 PM2.5 NAAQS, Moderate area plans will be due 18 months after the effective date of designation (Fall 2016)
  ► Final PM2.5 NAAQS implementation rule is expected to be finalized before these plans come due
Final PM$_{2.5}$ NAAQS rule signed December 14, 2012

- Revised the primary annual PM$_{2.5}$ standard to 12 $\mu$g/m$^3$
- Retained secondary annual PM$_{2.5}$ standard of 15 $\mu$g/m$^3$ and 24-hr PM$_{2.5}$ standards of 35 $\mu$g/m$^3$
- EPA also made updates and improvements to monitoring network that include relocating a small number of monitors to measure PM$_{2.5}$ near heavily traveled roads in areas with populations $\geq$ 1 million
  - These relocations will be phased in over two years (2015-2017) and will not require additional monitors

U.S. Court of Appeals, D.C. Circuit issued its decision on May 9, 2014 regarding lawsuit challenging the final PM$_{2.5}$ NAAQS

- Court denied petitions for review on all accounts
2012 PM$_{2.5}$ NAAQS Implementation

- January 2013 DC Circuit decision regarding litigation on 2007 PM$_{2.5}$ implementation rule and 2008 NSR rule for PM$_{2.5}$
  - Court held that EPA must implement PM$_{2.5}$ NAAQS under subpart 4

- EPA issued final deadline and classifications rule issued on June 2, 2014 (79 FR 31566). The rule:
  - Classified areas designated nonattainment for the 1997 and/or 2006 PM$_{2.5}$ standards as “Moderate”
  - Set new deadline of December 31, 2014, for states to submit attainment–related and nonattainment NSR SIP submissions required under subpart 4 as needed
  - Directed states to existing EPA guidance (1992 General Preamble and 1994 Addendum) to better understand subpart 4 requirements

- Petition for review filed July 31, 2014, by WildEarth Guardians in D.C. Circuit Court of Appeals on deadline/classifications rule
  - Petitioners filed opening brief on January 16, 2015
  - EPA’s response is due in early April 2015
2012 Annual PM$_{2.5}$ NAAQS: Designations

- December 18, 2014 – Administrator signed final area designations for most areas of the country (based on 2011-2013 data)
  - Final designations published in *Federal Register* on January 15, 2015 (80 FR 2206)
  - Effective date for designations is April 15, 2015 (90 days)
  - Supplemental final signed March 31, 2015 changed designation of several areas to attainment based on early-certified 2014 data showing attainment

- Final designation decisions include 9 nonattainment areas involving 4 states, plus several unclassifiable areas
  - 1 tribal area designated separate unclassifiable/attainment
  - 3 Unclassifiable areas: IL (+2 IN + 4 MO counties/1 city in MO), PR, USVI
2012 Annual PM$_{2.5}$ NAAQS: Designations

► States with nonattainment areas must submit attainment plan within 18 months of the effective date of designation (by October 15, 2016)
  ► Attainment deadline is no later than 6 years from the effective date of designation (by April 15, 2021, using 2018-2020 data)

► EPA deferred final decisions for up to 1 year for several areas
  ► 5 Deferred areas: FL, TN (-3 counties), 3 GA areas

► Remainder of 2015 – review certified 2014 data and preliminary 2015 data in deferred areas and take action as appropriate
On March 10, 2015, EPA issued its proposed rule for SIP requirements that would apply to current and future PM$_{2.5}$ nonattainment areas

- Published on March 23, 2015 (80 FR 15340)
- Public hearing scheduled for April 29, 2015 in Washington, DC
- Public comment period closes on May 29, 2015
- Finalize in late 2015/early 2016

Webinar for state, local and tribal air agencies held on March 18, 2015

- Webinar slides and recording available online at www.epa.gov/pm/actions.html
- Significant amount of implementation detail from the proposal addressed in webinar
The proposal:

- Takes comment on approaches to clarify nonattainment implementation requirements according to subpart 4 of part D of Title I of the CAA, consistent with January 2013 D.C. Circuit Court decision
- Would apply to all 2012 PM$_{2.5}$ NAAQS nonattainment areas, areas designated for the 1997 and 2006 PM$_{2.5}$ NAAQS, and any additional areas designated nonattainment for these or future revised PM$_{2.5}$ NAAQS
- Addresses how subpart 4 court decision affects nonattainment NSR permitting requirements (e.g., with respect to major source threshold, precursors, etc.)
Proposal addresses a number of requirements including:

- Attainment plan due dates, attainment dates and attainment date extension criteria for Moderate and Serious nonattainment areas
- Determination criteria for Reasonably Available Control Measures (RACM) for Moderate areas and Best Available Control Measures (BACM) for Serious areas
- Plans for demonstrating reasonable further progress and for meeting periodic quantitative milestones
- Criteria for reclassifying a Moderate nonattainment area to Serious

EPA is also proposing:

- Options for air agencies to demonstrate that one or more PM$_{2.5}$ precursors do not contribute significantly to PM$_{2.5}$ levels in a particular nonattainment area
- Options for revoking the 1997 primary annual PM$_{2.5}$ standard of 15 micrograms per cubic meter (µg/m$^3$)
### Schedule for 2012 PM$_{2.5}$ NAAQS Implementation Rules/Guidance/Tools

<table>
<thead>
<tr>
<th>Action</th>
<th>After NAAQS Promulgation</th>
<th>(Actual) and Planned Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA promulgates 2012 PM$_{2.5}$ NAAQS rule and Monitoring,</td>
<td>N/A</td>
<td>(Dec 2012)</td>
</tr>
<tr>
<td>Exceptional Event Demonstration Schedule, and PSD guidance or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>rule as part of NAAQS rule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EPA issues Designations guidance</td>
<td>4 months</td>
<td>(April 13)</td>
</tr>
<tr>
<td>States submit Designation recommendations as needed</td>
<td>12 months</td>
<td>(Oct 2013 – March 2014)</td>
</tr>
<tr>
<td>EPA finalizes PM$_{2.5}$ area designations</td>
<td>24 months</td>
<td>(Dec 2014)</td>
</tr>
<tr>
<td>EPA proposed nonattainment area SIP rules or guidance (e.g.,</td>
<td>12 months</td>
<td>(March 2015)</td>
</tr>
<tr>
<td>modeling, emission inventory and permit modeling guidances)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Effective date of EPA designations</td>
<td>27 months*</td>
<td>April 2015</td>
</tr>
<tr>
<td>EPA issues final nonattainment area SIP rules or guidance (e.g.,</td>
<td>27 months*</td>
<td>Early 2016</td>
</tr>
<tr>
<td>modeling, emission inventory and permit modeling guidances)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EPA and/or air agencies issue final SIP templates, toolkits, etc. to</td>
<td>27 months*</td>
<td>Sept 2016</td>
</tr>
<tr>
<td>assist states with development of nonattainment area plans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>States submit Attainment plans</td>
<td>45 months</td>
<td>Sept 2016</td>
</tr>
</tbody>
</table>

* Designations can be finalized in 3 years under certain circumstances.
## Progress on PM\(_{2.5}\) NAAQS Attainment
(as of March 31, 2015)

<table>
<thead>
<tr>
<th></th>
<th>1997 PM(_{2.5}) (2005 Designations)</th>
<th>2006 PM(_{2.5}) (2009 Designations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Nonattainment Areas</td>
<td>39</td>
<td>32</td>
</tr>
<tr>
<td>Areas Redesignated to Attainment</td>
<td>26</td>
<td>8</td>
</tr>
<tr>
<td>Current Nonattainment Areas</td>
<td>13</td>
<td>24</td>
</tr>
<tr>
<td>Clean Data Determinations</td>
<td>11</td>
<td>13</td>
</tr>
<tr>
<td>Proposed Redesignations</td>
<td>2</td>
<td>6</td>
</tr>
</tbody>
</table>
Animal Production: Petitions/Litigation

► Ammonia and Hydrogen Sulfide
► April 2011 petition to regulate NH₃ as a criteria pollutant under CAA sections 108 and 109
  • Major Petitioners: EIP, Assoc. of Irritated Residents, Food & Water Watch, HSUS, Johns Hopkins Center for a Livable Future, Sierra Club, Waterkeeper Alliance
► Court case seeking to compel EPA to (1) list ammonia and hydrogen sulfide as criteria pollutants under CAA 108 and (2) list CAFOs as a source category under CAA 111. (Zook v. McCarthy (D.C. Cir.))

► CAFOs
► September 2009 petition to list CAFOs under CAA section 111(B)
  • Pollutants of concern: GHGs (CH₄, N₂O), H₂S, NH₃, PM, VOCs
  • Major Petitioners: HSUS, Assoc. of Irritated Residents, CRPE, EIP, Sierra Club, Waterkeeper Alliance
► December 8, 2014 Notice of Intent to Sue from EIP under CAA section 130
  • Unreasonable delay of a non-discretionary duty to establish emission factors under section 130 of the CAA for VOC emissions from AFOs
► In February 2015, EPA’s Office of Civil Rights accepted for investigation a complaint filed by Earthjustice on behalf of local community groups that alleges racial and national origin discrimination related to the impacts of swine feeding operations in North Carolina in violation of Title VI of the Civil Rights Act of 1964.
Animal Production: NAEMS

- The SAB recommended that the EPA “analyze the NAEMS data at different levels of completeness criteria” and to “use as much data as possible when developing the EEMs”

- The EPA worked with the NAEMS Science Adviser to reanalyze the raw data at different completeness criteria levels.

- The EPA has received analysis, but has not investigated the impacts of the different completeness criteria on the EEMs
Biomass

On November 19, 2014 EPA released a 2nd draft of the *Framework for Assessing Biogenic Carbon Dioxide (CO₂) from Stationary Sources*, for further review.

- Revised report takes into account the latest information from the scientific community and other stakeholders.
- EPA will continue to refine its accounting work by initiating a second round of targeted peer review with the Science Advisory Board.

EPA also released a memorandum that describes our current thinking pertaining to biogenic CO₂ emissions in the context of the Clean Power Plan (CPP) and the Prevention of Significant Deterioration (PSD) program.

- EPA expects that state reliance on waste-derived feedstocks and agricultural- and forest-derived feedstocks from sustainable practices may also be approvable elements of state compliance plans under the CPP.
- EPA will evaluate the biogenic feedstock components of proposed state plans as part of the compliance plan and review process, and will provide clarification as needed on the basis on which it will make such biomass-related evaluations.
- EPA plans to propose revising the PSD regulations to include an exemption from application of the Best Available Control Technology (BACT) requirements for GHGs from waste-derived feedstocks and from non-waste biogenic feedstocks derived from sustainable forest or agricultural practices.
- EPA anticipates providing additional guidance to sources undergoing BACT analysis involving biogenic feedstocks.

The memo and revised Framework can be found at: [http://epa.gov/climatechange/ghgemissions/biogenic-emissions.html](http://epa.gov/climatechange/ghgemissions/biogenic-emissions.html)
The Farm, Ranch, and Rural Communities Committee (FRRCC) was established in 2008 to “provide independent policy advice, information and recommendations to the Administrator on a range of environmental issues and policies that are of importance to agriculture and rural communities”

Committee members include representatives from academia, industry (e.g., agriculture and allied industries), non-governmental organizations, and state, local and tribal governments

The current Committee charge is still under review; the next Committee meeting is tentatively scheduled for October 2015 in Denver, Colorado

In January 2015 NACD and USDA gave presentations to the Committee on the importance of soil health and the advantages that it can have on air and water quality
The Farm Bill SAB Agriculture Committee

► Farm Bill Charge: “Provide scientific and technical advice to the Board relating to matters referred to the Board that the Administrator and the Board determines, in consultation with the Secretary of Agriculture, to have a significant direct impact on enterprises that are engaged in the business of the production of food and fiber, ranching and raising livestock, aquaculture and all other farming and agriculture related industries”

► Members appointed by the Administrator and the Board, in consultation with the Secretary of Agriculture

► Status: EPA’s Office of the SAB, OGC and Agriculture Counselor are working on establishing this committee. Nomination process closed recently.
Regional Activities

► EPA finalized approval of the SJV SIP credit for incentives rule
  ► The aggregate data agreement last year between NRCS, CARB, the SJV Air District and EPA was crucial to bridge the confidentiality required by the Farm Bill and the transparency required by the CAA without divulging specific growers names and locations

► Last week, the SJV Air District Governing Board adopted a plan for attaining the 1997 PM 2.5 standards under Subpart 4 and requesting an attainment date extension until 2020
  ► Current attainment date is December 31, 2015
  ► If EPA is unable to approve the extension request to 2020, then a process to require a 5% plan would be initiated
  ► However, we have been working hard with the District and CARB to address issues
  ► CARB and the district believe that ammonia is insignificant, but are providing an analysis that they believe district rules meet CAA requirements for ammonia as a legal redundancy
  ► EPA and CARB have committed to work together on what a significance demonstration for ammonia would need to include in light of the proposed PM 2.5 implementation rule and before the next round of PM 2.5 planning in 2016
Additional Agency Activities

- Grain Elevators New Source Performance Standard (NSPS)
  - Proposed amendments on July 9, 2014
  - Comment period extended and now closes on December 22, 2014
  - Docket - [http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OAR-2010-0706](http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OAR-2010-0706)

- Phosphoric Acid and Phosphate Fertilizer RTR
  - Proposal published in FR on November 7, 2014
  - Comment period ended on January 21, 2015
  - Final rule is due for signature on July 21, 2015
  - Docket - [http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OAR-2012-0522](http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OAR-2012-0522)

- Carbon Pollutions Standards for New, Modified and Reconstructed Power Plants and Clean Power Plan for Existing Power Plants
  - On January 8, 2013, EPA published a proposal *in the Federal Register* for carbon pollution from new power plants
  - On June 2, 2014, the EPA issued the proposed Clean Power Plan for existing power plants and the Carbon Pollution Standard for Modified and Reconstructed Sources; the proposals were published in the *Federal Register* on June 18, 2014
  - The EPA published a notice of data availability (NODA) in the *Federal Register* on October 30, 2014
  - On November 6, 2014, the EPA issued a technical support document (TSD) that provides two examples of how states, U.S. territories, and Indian country can translate rate-based goals into total metric tonnes of CO₂ (or “mass-based equivalent”)
  - The EPA published the Clean Power Plan supplemental proposal in the *Federal Register* on November 4, 2014
  - EPA will issue final rulemakings for new, existing and modified and reconstructed power plants in mid-summer 2015
  - For more information please visit: [http://www2.epa.gov/carbon-pollution-standards/clean-power-plan-proposed-rule](http://www2.epa.gov/carbon-pollution-standards/clean-power-plan-proposed-rule)
Additional Agency Activities (cont.)

► Renewable Standard Fuel
  ► Proposed consent decree in litigation brought against EPA by, the American Petroleum Institute (API) and the American Fuel and Petrochemical Manufacturers (AFPM), would establish the following schedule for issuing Renewable Fuel Standards for 2014 and 2015:
    • By June 1, the agency will propose volume requirements for 2015
    • By November 30, EPA will finalize volume requirements for 2014 and 2015 and resolve a pending waiver petition for 2014.
  ► While not part of the consent decree terms, the agency also plans to:
    • By June 1, re-propose volume requirements for 2014, that reflect the volumes of renewable fuel that were actually used in 2014, and
    • propose and finalize the 2016 standards on the same time schedule, which would get the agency back on schedule for establishing these standards
  ► More information is available at: [http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm](http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm)

► Rice NESHAP Reconsideration
  ► EPA sent letters to the petitioners on August 1, 2014, indicating that, after consideration of the public comments received on the September 5, 2013, notice of reconsideration, the EPA is not proposing any changes to the regulation
  ► A *Federal Register* was published on August 15, 2014 to announce our decision on the reconsideration
  ► RICE outreach to agriculture community
For more information

► Please contact Robin Dunkins, Group Leader, Sector Policies and Programs Division within the Office of Air Quality Planning and Standards at: 919-541-5335 or at 
dunkins.robin@epa.gov

► More information can also be found at: http://www.epa.gov/airquality/agriculture/