



Subpart 4 differs from Subpart 1 in its attainment plan deadlines, the required level of emissions controls, its handling of PM precursors, and the classification of nonattainment areas and corresponding attainment deadlines. Following the 2013 D.C. Circuit Court ruling, EPA began redirecting all PM<sub>2.5</sub> implementation efforts to be consistent with Subpart 4, but under a truncated schedule as compared to what would have occurred had EPA initially designated nonattainment areas under Subpart 4 in 2005. In June 2014, EPA classified the Valley as a Moderate nonattainment area under Subpart 4 with an attainment date of December 31, 2014.<sup>5</sup> In August 2014, the District and CARB submitted a formal request to EPA to reclassify the Valley to Serious nonattainment. EPA granted the Valley's Serious reclassification request in April 2015, setting a new attainment date of December 31, 2015.<sup>6</sup>

After implementing the commitments in the *2008 PM<sub>2.5</sub> Plan*, the Valley had been on the verge of attaining the 1997 PM<sub>2.5</sub> Standard. However, due to the extreme drought, wildfires, stagnation, strong inversions, and historically dry conditions experienced over the winter of 2013-2014, it was clear in 2014 that attainment by 2015 (based on 2013-2015 data) would not be possible.

The District and CARB adopted the *2015 PM<sub>2.5</sub> Plan for the 1997 PM<sub>2.5</sub> Standard (2015 PM<sub>2.5</sub> Plan)* in 2015 with an MSM demonstration and an attainment date extension request of 2020, as provided for in Subpart 4. In order for EPA to grant an attainment date extension, the state first had to demonstrate it had satisfied all conditions under CAA section 188(e), including meeting all requirements and commitments pertaining to the area in the applicable implementation plan. The District worked closely with EPA for over a year in developing the *2015 PM<sub>2.5</sub> Plan* to address concerns and ensure CAA requirements were satisfied. The plan was adopted by CARB on May 21, 2015 and included a demonstration that CARB and the District had met all commitments of the *2008 PM<sub>2.5</sub> Plan*. The *2015 PM<sub>2.5</sub> Plan*'s comprehensive control strategy would achieve a 38% reduction in emissions of nitrogen oxides (NO<sub>x</sub>), the key precursor to PM<sub>2.5</sub> formation in the Valley, as well as significant reductions in directly emitted PM<sub>2.5</sub> between 2012 and 2020.<sup>7</sup>

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<sup>5</sup> EPA. *Identification of Nonattainment Classification and Deadlines for Submission of State Implementation Plan (SIP) Provisions for the 1997 Fine Particle (PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS) and 2006 PM<sub>2.5</sub> NAAQS; Final Rule*. 79 Fed. Reg. 105, pp. 31566-31782. (2014, June 2). (to be codified 40 CFR Chapter 1). Retrieved from: <http://www.gpo.gov/fdsys/pkg/FR-2014-06-02/pdf/2014-10395.pdf>

<sup>6</sup> EPA. *Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley; Reclassification as Serious Nonattainment for the 1997 PM<sub>2.5</sub> Standard*. 80 Fed. Reg. 66, pp. 18528-18535. (2015, April 7). (to be codified 40 CFR Parts 52 and 81). Retrieved from: <http://www.gpo.gov/fdsys/pkg/FR-2015-04-07/pdf/2015-07765.pdf>

<sup>7</sup> SJVAPCD. *2015 Plan for the 1997 PM<sub>2.5</sub> Standard*. (April 16, 2015). Retrieved from: <https://ww2.valleyair.org/rules-and-planning/air-quality-plans/particulate-matter-plans/2015-plan-for-the-1997-pm25-standard/>

EPA formally proposed to approve portions of the *2015 PM<sub>2.5</sub> Plan* and the attainment date extension on February 9, 2016.<sup>8</sup> EPA did not ultimately approve the Plan by the required timeframe,<sup>9</sup> resulting in the need to submit an updated “5% Plan” and attainment deadline pursuant to CAA Section 189(d), EPA’s 2016 PM<sub>2.5</sub> Implementation Rule,<sup>10</sup> and 40 CFR Section 51.1003(c). In order to allow for robust stakeholder involvement and harmonization of SIP elements across multiple PM<sub>2.5</sub> standards, the District Governing Board adopted the 5% Plan on November 15, 2018, with a proposed attainment target of December 31, 2020 (“*the 2018 PM<sub>2.5</sub> Plan*”). This Plan was subsequently adopted by CARB on January 24, 2019. Together with CARB’s October 25, 2018 San Joaquin Valley Supplement to the 2016 State Strategy (“*the State Supplement*”), *the 2018 PM<sub>2.5</sub> Plan* was submitted by CARB to EPA on May 10, 2019. Since then, CARB and the District have been actively implementing the control strategies outlined in the Plan.

Subsequent to adoption of the *2018 PM<sub>2.5</sub> Plan*, the District and CARB also prepared a clean data determination to confirm the Valley’s attainment of the 1997 24-hour PM<sub>2.5</sub> standard of 65 µg/m<sup>3</sup>. Effective February 28, 2022, EPA determined the Valley had attained the 1997 24-hour PM<sub>2.5</sub> standard and that CAA Section 172(c)(9) requirement for contingency measures no longer applied to the 24-hour PM<sub>2.5</sub> standard due to its attainment by the applicable attainment date.

While significant progress was made towards attainment for the 1997 annual PM<sub>2.5</sub> standard under the *2018 PM<sub>2.5</sub> Plan*, EPA found that unprecedented wildfire impacts and air monitoring data completeness issues at the Bakersfield-Planz site prevented it from reaching a finding of attainment of the annual standard by the December 31, 2020 attainment deadline. Therefore, on July 22, 2021, EPA proposed to disapprove the portions of the *2018 PM<sub>2.5</sub> Plan* related to the 1997 annual PM<sub>2.5</sub> standard, which was finalized on November 26, 2021.<sup>11</sup> Due to EPA’s proposed disapproval of the portions of the *2018 PM<sub>2.5</sub>*

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<sup>8</sup> EPA. *Approval and Disapproval of California Air Plan; San Joaquin Valley Serious Area Plan and Attainment Date Extension for the 1997 PM<sub>2.5</sub> NAAQS*. 81 Fed. Reg. 26, pp. 6936-6986. (2016, February 9). (to be codified at 40 CFR parts 52 and 81). Retrieved from: <https://www.gpo.gov/fdsys/pkg/FR-2016-02-09/pdf/2016-02325.pdf>

<sup>9</sup> EPA. *Denial of Request for Extension of Attainment Date for 1997 PM<sub>2.5</sub> NAAQS; California; San Joaquin Valley Serious Nonattainment Area; Final Rule*. 81 Fed. Reg. 194, pp. 69396-69401. (October 6, 2016). Retrieved from: <https://www.govinfo.gov/content/pkg/FR-2016-10-06/pdf/2016-24082.pdf#page=1>

<sup>10</sup> EPA. *Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements; Final Rule*. 81 Fed. Reg. 164, pp. 58010-58162. (2016, August 24). (to be codified at 40 CFR Parts 50, 51, and 93). Retrieved from: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-24/pdf/2016-18768.pdf>

<sup>11</sup> EPA. *Partial Approval and Partial Disapproval of Air Quality Implementation Plans; California; San Joaquin Valley Serious Area and Section 189(d) for Attainment of the 1997 Annual PM<sub>2.5</sub> NAAQS*. 86 Fed.













