

July 22, 2024

Martha Guzman  
Regional Administrator  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105  
[Guzman.Martha@epa.gov](mailto:Guzman.Martha@epa.gov)

**RE: Withdrawal of South Coast 2019 Contingency Measure Plan**

Dear Administrator Guzman:

In response to your proposed disapproval of the *Final Contingency Measure Plan—Planning for Attainment of the 1997 80 ppb 8-hour Ozone Standard in the South Coast Air Basin* (2019 Contingency Measure Plan) in part due to the assignment of federal reductions, the California Air Resources Board (CARB) is hereby withdrawing the 2019 Contingency Measure Plan. Working together, staff at the U.S. Environmental Protection Agency (U.S. EPA), South Coast Air Quality Management District (District), and CARB have identified actions each agency can take to help meet ozone standards in the South Coast Air Basin (South Coast). Once implemented by the respective teams at each of our agencies, these actions will collectively ensure we reduce emissions and make progress towards attainment in the South Coast Air Basin.

For over 50 years, CARB and the District have been at the forefront of air pollution control and have continuously identified and adopted new controls, dramatically reducing air pollution levels. Since the inception of the Clean Air Act, we have worked collaboratively with U.S. EPA to develop state implementation plans (SIP) and reduce emissions to overcome California's extraordinary and compelling conditions to meet federal air quality standards. California has a world-leading mobile source emission control program, and consistent with section 209 of the Clean Air Act, CARB has submitted and obtained U.S. EPA approvals for numerous previous requests for waivers of federal preemption and authorizations. These approvals unlock CARB's ability to fully enforce our adopted regulations and achieve the maximum possible emissions reductions.

Collectively, the three agencies recognize more action is necessary, and success is not possible without more federal action. Emissions from sources primarily controlled by the federal government now surpass emissions from sources under State control, and the imbalance will increase in the future. In its approval of the 1994 ozone SIP, U.S. EPA acknowledged the need to regulate sources under their control and provide emission reductions necessary for California to attain the air quality standards at that time. Additional controls from U.S. EPA and other federal entities are needed to provide complementary

reductions from locomotives, aircraft, ocean-going vessels, and preempt off-road equipment to align with the level of reductions CARB and the District have achieved. These reductions are necessary for meeting federal air quality standards in the State. This current effort builds on our past progress and highlights the need for U.S. EPA to take action on CARB's pending waivers and authorization requests, and to reduce emissions from sources that are primarily under federal regulatory authority.

As a result of this three-agency effort to meet ozone air quality standards in the South Coast, each of our agencies has put forth a letter of intent with a list of actions to support emissions reductions. CARB is taking significant actions in the next ten years, a number of which are regulatory actions that will provide emissions reductions beyond our already ambitious technology-forcing regulations. Some of the actions on our list are actions that were previously identified in our 2022 State Strategy for the State Implementation Plan; and CARB also intends to explore several new measures: a Zero-Emission Airport Ground Operations Regulation to require zero-emissions taxiing, zero-emissions ground support equipment, and zero-emissions gate operations; further amendments to our In-Use Off-Road Diesel-Fueled Fleets Regulation contingent on U.S. EPA first adopting Tier 5 standards and zero-emission standards for off-road equipment; and an Ocean-Going Vessel In-Transit Regulation to reduce emissions from vessels transiting in California waters. These new regulations are expected to provide significant emissions reductions in the South Coast by 2033. Beyond exploring these significant regulatory actions, CARB is also dedicated to working collaboratively with U.S. EPA and the District on technology forums related to reducing emissions from aircraft/airports and resolving the issue of high oxides of nitrogen (NOx) emissions from ocean-going vessels operating at low load.

CARB applauds U.S. EPA's intent to pursue more stringent national emissions standards for new and remanufactured locomotives, and we appreciate U.S. EPA's willingness and commitment to continue to work with California towards attainment in the future. Promulgation of new emissions standards for locomotives, off-road equipment, ocean-going vessels, and aircraft would achieve air quality benefits in the South Coast and across the country, most critically in the near-source and environmental justice communities that have long suffered the disproportionate negative health impacts from air pollution.

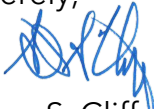
In addition, U.S. EPA must take action on all eight of CARB's pending requests for waivers of federal preemption and authorizations. U.S. EPA action on CARB's waivers and authorizations ensures CARB's ability to enforce our regulations and achieve the nearly 35 tons per day of NOx emissions reduction benefits estimated from these programs for the South Coast. These eight regulations, when fully implemented, are projected to achieve over \$115 billion in monetized public health benefits and save over 11,500 lives.

Even with the continued collaboration among the three agencies, more action is necessary to meet ozone standards in the South Coast. As such, the prudent path is for CARB and the District to withdraw the 2019 Contingency Measure Plan. Further, U.S. EPA has confirmed that withdrawal of the 2019 Contingency Measure Plan avoids imposition of the inequitable

2 to 1 offset and highway sanctions that would result from U.S. EPA finalizing the disapproval. As the agency designated under State law to revise the California SIP and as requested by the District in the enclosed letter, CARB thus now formally withdraws the 2019 Contingency Measure Plan, as submitted by CARB to U.S. EPA on December 31, 2019, from consideration for inclusion in the California SIP.

If you have any questions, please contact [Edie Chang](#), Deputy Executive Officer, at (916) 445-4383 or have your staff contact [Michael Benjamin](#), D.Env., Chief, Air Quality Planning and Science Division at (916) 201-8968.

Sincerely,



Steven S. Cliff, Ph.D., Executive Officer

Enclosure

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