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Revisions to Kent and Queen Anne's Counties 1-hour Ozone Maintenance Plan

SIP 06-02

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Prepared for:

U.S. Environmental Protection Agency

Prepared by:

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Summary

This document serves as a formal State Implementation Plan (SIP) Revision to Maryland SIP 03-15 titled “*Redesignation Request for Kent and Queen Anne’s Counties Ozone Nonattainment Area*”. EPA approved SIP 03-15 on April 21, 2004 and Kent and Queen Anne’s Counties are officially in attainment of the 1-hour Ozone Standard. As part of this SIP submission, Maryland included a Maintenance Plan for these counties specific to the 1-hour Ozone Standard. However, EPA revoked this standard on June 15, 2005.

Kent and Queen Anne’s Counties have been designated as nonattainment counties under the newer 8-hour Ozone Standard. Maryland has requested Redesignation for Kent and Queen Anne’s Counties under the 8-hour Ozone Standard and submitted a Maintenance Plan under this newer standard (SIP 06-01).

This SIP revision officially removes the requirement of Maryland to revise the 1hr-Ozone Maintenance Plan and also removes the contingency plan portion of SIP 03-15 as the new 8hr-Ozone maintenance plan (if approved) will serve as the maintenance plan for the region.

Maryland formally removes the following contingency language from the 1hr Maintenance Plan (SIP 03-15)

E. Contingency Measures

According to the Clean Air Act Amendments, states that wish to redesignate nonattainment areas to attainment must include in their submittal to EPA contingency measures which will automatically take effect should violations of the NAAQS occur in the former nonattainment area.

MDE believes that emissions in the two counties will not cause nonattainment and that any future violations will be due to transport from other counties. Contingency plan measures include the three VOC model rules currently under adoption in Maryland. The VOC model rules have the potential to reduce emissions from consumer products, portable fuel containers, and AIM coatings.

F. New Control Measures

Portable fuel containers

This rule applies to the entire state of Maryland. Kent and Queen Anne’s counties will benefit by having controls inside the two counties and in upwind areas (to cut down on transport into the area). The estimated benefits derived from such a rule would be a reduction of 2 tons per day of VOC in the Baltimore nonattainment area, and 6 tons per day of VOC in the state of Maryland by the 2005 compliance date (2 tons VOC reductions expected for central Maryland and 4 tons in the rest of the state).

The proposed Portable Fuel Container Spillage Control Rule will take effect on January 1, 2003. This timetable will give retailers a one-year sell-through period for containers and/or spouts manufactured before the January 1, 2003 implementation date. The one-year sell-through period would give retailers the opportunity to turn over stock to more compliant fuel containers.

The Portable Fuel Container Spillage Control Rule applies to any person or entity who will sell, supply, offer for sale, or manufacture for sale portable fuel containers and/or spouts on or after January 1, 2003. Persons who own conventional fuel containers prior to the January 1, 2003 implementation date will not be required to purchase or replace them with newer compliant fuel containers, nor will the rule make it a crime to continue to use conventional fuel containers.

Compliance with the proposed performance standards is designed to maximize VOC emission reductions. It is estimated that VOC emissions as a result of uncontrolled evaporative and refueling losses would be reduced by approximately 75 percent.

Consumer Products

This rule is intended to reduce volatile organic compound (VOC) emissions from approximately 80 categories and subcategories of consumer products such as cleaning compounds, paints, floor finishes, automotive products, personal care products and lawn care products. The compliance date of this rule is January 1, 2005.

Architectural and Industrial Maintenance Coatings (AIM)

This regulation is intended to reduce volatile organic compound (VOC) emissions from a variety of coatings by setting specific VOC content limits for all AIM sold in Maryland. The rule also requires a report of the total gallons of each AIM product sold in Maryland for a calendar year, beginning in 2005. The compliance date of this rule is January 1, 2005.

Reductions in VOCs from these measures are shown in Table 3.

Table 6: Projected OTC Measure Reductions in 2005 (tons per day)

Based on Figures from E.H. Pechan

County	Consumer Products	AIM	Gas Cans (PFC)	Total VOC
<i>Kent</i>	<i>0.03</i>	<i>0.06</i>	<i>0.03</i>	<i>0.12</i>
<i>Queen Anne's</i>	<i>0.06</i>	<i>0.12</i>	<i>0.03</i>	<i>0.21</i>
Total	0.09	0.18	0.06	0.33

Under certain meteorological conditions, the monitor at Millington will detect transport of high levels of ozone from the Washington, D.C., Baltimore or Philadelphia nonattainment areas. Major reductions in emissions from these large nonattainment areas have contributed to a reduction in transported emissions. The reductions are due to the permanent measures documented in the Attainment Plan such as reformulated gasoline that includes substantial reductions in RVP, and the FMVCP.

If monitors for wind direction show a direct path from the Baltimore or Washington nonattainment areas, MDE will discuss the exceedances with EPA before implementing contingency measures, to determine whether the exceedances can be attributed to transported ozone.

Maryland amends the Kent and Queen Anne’s Counties 1-hour Ozone Maintenance Plan codified in the table found in 40 CFR 52.1070(e) under the listing “Ozone Maintenance Plan, Kent and Queen Anne's Counties” to add the following plan:

G. Contingency Measures

According to the Clean Air Act Amendments, states that wish to redesignate nonattainment areas to attainment must include in their submittal to EPA contingency measures which will automatically take effect should violations of the NAAQS occur in the former nonattainment area. MDE believes that emissions in the two counties will not cause nonattainment and that any future violations will be due to transport from other counties. The following measures may be considered contingency measures:

- Air Quality Action Days activities implemented in the event of forecasted violations of the ozone standard such as: refueling cars after dusk, limiting driving, avoiding mowing lawns with gasoline powered mowers, using electric or chimney-type starters instead of lighter fluid for outdoor cooking, etc.
- Clean Air Partners public education outreach
- Queen Anne’s County growth management program
- E-government/E-commerce enhancements
- Industrial Commercial Institutional (ICI) boiler RACT (if implemented as part of the measures being considered via OTC for the 8-Hour Ozone Standard)

A menu of possible control measures that could be used in the event of future violations of the ozone NAAQS can be found in Appendix A.

Part Two: Schedule for Implementation of Contingency Measures

The MDE will track the attainment status of the 8-hour ozone NAAQS in Kent and Queen Anne’s Counties and analyze any exceedances of the 8-hour ozone standard (including the contribution from upwind states) that will occur during the maintenance period, in accordance with the procedures of 40 CFR, Chapter 1, Part 51, Appendix V.

After the 4th exceedance of the eight-hour ozone NAAQS (0.08ppm) occurs within any given calendar year, the MDE will consider that fourth exceedance and any subsequent exceedance as the trigger by which an immediate recalculation of the design value for the Millington Monitor would be required. If the recalculated design value is shown to be above the 8hr NAAQS (0.08ppm) then Maryland would initiate the following schedule:

- 1) Within 2 weeks of the “trigger”- MDE will notify Kent and Queen Anne’s Counties and other stakeholders of the violations and will schedule an initial work group meeting concerning contingency measures.
- 2) Within 6 weeks of the “trigger” - MDE will convene a stakeholder group to evaluate the selection and implementation of the contingency measures. The stakeholder group will be composed of interested state and local government agencies; business, environmental and health representatives; citizens and other interested parties
- 3) Within 12 weeks of the “trigger”- A public meeting will be held on the proposed contingency measures

- 4) Within 18 weeks of the “trigger”- MDE/ Stakeholders will meet to consider public comments and finalize a list of planned contingency measures
- 5) After the list of planning of measures is finalized as identified above in step 4 it will take approximately 12 months from that date to go through any required rulemaking processes.
- 6) Within 24 months of the “trigger” - Agreed-upon contingency measures will be implemented in the impacted counties