

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

**JUL 15 2003**

Ms. Sandra Ely, Chief  
Air Quality Bureau  
New Mexico Environment Department  
2048 Galisteo St.  
Santa Fe, NM 87505

Dear Ms. Ely:

I am pleased to communicate that we received your letter dated June 11, 2003, forwarding the list of potential control measures for San Juan County, New Mexico. Your submittal satisfies the first important milestone under the 8-hour Ozone Early Action Compact program. The list of potential control measures were received on time and meet the milestone requirement specified in the *Compact* guidance issued by Assistant Administrator Holmstead on November 14, 2002.

The U.S. Environmental Protection Agency recognizes that the 8-hour Ozone Early Action Compact program is ongoing and that the New Mexico Environment Department, in partnership with the local communities, continues to make good progress. We appreciate your commitment to the *Compact* program and to achieving cleaner air sooner. My staff and I are always available to assist you as we work together towards that goal.

Should you have any questions, please feel free to call me or Mr. Thomas Diggs, of my staff, at (214) 665-7214.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Carl Edlund", with a long horizontal line extending to the right.

Carl Edlund, P.E.  
Division Director  
Multimedia Planning and  
Permitting Division (6PD)



**BILL RICHARDSON**  
Governor

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

**Air Quality Bureau**

**2048 Galisteo St.**

**Santa Fe, NM 87505**

**Phone (505) 827-1494**

**Fax (505) 827-1523**

**[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)**



**RON CURRY**  
Secretary

**DERRITH WATCHMAN-MOORE**  
Deputy Secretary

June 11, 2003

Mr. Carl Edlund  
Multimedia Planning and Permitting Director  
US EPA Region-6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

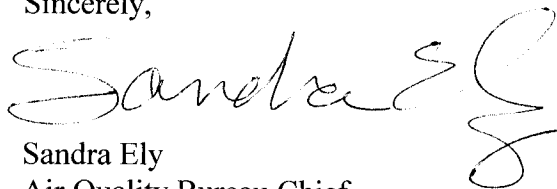
Dear Mr. Edlund

I am pleased to submit to you a list of potential local ozone control strategies for San Juan County, New Mexico. This list is the first milestone under the San Juan County Early Action Compact (EAC). All of the 40 potential control strategies listed have been identified and given a brief description on how the strategy would facilitate in reducing the formation of ozone within San Juan County.

To ensure that this list would reflect the needs and concerns of the citizens of San Juan County, the list of potential control strategies was made available for comment and review. A meeting was held with the San Juan County Ozone Task Force, which consists of representatives from the environmental, public, health, industrial, and governmental sectors of the community on April 16, 2003 to solicit comments on a proposed list of potential control strategies that was developed by the New Mexico Environment Department Air Quality Bureau (AQB). The list was also sent out for comment and review to all of the EAC local signatories, including the City Councilors and Mayors for Farmington, Bloomfield, and Aztec; the San Juan County Commissioners; and the San Juan County Manager. Once initial comments were received, a revised list was sent out to all the Task Force members and the local signatories for final comments.

The State of New Mexico looks forward to your approval of our submittal and our continued work in trying to preserve and protect air quality in San Juan County. If you should have any questions about the enclosed list, please contact Gail Cooke of my staff at (505) 955-8022.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Ely". The signature is fluid and stylized, with a large, looping "S" and a long, sweeping "y".

Sandra Ely  
Air Quality Bureau Chief

Enclosure

cc: Tom Diggs, EPA Region 6 (6PD-L)  
Michael Morton, EPA Region 6 (6PD-L)



**BILL RICHARDSON**  
Governor

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

Air Quality Bureau  
2048 Galisteo St.  
Santa Fe, NM 87505  
Phone (505) 827-1494  
Fax (505) 827-1523  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



**RON CURRY**  
Secretary

**DERRITH WATCHMAN-MOORE**  
Deputy Secretary

*This list should not be viewed as required or NMED-endorsed methods for ozone control strategies for the San Juan County Early Action Compact once submitted to the Environmental Protection Agency in June of 2003. The list only represents possible strategies to control ozone formation and can change in the future, based on what scientific studies indicate is needed to reduce ozone formation within San Juan County.*

**Control Strategies for Ozone Formation in**  
**San Juan County**

**1. Reformulated Gasoline**

Reformulated gasoline (RFG) is gasoline blended to burn cleaner and reduce smog-forming and toxic pollutants in the air we breathe. The Clean Air Act requires those metropolitan areas with the worst smog problems to participate in the reformulated gasoline program. Many communities and states also have chosen to participate in the RFG program to meet pollution reduction goals of the Clean Air Act. Phase I of the reformulated gasoline program made great progress. Between 1995 and 1999, it cut smog-forming pollutant levels by about 17 percent compared to conventional gasoline in communities where 75 million people live and work. Phase II, which began January 1, 2000, took another step toward cleaner air. It reduces smog-forming pollutants 27 percent more than conventional gasoline.

**2. Inspection and Maintenance Programs**

Inspection and Maintenance (I/M) is a way to check whether the emission control system on a vehicle is working correctly. All new passenger cars and trucks sold in the United States today must meet stringent pollution standards, but they can only retain this low-pollution profile if the emission controls and engine are functioning properly. I/M is designed to ensure that vehicles stay clean in actual customer use. Through periodic vehicle checks and required repairs for vehicles that fail the test, I/M encourages proper vehicle maintenance and discourages tampering with emission control devices. Substantial reductions in vehicle emissions are necessary for many areas to attain clean air. Depending on the sophistication of the program, I/M can reduce

vehicle-related hydrocarbon and carbon monoxide emissions by 5 percent to more than 30 percent. A comprehensive I/M program can also yield reductions in nitrogen oxide emissions of up to 10 percent.

### **3. Stage II Gasoline Vapor Recovery Regulations**

Gasoline dispensing pump vapor control devices, commonly referred to as Stage II Vapor Recovery Control, are systems that control volatile organic compound (VOC) vapor releases during the refueling of motor vehicles. This process takes the vapors normally emitted directly into the atmosphere when pumping gas and recycles them back into the fuel storage tanks, preventing them from polluting the air. The Stage II system controls the release of VOC, benzene and toxics emitted from gasoline.

### **4. Volatile Organic Compound (VOC) Control Regulations**

VOCs react with nitrogen oxides on hot summer days to form ozone (smog). Car exhaust, gasoline-powered lawn and garden equipment, gasoline-dispensing stations, industrial coating operations, printing shops, paints, household chemicals, and glycol dehydrators are some of the sources of VOC. These emissions can be reduced by making process changes (such as switching to low VOC content coatings) or by installing air pollution control equipment (such as carbon absorbers or incinerators). State VOC regulations have to at least meet a level of stringency called RACT, or Reasonably Available Control Technology. RACT is defined as the lowest level of emissions that can be achieved taking into account technical and economic considerations. EPA provides guidance on RACT in documents called Control Technique Guidelines. EPA reviews and comments on proposed state regulations during the state's public hearing process to ensure that these rules meet RACT and will achieve the emissions reduction projected. Once the state has adopted the VOC rule, EPA approves the rule into the state's State Implementation Plan (SIP). The state's VOC rule then becomes federally enforceable.

### **5. Nitrogen Oxides (NO<sub>x</sub>) Control Regulations**

Nitrogen Oxides are a family of poisonous, highly reactive gases. These gases form when fuel is burned at high temperatures. NO<sub>x</sub> pollution is emitted by automobiles, trucks and various non-road vehicles (e.g., construction equipment, boats, etc.) in addition to industrial sources such as power plants, industrial boilers, cement kilns, and turbines. NO<sub>x</sub> often appears as a brownish gas. It is a strong oxidizing agent and plays a major role in the atmospheric reactions with volatile organic compounds that produce ozone (smog) on hot summer days. These emissions can be reduced by making process changes, such as modifications to the combustion process or by installing air pollution control equipment, such as selective catalytic reduction (SCR).

### **6. Industry-wide emission standards**

Rather than setting emission caps individually for each facility, industry-wide emission standards replace equipment permitting for an entire industry. Industry-wide emission standards have been successfully demonstrated in Massachusetts, where the Environmental Results Program showed that industry-wide permitting could produce greater compliance and greater environmental

benefits than the traditional approach to piecemeal permitting.

#### **7. Emission-trading programs**

In emission-trading programs such as the national sulfur dioxide trading program, or the reclaim volatile organic compound trading program, an emission cap is established over an area, emission rights are established, and a system is designed to allow trading in those emission rights between firms within the capped area. California's Bay Area Air Quality Management District has also implemented an emission pricing regime, allowing trading in Bay Area Emission Reduction Credits. One relatively untapped option would allow trades between mobile and stationary sources, for example, through automobile repair-assistance or scrap trading programs.

#### **8. Self-audit and cleanup incentives**

Another approach to attaining better environmental performance is to encourage firms to voluntarily adopt environmental management and information programs, such as the International Organization for Standardization (ISO 9000) standards, the Coalition for Environmentally Responsible Economies (CERES) principles, the Global Environmental Management Initiative (GEMI) principles, and others. Such an approach has been adopted in Oregon, with the Green Permits/Environmental Management Systems Incentives Project. One other example is the Chemical Manufacturers Association Responsible Care initiative.

#### **9. Incentives for retrofit of generators for peak power units**

There have been demonstration projects that show potential to reduce nitrogen oxides emissions for diesel applications including generators. This includes selective catalytic reduction (SCR) strategies for peak power generators, which are now available for new and retrofit models.

#### **10. Broad-based energy and resource efficiency programs**

In Toronto, they have adopted a Greenhouse Gas (GHG) Pilot Trade program that provides credits for an array of energy and resource conserving activities that help reduce energy use and thus power production and emissions. Credits are provided for efficient street lighting, landfill gas recovery, waste reduction and recycling, water conservation, carbon sequestration, community greening, building code amendments, bicycle infrastructure, land use for energy efficiency, alternate cooling technologies, and transportation demand management strategies.

#### **11. Connected street system or pedestrian pass-throughs**

Portland has street design guidelines that require streets to intersect within particular distances and restricts cul-de-sacs (which waste gas by requiring drivers to backtrack out the streets to progress). Where cul-de-sacs and similar developments exist, pedestrian walkways or pass-throughs are encouraged to assure pedestrians can use short cuts to get to mass transit or shopping areas. Oregon has other sprawl strategies. Options and credit programs are being implemented or studied in Chicago and California.

## **12. Credits for scrapping old automobiles**

In California, credits have been made available for removing from operation old automobiles, which tend to have disproportionately negative impacts on air quality. These schemes have been successful in removing high-polluting vehicles from service, and the credits have been used to offset more expensive emission retrofits for industry in the state. Overall, this has helped reduce emissions at a lower social cost.

## **13. Expanded or enhanced credits for purchase / replacement of vehicles / engines**

A credit system, similar to those established for scrapping high-polluting automobiles, could be established for replacing high emitting automobile or diesel engines with lower polluting engines (e.g., alternative fuels, diesel hybrid engines, hybrid engines, etc.) could be established. The credits would be performance-based in their values (rather than technology-based), and would allow for alternative fuels, where appropriate. The credits could be banked, applied against other retrofit opportunities, or traded/sold. This credit should apply to purchase/upgrade of automobiles, construction equipment, diesel vehicles, marine equipment, and other engines.

## **14. Legalization of after-market emission reduction technologies**

EPA-favored inspection and maintenance programs focus on returning the tested vehicles to the exact operating condition that they had when they were new, right down to requiring original equipment. After-market emission-reduction devices exist to allow cars and off-road diesel equipment to perform better than when they were new. Inspection and Maintenance protocols should focus on getting the best performance out of each car, not simply the performance it had when new.

## **15. Incentives for retrofits for revised fuels or technologies to improve diesel operations**

Incentives could be developed to encourage adoption of new or retrofit technologies that reduce emissions from on- and off-road vehicles and stationary sources. There have been demonstration projects that show potential to reduce nitrogen oxides (NOx) emissions for diesel and large-emitting vehicles, including construction applications. This includes selective catalytic reduction (SCR) strategies for generators for construction units and peak power units, and possibly in some trucks. Emulsified diesel fuel also shows promise, including marine applications. Increasing the cetane level in diesel fuel shortens the time between compression and ignition and improves cold start emissions.

## **16. Traffic control measures to reduce congestion-related emissions**

Such measures might include traffic signal synchronization, additional tolled road construction, incentives to promote telecommuting and flexible work-hours, and could include time-of-day congestion pricing in certain circumstances.

## **17. Incentives or credits for modifying diesel vehicle operation**

Incentives could be provided that would help manage truck diesel emissions by managing diesel speed, and the path vehicles. For example, trucks might need to be diverted on an episodic basis



to alternate roads that run “around” the city, rather than through it. Firms or fleets that agree to permanent rerouting might be other targets, but abuse might be a consideration.

### **18. Market-based shuttle van transit systems**

Mass transit programs are promoted as a method of reducing vehicle use and vehicle emissions by providing alternatives to solo driving. But traditional mass transit programs are largely ineffective at cleaning the air, and may actually make the problem worse by increasing traffic congestion. Reason Public Policy Institute has developed an alternative transit plan, which uses privately owned and operated shuttle vans running over a highway system with either High Occupancy Vehicle lanes, or High Occupancy/Toll lanes. Shuttle transit has been shown to be competitive with mass transit in some foreign countries. In the United States, consumers have experience with van shuttle transit in the form of hotel shuttles, airport shuttles, tourist shuttles, and employment-related vanpooling.

### **19. Limiting or shifting hours for government workers**

Limiting or shifting hours for some kinds of workers can cause difficulties in terms of safety and cost. However, shifting and limiting hours for most types of government workers may be more effective than other sectors, and may have far fewer secondary impacts. These workers may be shifted from 12 noon to 8 pm shifts or may be provided incentives to do so. In addition, incentives for teleworking, including easier home office tax considerations, may assist the Houston area in meeting attainment levels.

### **20. Employer tax incentives or credit programs for encouraging telecommuting or commuter alternatives**

Government can offer tax incentives for employers to modify benefits packages for employees to encourage transportation alternatives - including car/vanpooling, walking, biking, mass transit, etc. The federal "Commuter Choice" program (National Transportation Equity Act for the 21st Century) provides pre-tax benefits for paying up to \$65 of transit, or cash outs of up to \$175/mo for parking spaces. This is currently in use, and some states have enhanced these benefits, including Maryland, California, Washington, and others. Options for rides home for emergencies must be available. These incentives for telecommuting can either stand alone or be offered by companies and used as partial offsets in an emission-trading regime. New Jersey has an employer trip reduction emission credit program, and employers submit three-page plans outlining the trip reduction plan. Resulting emissions credits may be bought and sold.

### **21. Time-of-day/congestion parking pricing**

Parking pricing can be set much higher during periods during which driving is to be discouraged in order to encourage use of mass transit, off-peak time driving, or use of multiple occupancy vehicles. In addition, parking prices can be set much higher for single occupancy vehicles and much lower for high occupancy vehicle lanes. Employer parking buy-out strategies are addressed elsewhere.

## **22. Clean screening and high-emitter detection with remote sensing**

A minority of cars on the road produces the majority of mobile-source pollutants given off by the entire vehicle fleet. Rather than subject a mostly-clean vehicle fleet to scheduled emission testing with costly, stationary dynamometer equipment, this strategy uses lower-cost mobile emission detectors to focus repair efforts on the high emitters, the core of the automobile emissions problem. Clean screening uses both roadside sensors and an understanding of new-car emission characteristics to exempt the bulk of the on-road vehicle fleet from the need for inconvenient, and sometimes costly, annual emission testing. Cars less than four years old are unlikely to be high emitters. Studies suggest they are less than 1 percent of the high emitters on the road. Exempting cars newer than four years old removes a large percentage of the vehicle fleet from the test regime, allowing the concentration of effort on the remaining, more-likely high emitters. Using remote sensors to detect which of the cars older than 4 years is clean can also be done with high accuracy, allowing yet more focus on the remaining high-emitters.

## **23. Emission check buy-out**

In California, as an example, owners may pay a fee to avoid smog checks for the first five years of owning a new car. This can be an appropriate strategy because the minority of pollution is emitted from new automobiles, and the problem is disproportionately one generated from older vehicles. By paying a fee to bypass the checks (e.g. \$4/vehicle in some areas), the fee can be used to lower fees for other vehicles, or other appropriate uses may be made with the funds. This strategy assures that similar emissions will be realized, but at lower cost in terms of administration, time waiting, inconvenience, and inappropriate retrofits to new automobiles.

## **24. E-Government and Improved Accessibility to Services**

This strategy involves establishing mechanisms that allow citizens to utilize government services via the internet - vehicle registrations, bill paying, permits, etc. Making these services available reduces traffic congestion and vehicle miles traveled. Governments can also achieve similar air quality benefits by increasing the number of locations providing services.

## **25. Land Use and Transit-Oriented Development**

Local governments implement development criteria either requiring or providing incentives for sprawl reduction such as vertical zoning, mixed use zoning, enhanced mobility choices, reducing distances between home sites, work sites, and service sites. These types of development criteria will reduce the impacts of new development on air quality.

## **26. Tree Planting**

Trees remove pollutants from the air and can provide shade to impervious surfaces, reducing “urban heat island” impacts by lowering temperatures. Adding trees to parking areas can be particularly effective in reducing these impacts. In addition to the cleansing action trees provide in removing pollutants, the shade-induced lower temperatures reduce cooling and energy consumption requirements. Tree planting programs can be effective tools in saving energy and improving air quality.

**27. Lawn and Garden Equipment and Boats – Low Emission Gas Cans**

Gasoline-powered lawn and garden equipment and boats are sources of volatile organic compounds (VOC) in the region. A particularly effective control measure is the use of non-permeable, spill-proof gasoline containers. An estimated 0.2 tons per day of VOC reductions could result from 100% use in the commercial sector.

**28. Incentives for Adopting New Technologies** (or removal of tax and regulatory barriers to introducing new technologies)

Providing incentives for adoption of new technology can help accelerate the adoption of lower-polluting technologies, replace or retrofit high-polluting fleets, and provide incentives for improved operation of vehicles. Incorporating emission budgets or incentives into construction contracts, for example, could provide incentives for advancing vehicle turnover and off-road engine turnover or retrofit with newer technologies, reducing emissions. A wide range of mechanisms is available, and many have shown promise in other locations.

**29. More Efficient and Discerning Methods for Inspection and Maintenance Procedures**

This control strategy can maintain improved emission levels at lower costs. Using new technology to find non-complying vehicles on the road, and focusing inspection efforts on that segment of vehicles expected to have higher emissions, or allowing emission check exemptions for newer vehicles can provide greatest benefit at lower administrative cost and lower inconvenience to relatively low polluters.

**30. Voluntary Employer Incentives**

Encourage employees to use alternatives to commuting, including parking cash-outs, tax incentives, and creative tradeoffs in benefits packages. Such approaches have performed well in other locations and provide incentives in the private sector and at needed times of day. Incentives can also be provided that encourage the viability of private automobile-sharing cooperatives that help make it practical to avoid automobile ownership for many.

**31. No Net Emissions Increase from Future Gas Wells in the San Juan Basin**

The Bureau of Land Management's *Farmington Proposed Resource Management Plan and Final Environmental Impact Statement* proposes the development of 13,275 new natural gas wells within the San Juan Basin over the next 20 years. The introduction of new wells within the San Juan Basin will increase in the level of oxides of nitrogen within San Juan County and the surrounding region. Emissions from new wells might be offset by applying technologies to new and/or established wells to result in no net increase in emissions.

**32. Evaluation of VOC emission control technologies for gas wells in San Juan County, followed by partial or full application of feasible technologies, if appropriate.**

Since thousands of gas wells already exist in the County, there may be potential to achieve large decreases in VOCs and other emissions through the application of newer control technologies to existing wells. This effort may also involve researching what newer technologies, if any, have already been effective in a limited number of applications in San Juan County, and if those

technologies could be expanded to other existing wells.

### **33. Moratorium on New Construction or Expansion of Power Generation Plants**

Place a cap on the number of power plants operating with San Juan County at its present level. This would aid in controlling future levels of oxides of nitrogen within San Juan County and the surrounding region. Included in the moratorium could be the option of allowing and/or encouraging the development of alternative power sources such as wind and solar energy.

### **34. Promotion of new or additional clean-burn technologies for power generation plants and evaluation of the technologies' applicability in San Juan County.**

Given that two large power generation plants already exist in San Juan County, there is potential to achieve large decreases in NO<sub>x</sub> and other emissions through the application of newer, more effective control technologies on the existing power plants.

### **35. Future EPA Mandated Rules**

Over the next several years, a variety of EPA regulations and standards will affect the petroleum industry. These regulations and standards should aid to varied degrees in the reduction of oxides of nitrogen, carbon monoxide, and particulate matter emissions within San Juan County. Although these regulations and standards will not reflect local decision-making in San Juan County, they are included here for the purpose of being recognized as unavoidable measures that will apply to San Juan County and affect emissions in the area somewhat over the next several years.

### **36. More Stringent Permit Requirements For Major Sources**

Require under state law more stringent permitting requirements for major sources such as requiring that any new emission sources must use the best technology available or the most reasonable available control technology (RACT) and/or requiring companies to submit an annual inventory of all new motorized equipment.

### **37. Have the State Work Proactively With the Local Governments**

Have the state and the local governments work together to develop proactive solutions to reducing ozone formation in San Juan County. Examples of such a collaboration would be to involve the City of Farmington utility system on the possible development and use of alternative energy sources; address urban sprawl and its contribution to the ozone problem through the city and county governments; work with the MPO, the recently formed Metropolitan Planning Organization, to address traffic issues related to ozone; continue to update the public about the ozone problem through the local news media and other practical means in an effort to obtain their input and support; address the need to find new and better pollution control technologies; and create a dialogue about economic incentives that would not require the major burden to be carried by vehicle owners.

**38. Have Industrial Sources of NOx and VOCs Work Proactively with the State**

Have industrial sources and the state work together to develop strategies to reduce ozone in San Juan County. This could be accomplished through industrial sources working with the state to develop a proposal on how to reduce NOx and VOC emissions or have the industrial sources develop their own enforceable control strategies and submit a proposal to the state for review.

**39. Provide for analysis of present site deterioration and enforcement of all applicable laws**

Survey existing sources of ozone precursor emissions (NOx and VOCs) that fall below permitting thresholds to determine if equipment/engines have deteriorated to a point at which emissions increase due to age, maintenance, and or other concerns. This strategy might include adjusting permitting thresholds to include smaller sources.

**40. Using city, county, and state governments to educate their fleet drivers** to turn off engines in vehicles and equipment when not in use for more than two minutes.