



# City of San Antonio

## Agenda Memorandum

**File Number:**  
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**Agenda Item Number:** 2

**Agenda Date:** October 27, 2022

**In Control:** Community Health, Environment and Culture Committee

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**DEPARTMENT:** Health Department

**DEPARTMENT HEAD:** Claude Jacob

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

A briefing by the Texas Commission on Environmental Quality on planning activities for Bexar County Ozone nonattainment.

**SUMMARY:**

Bexar County did not achieve Ozone attainment by the deadline of September 24, 2021. The Texas Commission on Environmental Quality (TCEQ) will provide a presentation on planning activities for Bexar County Ozone nonattainment status.

**BACKGROUND INFORMATION:**

In 2015, the U.S. Environmental Protection Agency (EPA) lowered the Ozone standard from 75 parts per billion (ppb) to 70 ppb based on scientific evidence about Ozone's effects on public health and welfare. On September 24, 2018, the EPA officially designated Bexar County in Marginal Nonattainment of federal Ozone standards. Marginal Nonattainment areas are those closest to

meeting the standard.

In response to the EPA designation, the San Antonio City Council approved an Ozone Attainment Master Plan on June 13, 2019. The plan included stakeholder input and was designed around six crucial areas: (1) Communications and Marketing (2) Volkswagen (VW) Beneficiary Mitigation (3) Ozone Best Practices (4) Identification of Point Sources and Mitigation (5) Business Community (6) Policy, Advocacy and Funding. The Ozone Attainment Master Plan was voluntary provided that the City nor the County have regulatory authority. The plan focused on outreach and educating the public and stakeholders on strategies to reduce Ozone.

Bexar County was given the deadline of September 24, 2021 to achieve attainment. Attainment was determined by the three-year period ending in 2020 (also known as the attainment year). Bexar County did not achieve Ozone attainment.

On April 13, 2022 the EPA proposed to reclassify Bexar County to Moderate Nonattainment and on October 7, 2022, The EPA published in the U.S. Federal Register that the San Antonio area failed to attain the 2015 Ozone National Ambient Air Quality Standards (NAAQS). The effect of failing to attain by the applicable attainment date is that the San Antonio area will be reclassified by operation of law to Moderate Nonattainment for the 2015 ozone NAAQS effective November 7, 2022.

This would include a deadline of January 1, 2023 for the TCEQ to submit a moderate attainment State Implementation Plan (SIP). Bexar County's moderate attainment deadline would be September 24, 2024 with a 2023 attainment year.

The Clean Air Act requires a 15% reduction in emissions that lead to Ozone formation the first time an area is classified as moderate nonattainment. Progress requirements would include a 15% reduction in emissions focusing on Volatile Organic Compounds (VOC). Meeting the 15% reduction would demonstrate Reasonable Further Progress (RFP). The reductions must occur over six years, from 2017 to 2023. If the progress requirement is not met, additional rules/reductions are required as contingency measures. Bexar County VOC emissions are primarily from area sources rather than large industrial sources.

#### **ISSUE:**

Bexar County did not achieve Ozone attainment by the deadline of September 24, 2021. The TCEQ will provide a presentation to the Community Health, Environment & Culture Committee on planning activities for Bexar County Ozone nonattainment status. Currently, the TCEQ is researching and estimating any potential federal emissions reductions that may be effective before the 2023 attainment year that could be used by Bexar County. The TCEQ staff are also researching potential strategies in case further reductions are necessary to demonstrate attainment or reasonable further progress.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**ALTERNATIVES:**

This item is for briefing purposes only.

**RECOMMENDATION:**

This item is for briefing purposes only.