Certification that the District of Columbia's Existing Nonattainment New Source Review Program Addresses the 2015 Ozone NAAQS SIP Requirements Rule

The District of Columbia is certifying that our existing Nonattainment New Source Review (NNSR) program, covering the Washington, DC-MD-VA nonattainment area for the 2015 ozone NAAQS, is at least as stringent as the requirements at 40 CFR 51.165 for ozone and its precursors, as amended by the final rule titled *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998, December 6, 2018).

The requirements necessary to appropriately implement the District of Columbia's NNSR program include, but are not limited to the following:

Table: 2015 Ozone NAAQS NNSR SIP Requirements	
40 CFR § 51.165	**20 DCMR Citations and Additional Clarifications**
(a)(1)(iv)(A)(*1*)(i)-(iv) and (*2*): Major source thresholds for ozone – VOC and NOx	§ 199, definition for "Major stationary source" part (c) and (d). As long as the District remains in nonattainment with the ozone NAAQS, these standards are as stringent as the federal standards. Should the District attain the NAAQS, because the District has not adopted the Prevention of Significant Deterioration (PSD) portions of New Source Review (NSR), the federal regulations would apply. In this case, because the District is in an Ozone Transport Region (OTR), the federal OTR thresholds would apply.
(a)(1)(iv)(A)(*3*): Change constitutes a major source by itself	§ 199, definition for "Major stationary source" part (e).
(a)(1)(v)(E): Significant net emissions increase of NOx is significant for ozone	§ 299, definition for "Major modification" part (a).

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40 CFR § 51.165	**20 DCMR Citations and Additional Clarifications**
(a)(1)(v)(F): Any emissions change of VOC in Extreme area triggers NNSR	§ 299, definition of "Major modification, part (a) and § 299, definition for "Significant" part (j). No portion of the District of Columbia is or has ever been classified as extreme non-attainment for ozone. In the highly unlikely event that the District of Columbia were to be re-designated to an extreme ozone non-attainment area, a full review of the District's regulations would need to be undertaken to ensure that all relevant standards were included.
(a)(1)(x)(A)-(C) and (E): Significant emissions rates for VOC and NOx as ozone precursors	§ 299, definition of "significant" Except in the case of an extreme ozone non-attainment area envisioned by (a)(1)(x)(E), the above definition is at least as stringent, and in many cases more stringent, than the cited federal standard. With regard to extreme ozone non-attainment areas, no portion of the District of Columbia is or has ever been classified as extreme non-attainment for ozone. In the highly unlikely event that the District of Columbia were to be re-designated to an extreme ozone non-attainment area, a full review of the District's regulations would need to be undertaken to ensure that all relevant standards were included.
(a)(3)(ii)(C)(*1*)-(*2*): Provisions for emissions reduction credits	§ 204.9(c)
(a)(*8*): Requirements for VOC apply to NOx as ozone precursors	§199, definition of "Major stationary source" and §299, definition of "Regulated NSR (new source review) pollutant" The ozone transport region requirements are not included in the District of Columbia regulations as the entire District is classified as an ozone non-attainment area and therefore the identical ozone transport region requirements would have no effect. As long as the District remains in nonattainment with the ozone NAAQS, these standards are as stringent as the federal standards. Should the Department attain the NAAQS, because the District has not adopted the Prevention of Significant Deterioration (PSD) portions of New Source Review (NSR), the federal regulations would apply. In this

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	case, because the District is in an OTR, the federal OTR thresholds would apply. With regard to the reference to obtaining a NOx waiver, the District does not anticipate a need to request such a waiver, and has therefore not included this option in the regulation. Not including this option in the regulation is as stringent as including it as found in the federal regulations.
(a)(*9*)(i)-(iii): Offset ratios for VOC and NOx for ozone nonattainment areas *[subparagraphs (a)(9)(i)-(iii) were changed to (a)(9)(ii)-(iv)]*	§§ 204.18 and 204.19, as applicable. No portion of the District of Columbia is or has ever been classified as extreme non-attainment for ozone. In the highly unlikely event that the District of Columbia were to be re-designated to an extreme ozone non-attainment area, a full review of the District's regulations would need to be undertaken to ensure that all relevant standards were included.
(a)(*12*): Anti-backsliding provision(s), where applicable	These provisions are incorporated within §204 and related definitions. The District has adopted more stringent major source thresholds and offset requirements than the minimums required, all corresponding to the highest non-attainment classification achieved for any previous or current ozone standard. The following sections and definitions establish these standards and will remain applicable as long as the District is classified as non-attainment for ozone: §204.18, §199 definition of "Major stationary source" parts (c) and (d), and §299 definition of "Significant" parts (b) and (j).