

**State of California
Air Resources Board**

Executive Order S-24-006

**Submittal into the California State Implementation Plan of the 2023 Revision to the
California State Implementation Plan for Carbon Monoxide**

Whereas, sections 39600 and 39601 of the Health and Safety Code authorize the California Air Resources Board (CARB or Board) to adopt standards, rules, and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

Whereas, the Legislature in Health and Safety Code section 39602 has designated CARB as the air pollution control agency for all purposes set forth in federal law;

Whereas, CARB is responsible for preparing a state implementation plan for attaining and maintaining the national ambient air quality standards as required by the federal Clean Air Act (42 U.S.C section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) necessary to comply with the Clean Air Act;

Whereas, CARB has primary responsibility for the control of air pollution from vehicular sources as specified in Health and Safety Code sections 39002, 39500, and part 5 commencing with section 43000, and for ensuring that the districts meet their responsibilities under the Act pursuant to Health and Safety Code sections 39002, 39500, and 39602;

Whereas, the districts have primary responsibility for the control of air pollution from nonvehicular sources and for adopting control measures, rules and regulations to attain the national ambient air quality standards within their boundaries pursuant to Health and Safety Code sections 39002, 40000, 40001, 40701, and 40702;

Whereas, Health and Safety Code section 39602 also provides that the state implementation plan shall include only those provisions necessary to meet the requirements of the Clean Air Act;

Whereas, Health and Safety Code section 39515 and 39516 provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

Whereas, in 1991 the U.S. Environmental Protection Agency (U.S. EPA) designated 11 areas (Bakersfield Metropolitan Area, Chico Urbanized Area, Fresno Urbanized Area, Lake Tahoe North Shore Area, Lake Tahoe South Shore Area, Modesto Urbanized Area, Sacramento Urbanized Area, San Diego Area, San Francisco-Oakland-San Jose Area, Stockton Urbanized Area, and Los Angeles Urbanized Area) in California as nonattainment of the federal 8-hour Carbon Monoxide (CO) standard of 9 parts per million (ppm);

Whereas, in 1995, 10 of the 11 nonattainment areas, except Los Angeles Urbanized Area, recorded levels meeting the federal 9 ppm 8-hour CO standard;

Whereas, in 1996, CARB adopted and submitted to U.S. EPA the 1996 CO Maintenance Plan and requested that 10 of the nonattainment areas be redesignated to attainment for the federal 9 ppm 8-hour CO standard and they would maintain it for 10 years;

Whereas, effective June 1, 1998, U.S. EPA approved the 1996 CO Maintenance Plan as part of the California State Implementation Plan and redesignated the 10 areas to attainment of the federal 9 ppm 8-hour CO standard;

Whereas, in 2004 CARB adopted and submitted to U.S. EPA the 2004 CO Maintenance Plan which showed that the 10 CO maintenance areas would continue to maintain the federal 9 ppm 8-hour CO standard for a second 10-year period, through 2018;

Whereas, effective November 30, 2005, U.S. EPA approved the 2004 CO Maintenance Plan;

Whereas, to date, California has completed the 20-year maintenance area requirement for the federal 9 ppm 8-hour CO standard for the 10 CO maintenance areas;

Whereas, in 2022, CARB submitted a request to U.S. EPA to discontinue CO monitoring at 4 locations, including 3 of the 10 maintenance areas: Chico Urbanized Area, Modesto Urbanized Area, and Stockton Urbanized Area;

Whereas, U.S. EPA informed CARB that in order to approve the request to discontinue CO monitoring at the three CO maintenance areas, CARB needed to amend the 2004 CO Maintenance Plan;

Whereas, CARB developed the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* to update the 2004 CO Maintenance Plan to remove the contingency and monitoring requirement for the following three (Chico Urbanized Area, Modesto Urbanized Area, and Stockton Urbanized Area) of the 10 maintenance areas on Section E on page 11 of the 2004 CO Maintenance Plan so that U.S. EPA can approve the monitoring discontinuation request;

Whereas, the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* complies with the Clean Air Act section 110(l) by demonstrating that the removal of the contingency measures, and the monitoring requirements, will not interfere with maintenance or any other Clean Air Act requirements;

Whereas, the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* is necessary for U.S. EPA to approve a monitoring discontinuation request, in the three maintenance areas (Chico Urbanized Area, Modesto Urbanized Area, and Stockton Urbanized Area), under 40 Code of Federal Regulations 58.14(c)(1);

Whereas, air quality data demonstrates that the three maintenance areas continue to be in attainment and air quality trends show a decline in CO levels between 1996 and 2022;

Whereas, control strategy emission reductions from adopted CARB measures generate progressively more benefits over time, effectively decreasing CO emissions well below the levels that resulted in attainment of the federal 9 ppm 8-hour CO standard;

Whereas, based on current and future control strategies it seems unlikely that the three maintenance areas will exceed the federal 9 ppm 8-hour CO standard in the future, outside of wildfire impacted events;

Whereas, CARB has determined that the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* is exempt from the California Environmental

Quality Act under the “general rule” or “common sense” exemption (14 California Code of Regulations 15061(b)(3));

Whereas, federal law sets forth in section 110(l) of the Clean Air Act and Title 40, Code of Federal Regulations, section 51.102, within the 30 day notification period, States must provide notice, provide the opportunity to submit written comments and allow the public the opportunity to request a public hearing;

Whereas, the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* was made available for a 30-day public review from February 9, 2024, to March 11, 2024, and no comments were received;

Whereas, CARB also provided notice to allow the public the opportunity to request a public hearing on May 23, 2024, beginning at 9:00 a.m. at the California Environmental Protection Agency, Byron Sher Auditorium, at 1001 I Street, Sacramento, California 95814 within the 30-day notification period;

Whereas, the notice stated that, if no request for a public hearing was received by March 11, 2024, the hearing for this item would be cancelled and CARB would announce the cancellation of the public hearing for this item by posting on CARB’s website at <https://ww2.arb.ca.gov/resources/documents/2023-carbon-monoxide-sip-revision> by May 13, 2024 or the public could call (279) 208-7266 to find out if the hearing had been cancelled;

Whereas, there was no request for a public hearing received by March 11, 2024, and the hearing for this item was cancelled; and

Whereas, CARB announced the cancellation of the public hearing for this item electronically by posting on CARB’s website on March 12, 2024.

Now, therefore, be it ordered that the Executive Officer hereby adopts the *2023 Revision to the California State Implementation Plan for Carbon Monoxide*, as an updated maintenance plan for three federal planning areas, to the California State Implementation Plan.

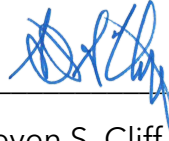
Be it further ordered that CARB hereby submits to U.S. EPA the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* and requests that U.S. EPA approve it as an updated maintenance plan for three federal planning areas in the California State Implementation Plan.

Be it further ordered that CARB staff work with the U.S. EPA and take appropriate action to resolve any completeness or approvability issues that may arise regarding the State Implementation Plan submission.

Be it further ordered that CARB staff includes in the State Implementation Plan submittal any technical corrections, clarifications, or additions that may be necessary to secure U.S. EPA approval.

I certify, pursuant to Title 40 Code of Federal Regulations section 51.102(f), that the *2023 Revision to the California State Implementation Plan for Carbon Monoxide* was adopted after public notification as required by 40 Code of Federal Regulations section 51.102 (a) and (d).

Executed in Sacramento, California, this 4 day of April, 2024.



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