

Proposed
State of California
Air Resources Board

California's Regional Haze State Implementation Plan

Resolution 22-11

June 24, 2022

Agenda Item No.: 22-9-2

Whereas, the Legislature in Health and Safety Code section 39602 has designated the California Air Resources Board (CARB or the Board) as the air pollution control agency for all purposes set forth in federal law;

Whereas, sections 39600 and 39601 of the Health and Safety Code authorize CARB 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, sections 39515 and 39516 of the Health and Safety Code provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

Whereas, CARB has responsibility for ensuring that local air districts meet their responsibilities under the federal Clean Air Act (the Act; 42 U.S.C. section 7401 et seq.) pursuant to sections 39002, 39500, 39602, 41650, and 41652 of the Health and Safety Code;

Whereas, section 39602 of the Health and Safety Code also provides that the State Implementation Plan (SIP) shall include only those provisions necessary to meet the requirements of the Act;

Whereas, in 1977, the United States (U.S.) Congress amended the Act to establish a national goal to remedy existing visibility impairment and prevent future visibility degradation resulting from human-caused air pollution in 156 mandatory federal Class I areas (Class I areas), of which 29 are in California;

Whereas, CARB is responsible for the preparation of the SIP for making reasonable progress towards meeting the national goal of improving visibility in the Class I areas as required by the Act 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 Act;

Whereas, on July 1, 1999, the U.S. Environmental Protection Agency (U.S. EPA) finalized the Regional Haze Rule, which established requirements for states to develop SIPs to address visibility impairment in Class I areas and meet the goal of restoring natural visibility conditions in all Class I areas by 2064;

Whereas, the Regional Haze Rule requires states to submit Regional Haze SIP revisions every ten years that include for each Class I area the calculation of visibility conditions, progress to

date, and the uniform rate of progress; a long-term strategy that addresses visibility impairment; reasonable progress goals; a monitoring strategy; and consultation with federal land managers;

Whereas, on January 22, 2009, CARB adopted California's first Regional Haze SIP which was approved by U.S. EPA on June 14, 2011, as meeting the requirements of the Act and the Regional Haze Rule;

Whereas, on January 10, 2017, U.S. EPA revised the Regional Haze Rule, making key changes to the requirements including extending the 2018 due date for the required periodic comprehensive revision, changing the process for selection of most-impaired days used for purposes of tracking progress towards natural visibility conditions, adding a provision to allow for the approval of adjustments to the uniform rate of progress to account for impacts from prescribed fire and international sources; removing the requirement for progress reports to be submitted in the form of SIP revisions, and changing federal land manager consultation requirements;

Whereas, due to the regional nature and complexity of visibility impairment, U.S. EPA established five regional planning organizations (RPO) to assist states in conducting the common technical and policy analysis in addition to facilitating the required consultation and other RPO planning tasks;

Whereas, the Western Regional Air Partnership (WRAP) was designated by U.S. EPA to implement the regional planning process for the western Class I areas, including those in California;

Whereas, California has actively participated in WRAP via WRAP committees, work groups, forums, and conferences;

Whereas, the proposed California Regional Haze SIP (California RH SIP) is the required revision for the second planning period addressing visibility through 2028 and meets the requirements of the Act and Regional Haze Rule;

Whereas, the California RH SIP builds upon the successful strategy laid out in the State's first Regional Haze SIP that has improved visibility at all Class I areas across the State through the first planning period;

Whereas, in developing the California RH SIP, CARB staff relied upon monitoring data, emissions information, and regional photochemical modeling developed by the WRAP to apportion source contributions to visibility impairment and project visibility conditions expected to result from current and potential controls as a basis for identifying sources of human-caused pollution that have the largest impact on visibility impairment for this planning period;

Whereas, the California RH SIP includes calculations of baseline, current, and natural visibility conditions; progress to date; and the uniform rate of progress for each Class I area in the State that show that we are continuing to improve visibility across California;

Whereas, California's RH SIP includes a long-term strategy that addresses regional haze visibility impairment for each Class I area within the State and each Class I area located outside the State that may be affected by emissions from the State;

Whereas, WRAP technical analyses for this planning period indicate that ammonium nitrate is an important component of haze from human-caused pollution in California's Class I areas and that focused efforts to continue reducing emissions of oxides of nitrogen (NO_x) consistent with California's current strategy to attain federal ambient air quality standards will be the most impactful means to improve visibility through 2028;

Whereas, mobile source emissions account for nearly 80 percent of NO_x emissions in California and implementation of mobile source control measures developed under the State's authority to establish stricter than federal emission standards for this sector will yield significant benefits for visibility;

Whereas, emissions from stationary sources account for less than 15 percent of NO_x emissions in California and are generally well-controlled due to California's extensive nonattainment problem and the State's efforts to meet the health-based air quality standards;

Whereas, the consideration of stationary sources for the California RH SIP was focused on ensuring that reasonable NO_x controls will be in place at major stationary sources in operation during this planning period;

Whereas, the Regional Haze Rule requires consideration of the four statutory factors – cost of compliance, the time necessary for compliance, the energy and non-air quality impacts of compliance, and the remaining useful life of potentially affected sources – when evaluating measures for reasonable progress;

Whereas, the selection of stationary sources for control consideration included the calculation of the ratio of annual emissions and distance (Q/D) from each Class I area as a surrogate metric for visibility impacts; review of emissions inventories; and the review of existing controls, planned controls, and proposed operational changes;

Whereas, eighteen of the stationary sources that were considered because their Q/D was greater than five are subject to California's Assembly Bill (AB) 617, which requires large stationary sources to meet the expedited best available retrofit control technologies (BARCT) requirements;

Whereas, under the expedited BARCT requirement, the sources will be required to install effective emission controls, if not already installed, prior to the end of the planning period covered by this SIP, and so CARB chose not to bring these sources forward for control consideration involving the four statutory reasonable progress factors in this California RH SIP, but will assess the stationary source controls that result from expedited BARCT requirements in the next progress report due to U.S. EPA by January 31, 2025;

Whereas, one stationary source was brought forward for control consideration that involved consideration of the four statutory reasonable progress factors but no additional reasonable controls were identified based on those factors;

Whereas, California's RH SIP long-term strategy relies upon 400 tons per day of NO_x emission reductions from adopted mobile source control measures and a commitment to achieve an additional 40 tons per day NO_x reduction through the adoption and implementation of the Heavy-Duty Omnibus Regulation, Advanced Clean Trucks Regulation,

Heavy-Duty Vehicle Inspection and Maintenance Program, and Advanced Clean Cars II Regulation to achieve reasonable progress through 2028;

Whereas, CARB adopted the Advanced Clean Trucks Regulation in June 2020, adopted the Heavy-Duty Omnibus Regulation in August 2020, adopted the Heavy-Duty Vehicle Inspection and Maintenance Program in December 2021, and commits to bring Advanced Clean Cars II to the Board in 2022;

Whereas, implementation of the Heavy-Duty Vehicle Inspection and Maintenance Program will begin in 2023, implementation of the Advanced Clean Trucks and Heavy-Duty Omnibus Regulations will begin in 2024, and implementation of Advanced Clean Cars II is expected to begin with the 2026 vehicle model year;

Whereas, based on the long-term strategy, California's RH SIP includes reasonable progress goals for each Class I area in the State that provide for improvement in visibility for the most impaired days and ensure no degradation in visibility for the clearest days since the baseline period;

Whereas, the California RH SIP serves as the second progress report and addresses the Regional Haze Rule requirements for the period since the first recent progress report adopted by CARB on May 22, 2014, and approved by U.S. EPA on April 1, 2015, as meeting the requirements of the Act and the Regional Haze Rule;

Whereas, the California RH SIP confirms that California will continue to participate in the federal Interagency Monitoring of Protected Visual Environments (IMPROVE) program to assure continued collection and reporting of visibility data;

Whereas, California will continue to rely on visibility data collected and reported by the IMPROVE program to track visibility conditions and progress in the State's Class I areas;

Whereas, states that have emissions that are reasonably anticipated to contribute to visibility impairment in Class I areas in California and states with Class I areas where emissions from California are reasonably anticipated to contribute to visibility impairment were consulted in the development of the California RH SIP;

Whereas, CARB staff consulted with neighboring states during the development of this California RH SIP and staff from air quality agencies in neighboring states were generally supportive of California's long-term strategy and during these consultations no one identified, requested, or agreed to any measures;

Whereas, consultation with federal land managers is an important part of the plan development process, and CARB staff held multiple informal consultation meetings with federal land managers during the development of California's RH SIP long-term strategy;

Whereas, federal land managers were provided early opportunities to discuss their assessment of impairment of visibility in Class I areas and recommendations on the development and implementation of strategies to address visibility impairment;

Whereas, CARB staff provided federal land managers with a formal consultation opportunity to review California's draft RH SIP for a period ranging from February 9, 2022, through April 11, 2022, more than 60 days prior to releasing the draft to the public or holding a public hearing;

Whereas, the California RH SIP includes the federal land manager comments and how the State addressed these comments and also provides for continued consultation on the implementation of the California RH SIP;

Whereas, CARB staff held public workshops on September 17, 2020, and March 4, 2022, that provided an overview of the regional haze program and the specific Regional Haze Rule requirements and also described visibility conditions in California's Class I areas as well as California's long-term strategy to ensure reasonable progress towards natural conditions is being made during this planning period;

Whereas, in all California Class I areas, visibility has improved on the most impaired days and visibility has not degraded on the clearest days since the baseline period;

Whereas, the California RH SIP establishes interim reasonable progress goals for 2028 that are on or below the glidepath adjusted to account for impacts from prescribed fire and international emissions and is on track reach estimated natural visibility conditions on or before the 2064 target for all California Class I areas;

Whereas, the California RH SIP includes commitments to update emission inventories of haze pollutants, prepare periodic progress reports, and prepare periodic comprehensive SIP revisions;

Whereas, staff released the proposed California RH SIP to the public on May 13, 2022;

Whereas, staff has determined that the California RH SIP is exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) ("common sense" exemption) because the record evidence shows with certainty that there is no possibility that the proposed activity may result in a significant adverse impact on the environment, as described in Appendix A of the California RH SIP; and

Whereas, the Board finds that:

The California RH SIP is consistent with the requirements of the federal Clean Air Act and the Regional Haze Rule;

The long-term strategy detailed in the California RH SIP provides for reasonable progress towards achieving natural visibility conditions in all of California's Class I areas;

The technical basis for the long-term strategy includes consideration of monitoring data, emissions inventories, regional photochemical modeling, and source apportionment analyses;

The long-term strategy relies on implementation of adopted mobile source control measures to reduce NOx emissions by 400 tons per day by 2028 and a commitment to achieve an additional reduction of NOx emissions by 40 tons per day by 2028 through adoption and implementation of the Heavy-Duty Omnibus Regulation, Advanced Clean Trucks Regulation, Heavy-Duty Vehicle Inspection and Maintenance Program, and Advanced Clean Cars II Regulations;

The NOx emission reductions included in the long-term strategy provide for reasonable progress through 2028;

CARB consulted with neighboring states and federal land managers during the development of this Regional Haze SIP;

CARB commits to providing an update on visibility conditions, emissions reductions, and an assessment of efficacy of the long-term strategy in the next progress report due to U.S. EPA by January 31, 2025;

CARB commits to providing an assessment on stationary source controls that resulted from the implementation of the AB 617 expedited BARCT requirements in the next progress report;

CARB commits to routinely update emissions inventories for pollutants relevant to regional haze planning efforts;

CARB commits to taking a fresh look at visibility conditions, emissions contributing to visibility impairment, and opportunities to ensure that measures are in place that provide for meaningful visibility improvements as part of updating the strategy for addressing haze in Class I areas during the development of the comprehensive periodic revisions in the next Regional Haze SIP due July 31, 2028;

The California RH SIP was developed in an open public process, in consultation with affected parties, through numerous public workshops, individual meetings, and other outreach efforts, and these efforts are expected to continue;

The California RH SIP is consistent with CARB's environmental justice policies and do not disproportionately impact people of any race, culture, income, or national origin; and

The California RH SIP is exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) because substantial evidence in the record shows with certainty that there is no possibility that the proposal may result in a significant adverse impact on the environment.

Now, therefore, be it resolved that the Board hereby approves the California RH SIP as set forth in the documents released to the public on May 13, 2022.

Be it further resolved that the Board directs the Executive Officer to submit the California RH SIP, as approved, to U.S. EPA for inclusion in the SIP to be effective for the purposes of federal law, upon approval by U.S. EPA.

Be it further resolved that the Board directs the Executive Officer to work with U.S. EPA and take appropriate action to resolve any completeness or approvability issues that may arise regarding the California RH SIP submission.

Be it further resolved that the Board authorizes the Executive Officer to include any technical corrections, clarifications, or additions in the submittal of the California RH SIP that may be necessary to secure U.S. EPA approval.

Be it further resolved that the Board hereby certifies that the California RH SIP was approved after notice and public hearing as required by 40 CFR § 51.102.