

Staff Report

Review of the Indian Wells Valley Second 10-Year PM₁₀ Maintenance Plan

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EXECUTIVE SUMMARY

This report presents the California Air Resources Board (CARB or Board) staff assessment of the *Indian Wells Valley 2nd 10-Year PM₁₀ Maintenance Plan (2020 PM₁₀ Plan or Plan)* developed by the Eastern Kern Air Pollution Control District (District). The Plan identifies the conditions under which the Indian Wells Valley has continuously demonstrated attainment of the 24-hour PM₁₀ National Ambient Air Quality Standard (NAAQ or standard) since 2003, and commits to actions designed to maintain the standard. The 2020 PM₁₀ Plan is the air quality maintenance plan required under federal Clean Air Act (Act) Section 175A(b) for the second 10-year period following attainment of the standard. The contents of the 2020 Plan are prescribed in a U.S. Environmental Protection Agency (U.S. EPA) memo dated September 4, 1992.¹

The first 10-year maintenance plan was adopted by the Kern County Air Pollution Control District Board on September 5, 2002, and was approved by U.S. EPA on May 7, 2003.² The first maintenance plan demonstrated maintenance of the PM₁₀ standard based on a projected emission inventory that reported emissions of PM₁₀ in 2013 to be no greater than those in 2003, incorporating the effects of emissions growth and control. Just prior to adoption of the first maintenance plan, the District adopted a fugitive dust rule, provided incentive funding to pave unpaved roads, prompted city and county agencies to require paving in new development projects, and encouraged a federal land management agency to close unpaved roads and trails near residential areas. These actions facilitated maintenance of the PM₁₀ standard since 2003.

CARB staff has concluded that the Plan satisfies the SIP planning requirements of the Act for maintenance plans, including an attainment emission inventory, maintenance demonstration, continued air quality monitoring, commitment for verification of continued attainment, transportation conformity budgets, and a contingency plan to promptly correct any violation of the PM₁₀ standard.

I. BACKGROUND

The Indian Wells Valley is that portion of Kern County contained within Hydrologic Unit #18090205. Hydrologic Unit #18090205, referred to as the San Bernardino, Inyo, and Kern Counties Searles Valley Planning Area Hydrologic Unit #18090205 (Searles Valley Planning Area), was designated by the U.S. EPA as nonattainment for the 24-hour PM₁₀ standard by operation of law on November 15, 1990. The Searles Valley Planning Area was divided into the Coso Junction, Indian Wells Valley, and Trona Planning Areas by U.S. EPA on August 6, 2002 with planning area boundaries

¹ "Procedures for Processing Requests to Redesignate Areas to Attainment", John Calcagni, Director, Air Quality Management Division to U.S. EPA Regional Directors, September 4, 1992.

² Federal Register 68 FR 24368, May 6, 2003.

conforming to air district and county boundaries to facilitate the redesignation of the Trona Planning Area to attainment of the 24-hour PM₁₀ standard.

Subsequent to the original designation of the Searles Valley Planning Area as a PM₁₀ nonattainment area, the Kern County Air Pollution Control District (Kern County District) adopted and implemented several fugitive dust control measures targeting the sources primarily responsible for PM₁₀ exceedances in the Indian Wells Valley. The reductions in emissions from these sources enabled the Indian Wells Valley to report only one exceedance of the 24-hour PM₁₀ standard after 2003. On September 5, 2002, the Kern County District adopted the *Indian Wells Valley Particulate Matter 10 (PM₁₀) (Respirable Dust) Attainment Demonstration, Maintenance Plan, and Redesignation Request (2002 PM₁₀ Plan)*. The 2002 PM₁₀ Plan was approved by CARB on December 4, 2002 and forwarded to U.S. EPA. U.S. EPA approved the 2002 PM₁₀ Plan on May 7, 2003.

The Indian Wells Valley PM₁₀ maintenance area, a map of which is shown in Figure 1, covers approximately 357 square miles and hosts a population of 35,383. Ridgecrest is the only incorporated city in the maintenance area and much of the area is owned by the federal government and managed as the China Lake Naval Air Weapons Station. The area is an arid valley with several dry lakes and limited agricultural production. Average precipitation is four inches per year.

Section 175A(b) of the Clean Air Act requires the submittal to U.S. EPA of a second 10-year maintenance plan succeeding the first 10-year plan in order to retain an attainment designation for the affected standard. On May 7, 2020, the District Board adopted the 2020 Indian Wells Valley Second 10-Year PM₁₀ Maintenance Plan (2020 PM₁₀ Plan) to satisfy this requirement. Analysis of air quality data accessed through U.S. EPA's Air Quality System shows that the number of exceedances per year during the 2017-2019 averaging period to be less than 1.0, the federal threshold for nonattainment of the PM₁₀ standard.

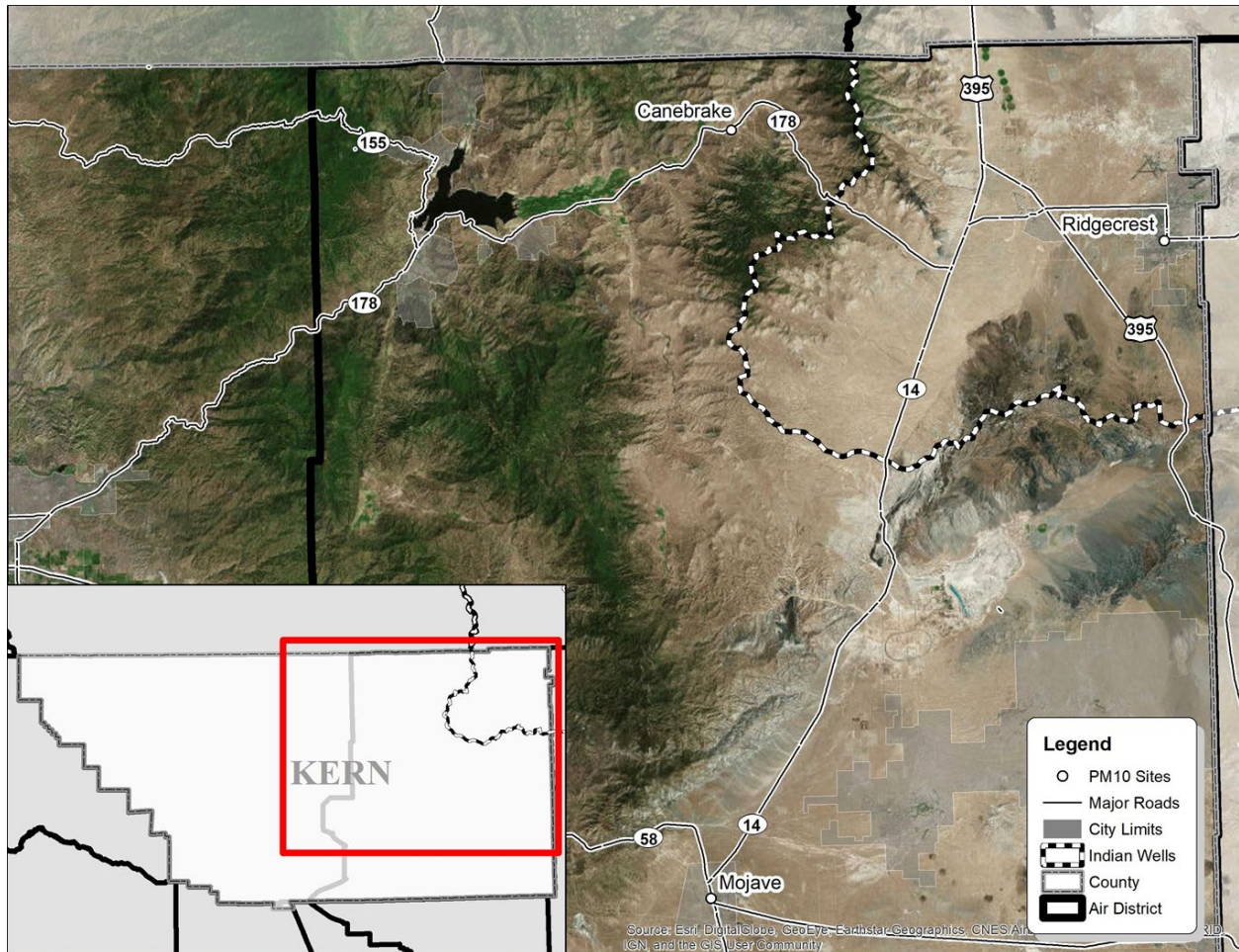
II. DESIGNATION REQUIREMENTS

The Act authorizes the U.S. EPA to retain the designation of an area as a maintenance area if a number of requirements are satisfied. These requirements, as listed in Section 107(d)(3)(E) of the Act, are:

1. The area continues to attain the standard;
2. The applicable implementation plan for the area is fully approved under Section 110(k) of the Act;
3. The improvements in air quality are due to permanent and enforceable emission reductions resulting from implementation of the applicable implementation plan;
4. The area has a fully approved maintenance plan satisfying the requirements of Section 175A of the Act; and

5. The state in which the area is located has met all applicable requirements under Section 110 and Part D of the Act.

Figure 1 – Indian Wells Valley PM₁₀ Maintenance Area



U.S. EPA guidance also enumerates the required elements of approvable maintenance plans.³ Each PM₁₀ maintenance plan must provide for continued maintenance of the PM₁₀ standard for twenty years after redesignation from nonattainment to attainment and include the following components:

1. Attainment emission inventory;
2. Maintenance demonstration;
3. Commitment to continued operation of the monitoring network;
4. Commitment to verification of continued attainment; and

³ Calcagni, John, Memorandum, *Procedures for Processing Requests to Redesignate Areas to Attainment*, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, September 4, 1992. [Link to EPA website containing the Calcagni Memorandum](#)

5. Contingency plan to promptly correct any violation of the PM₁₀ standard that occurs after the area has been redesignated.

III. EVALUATION OF THE 2020 PM₁₀ PLAN

Based on review of the 2020 PM₁₀ Plan and supporting technical analysis, CARB staff concurs that the 2020 PM₁₀ Plan meets the Act's requirements. The following sections summarize CARB staff findings and conclusions with respect to the required elements of the 2020 PM₁₀ Plan.

A. Attainment of the Standard

PM₁₀ air quality has remained relatively good since redesignation of Indian Wells Valley to attainment in 2003. One exceedance recorded on February 2, 2003, was due to transport from Owens Lake when a shoreline monitor there recorded a 24-hour PM₁₀ concentration of over 16,000 µg/m³. A second exceedance recorded on September 2, 2019 was due to transported smoke from the Creek Fire in Tulare County.⁴

Table 1 lists PM₁₀ monitoring data using several metrics for tracking PM₁₀ air quality year by year. These metrics include the highest 24-hour average PM₁₀ concentration recorded during each year, the estimated number of exceedance days per year for the 24-hour PM₁₀ standard, and the 3-year average of estimated numbers of exceedance days per year for use in determining attainment of the 24-hour PM₁₀ standard. The 24-hour PM₁₀ standard is met when the estimated number of exceedance days recorded over a three-year period average one or less per year.

PM₁₀ monitoring has been conducted in the City of Ridgecrest for more than the duration needed to determine air quality status as specified by the U.S. EPA regulation defining the PM₁₀ standard. PM₁₀ monitoring began at 100 West California Avenue on June 1, 1999, with 1-in-6 day filter sampling. Monitoring was terminated at this site on March 14, 2018. PM₁₀ monitoring commenced at 2051 West Ward Avenue, approximately four miles northwest of the California Avenue site, on November 1, 2017 on a continuous basis. CARB evaluated the data collected during the parallel monitoring period and approved the Ward Avenue site as a replacement for the California Avenue site. No other PM₁₀ monitoring sites have been operated and maintained by the Eastern Kern APCD in the Indian Well Valley PM₁₀ maintenance area.

The last three-year period during which the 24-hour PM₁₀ standard was violated was 2000 - 2003 at Ridgecrest. As Table 1 indicates, peak 24-hour PM₁₀ concentrations have remained below the 150 µg/m³ standard since 2003, with the exception of one exceedance in 2019, even though monitoring did not satisfy U.S. EPA completeness

⁴ Email communication from Jeremiah Cravens, EKAPCD, to Earl Withycombe, CARB, on May 11, 2020.

standards between 2004 and 2007. U.S. EPA regulation defines a violation of the 24-hour PM₁₀ standard as four or more estimated exceedances in a three-year period.

Table 1. Peak 24-Hour Average PM₁₀ Per Year and Estimated PM₁₀ Exceedance Days Per Year and Per Three-Year Average

Year	Peak 24-Hour PM ₁₀ Concentration (µg/m ³)	Exceedances Days Per Year	3-Year Average of Exceedance Days Per Year
2001	63	0	0
2002	84	0	0
2003	162	6	2
2004	47	*	*
2005	55	*	*
2006	65	*	*
2007	72	0	*
2008	57	0	*
2009	46	0	0
2010	53	0	0
2011	143	0	0
2012	43	0	0
2013	56	0	0
2014	52	0	0
2015	45	0	0
2016	66	0	0
2017	49	0	0
2018	107	0	0
2019	177	1	0.3

*Monitoring data for these years were incomplete.

B. Fully Approved SIP

The 2002 PM₁₀ Plan is a fully approved portion of the California SIP. The 2002 PM₁₀ Plan was submitted to U.S. EPA by CARB on December 5, 2002. In a Final Rule Notice published in the May 7, 2003 Federal Register, U.S. EPA fully approved the 2002 PM₁₀ Plan as amended.⁵

C. Attainment Results from Permanent and Enforceable Emission Reductions

Nonattainment of the 24-hour PM₁₀ standard in the Indian Wells Valley was demonstrated to be due to fugitive dust sources in the Kern County portion of the Searles Valley PM₁₀ Attainment Plan. In amendments to this plan, the Kern County Air

⁵ Federal Register, Vol. 68, No. 88, May 7, 2003, pp. 24368-24370.

Pollution Control District adopted Rule 402 (Fugitive Dust) to reduce and control emissions from these sources. Adopted on November 29, 1993 and subsequently amended several times, Rule 402 establishes visible emission limits and practice requirements for:

- unpaved roads;
- construction, demolition, and earthmoving;
- open storage piles;
- disturbed surface areas during inactivity;
- bulk materials handling, storage, transfer, and transporting; and
- carryout and trackout.

In a subsequent action taken on March 12, 2015, the Eastern Kern Air Pollution Control District adopted Rule 402.2 (Agricultural Operations). Rule 402.2 requires the application of one Conservation Management Practice, selected from a list specified in the rule, to the following agricultural operations:

- land preparation and cultivation;
- harvest activities;
- unpaved roads and traffic areas; and
- windblown dust.

The requirements for control of disturbed surface areas in Rule 402 were applied in 1995 to the public lands under the control of the City of Ridgecrest and the Naval Air Weapons Station, China Lake, with the goal of reducing windblown dust and unpaved road emissions by 15 percent and 25 percent, respectively. Funding from U.S. EPA Section 105 grants and AB 2766 vehicle registration fees were used by the District to treat or pave ten miles of residential roadways and two miles of landfill access road during the same period. The City of Ridgecrest amended its Municipal Code to require the paving of roads in new development projects, and the U.S. Bureau of Land Management closed several off-highway vehicle roads and trails near residential areas.

D. Maintenance Plan Provides for Continuing Attainment

Section 175A of the Act establishes the required elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. Using an attainment year inventory and future inventory projections, plans must demonstrate continued attainment through the first and second 10-year maintenance periods.

Comprehensive inventories were developed in this Plan for the representative attainment year (2003) through the end of the second 10-year maintenance period (2023).

1. Attainment Year Emission Inventory

As the standard being addressed in the 2020 PM₁₀ Plan is the 24-hour PM₁₀ standard, and as all historical exceedances of this standard occurred on days throughout the year, the emission inventories contained in this Plan all report annual average day PM₁₀ emissions. PM₁₀ monitoring data from the Ridgecrest monitoring stations demonstrate that the last violation of the standard occurred in 2003, and that only one exceedance of the standard has been recorded since then. As a result, the starting point for inventory tracking in the plan is 2003, the year in which Indian Wells Valley was designated attainment by U.S. EPA.

The inventories for directly emitted PM₁₀ and all precursor emissions show declines between 2003 and 2023. A tabulation of annual average day PM₁₀ and precursor emissions is shown in Table 2.

Table 2. Annual Average Day PM₁₀ and Precursor Emissions (ton/day)

Pollutant	2003	2023
PM ₁₀	2.597	2.509
NO _x	6.062	3.847
SO _x	0.242	0.186
Ammonia	2.597	2.509

The 2020 PM₁₀ Plan neglected to include a table of condensable PM₁₀ emissions for the emission inventory years reported in Appendix D. The missing table is included in Attachment 1 to this Staff Report.

2. Maintenance Demonstration

Maintenance of the PM₁₀ standard is demonstrated through the decline in emission inventories between 2003, the attainment year, and 2023, the horizon year of the 2020 PM₁₀ Plan, for directly emitted PM₁₀ and all precursor emissions.

3. PM₁₀ Monitoring Network

The PM₁₀ monitoring network in the Indian Wells Valley consists of the single station located in Ridgecrest, the only population area of significance within the maintenance area. The District commits in the 2020 PM₁₀ Plan to maintain continuous PM₁₀ monitoring for the ten-year term required of a second 10-year maintenance plan.

4. Verification of Continued Attainment

The District commits in the 2020 PM₁₀ Plan to verify continued attainment through the compilation and submittal of a progress report to U.S. EPA in 2023. The progress

report will contain emission inventory updates, air quality trend assessments, and additional information that may be relevant to the air quality program in Indian Wells Valley.

5. Contingency Plan

The Act requires a maintenance plan to include contingency provisions for prompt correction of any PM₁₀ standard violation that might occur after the area has been redesignated to attainment. If a violation of the standard occurs, the District will evaluate the cause of the exceedance and take appropriate action within 18 months. If the violation was due to a controllable source, the District will determine whether measures exist to reduce emissions not already used in demonstrating maintenance of the standard. If the District determines that non-exceptional event exceedances attributed to windblown dust, then a contingency provision of Rule 402 may be implemented. The District will complete its analysis of any exceedance and available contingency measures within six months of U.S. EPA's notification that a contingency measure was triggered. During the subsequent 12-month period, the District will adopt and implement applicable contingency measures.

E. Motor Vehicle Emission Budgets

The Act requires that transportation plans, programs, and projects receiving federal funding or requiring federal approval must be found to be fully consistent with the applicable SIP. The federal Transportation Conformity Rule requires SIPs to specify on-road motor vehicle emission budgets (transportation conformity budgets) that are consistent with the attainment and maintenance demonstrations in the SIP.⁶ The conformity regulation requires transportation agencies to demonstrate that emissions from applicable portions of regional transportation plans and programs do not exceed these emissions budgets.

The transportation conformity budgets in PM₁₀ SIPs must include emissions from several categories of sources that are integral components of on-road infrastructure construction, maintenance, and use. These source categories are identified in the 2020 PM₁₀ Plan as vehicle exhaust, vehicle wear (e.g., abrasive generation of particles from brake linings, tire surfaces, etc.), re-entrained road dust, and road construction.

Table 3 shows the District-adopted transportation conformity budgets for PM₁₀ annual average day emissions for the Indian Wells Valley. If U.S. EPA determines these budgets to be adequate, future transportation plan amendments and updates in the Indian Wells Valley will need to conform to these budgets. The Kern Council of Governments must ensure that the aggregate annual average day transportation PM₁₀ emissions in the Indian Wells Valley do not exceed these levels when approving new transportation plans and transportation programs, even if the mix of projects

⁶ The Transportation Conformity Regulation is found at 40 CFR Parts 51 and 93.

changes or growth increases. These budgets will remain in effect until other budgets are found adequate through approval by U.S. EPA.

Table 3. Motor Vehicle Emission Budgets for Maintenance of the 24-hour PM10 NAAQS

Mobile Source PM ₁₀ Emissions (tons per annual average day)	Year	
	2020	2025
Vehicular Exhaust, Tire and Brake Wear ^a	0.04	0.04
Re-Entrained Paved Road Dust	0.11	0.12
Re-Entrained Unpaved Road Dust (City and County Roads)	0.13	0.13
Road Construction Dust	0.03	0.10
Safety Margin	0.00	0.10
Total ^b	0.31	0.49
Motor Vehicle Emission Budget ^c	0.40	0.50

^a These values reflect the adjustment factor for SAFE Vehicle Rule part one using EMFAC 2017

^b Values from CEPAM v1.00 may not add up due to rounding

^c Motor Vehicle Emission Budgets are rounded up to the nearest tenth of a ton per day

IV. ENVIRONMENTAL IMPACTS

The District filed a Notice of Exemption under the California Environmental Quality Act (CEQA) for the 2020 PM₁₀ Plan. The Notice of Exemption reports that the adoption of the 2020 PM₁₀ Plan is exempt from the requirements of CEQA as this action qualifies for a Categorical Exemption as a Class 8 action taken by a regulatory agency for the protection of the environment.⁷ The District filed the Notice of Exemption with Kern County on May 18, 2020.

CARB has determined that its review and approval of the 2020 PM₁₀ Plan submitted by the District for inclusion in the SIP is a ministerial activity by CARB for purposes of CEQA (14 CCR § 15268). A “ministerial” decision is one that involves fixed standards or objective measurements, and the agency has no discretion to shape the activity in response to environmental concerns. (14 CCR § 15369; San Diego Navy Broadway Complex Coalition v. City of San Diego (2010) 185 Cal.App.4th 924, 934.)

CARB’s review of the 2020 PM₁₀ Plan is limited to determining if it meets all the requirements of the Act. CARB is prohibited from not approving it or changing it unless CARB finds that it does not comply with the Act (HSC § 41650 and 41652). Since CARB’s review concludes that the Plan meets the requirements of the Act, CARB lacks authority to not adopt the plan, or modify it, in response to environmental concerns raised through the CEQA process. Therefore, CARB’s action on the plan is ministerial for purposes of CEQA.

⁷ California Code of Regulations, Title 14, Division 6, Chapter 3, Article 19, Section 15308

V. STAFF RECOMMENDATION

CARB staff has reviewed the 2020 PM₁₀ Plan for Indian Wells Valley and consulted with District staff during this review. CARB staff finds that the 2020 PM₁₀ Plan meets all applicable Act requirements. The monitoring data shows that the area attained the 24-hour PM₁₀ standard in 2003, and the maintenance demonstration shows that the standard will be maintained through 2023, the horizon year for the 2020 PM₁₀ Plan.

Therefore, staff recommends that the Board adopt the *Indian Wells Valley Second 10-Year PM₁₀ Maintenance Plan* and submit the 2020 PM₁₀ Plan to U.S. EPA for approval as a revision to the California State Implementation Plan (SIP), and direct the Executive Officer to work with the District and U.S. EPA and take appropriate action to resolve any completeness or approvability issues that may arise regarding the SIP submission. Additionally, staff recommends that the Board authorize the Executive Officer to include in the SIP submittal any technical corrections, clarifications, or additions that may be necessary to secure U.S. EPA approval.

Attachment 1

Condensable PM₁₀ Emission Inventory

Indian Wells Valley PM₁₀ Maintenance Area Condensable PM₁₀ Emission Inventory

SOURCE CATEGORIES	2017 PM ₁₀ , tons/yr			2020 PM ₁₀ , tons/yr			2025 PM ₁₀ , tons/yr		
	Total	Filterable	Condensable	Total	Filterable	Condensable	Total	Filterable	Condensable
STATIONARY SOURCES									
ELECTRIC UTILITIES	5.8	5.6	0.1	3.9	3.8	0.1	0.3	0.3	0.0
MANUFACTURING AND INDUSTRIAL	2.7	1.2	1.5	2.9	1.3	1.7	3.2	1.4	1.8
FOOD AND AGRICULTURAL PROCESSING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SERVICE AND COMMERCIAL	2.7	1.3	1.4	2.9	1.4	1.5	3.0	1.4	1.6
OTHER (FUEL COMBUSTION)	0.1	0.1	0.0	0.0	0.0	0.0	0.1	0.1	0.0
SEWAGE TREATMENT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
LANDFILLS	0.3	0.3	0.0	0.3	0.3	0.0	0.3	0.3	0.0
INCINERATORS	0.4	0.3	0.1	0.4	0.3	0.1	0.4	0.3	0.1
LAUNDERING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
DEGREASING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
COATINGS AND RELATED PROCESS SOLVENTS	0.3	0.3	0.0	0.3	0.3	0.0	0.3	0.3	0.0
ADHESIVES AND SEALANTS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
OTHER (CLEANING AND SURFACE COATINGS)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PETROLEUM REFINING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PETROLEUM MARKETING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MINERAL PROCESSES	4.6	4.6	0.0	4.9	4.9	0.0	5.2	5.2	0.0
METAL PROCESSES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
OTHER (INDUSTRIAL PROCESSES)	2.2	1.6	0.6	2.3	1.6	0.6	2.4	1.7	0.7
TOTAL STATIONARY SOURCES	19.0	15.2	3.8	18.0	13.9	4.0	15.3	11.1	4.2
AREAWIDE SOURCES									
CONSUMER PRODUCTS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
ARCHITECTURAL COATINGS AND RELATED PROCESS SOLVENTS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PESTICIDES/FERTILIZERS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
ASPHALT PAVING / ROOFING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
RESIDENTIAL FUEL COMBUSTION	11.6	10.1	1.5	11.7	10.1	1.6	11.8	10.2	1.6
FARMING OPERATIONS	12.1	12.1	0.0	11.9	11.9	0.0	11.6	11.6	0.0
CONSTRUCTION AND DEMOLITION	51.1	51.1	0.0	51.6	51.6	0.0	79.4	79.4	0.0
PAVED ROAD DUST	39.9	39.9	0.0	41.4	41.4	0.0	44.7	44.7	0.0
UNPAVED ROAD DUST	72.8	72.8	0.0	72.7	72.7	0.0	72.7	72.7	0.0
FUGITIVE WINDBLOWN DUST	236.5	236.5	0.0	232.6	232.6	0.0	226.5	226.5	0.0
FIRES	0.4	0.4	0.0	0.4	0.4	0.0	0.4	0.4	0.0
MANAGED BURNING AND DISPOSAL	8.4	8.4	0.0	8.4	8.4	0.0	8.4	8.4	0.0
COOKING	4.6	4.6	0.0	4.8	4.7	0.1	5.1	5.0	0.1
OTHER (MISCELLANEOUS PROCESSES)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL AREAWIDE SOURCES	437.5	435.9	1.6	435.4	433.8	1.6	460.6	458.9	1.7

Note: U.S. EPA does not require condensable or filterable emissions data to be reported for mobile sources.