

August 11, 2023

Release of the Concept Paper for a *California Smog Check Contingency Measure for the State Implementation Plan*, and Notice of August 24, 2023, Public Workshop

The California Air Resources Board (CARB or Board) staff announces the release of the *Concept Paper for a California Smog Check Contingency Measure for the State Implementation Plan* (Smog Check Contingency Concept) and invites you to participate in a public workshop on Thursday, August 24, 2023, regarding development of the Smog Check Contingency Concept. At the workshop, we will discuss contingency measure requirements, the history of contingency measures for the State Implementation Plan (SIP) and provide an overview of the conceptual measure included in the Smog Check Contingency Concept that CARB staff is developing to fulfill federal Clean Air Act (Act) contingency measure requirements, alongside local air district measures, for certain National Ambient Air Quality Standards (standards). During the workshop, we encourage you to ask questions, engage in discussion with CARB staff, and provide feedback on the Smog Check Contingency Concept. Input received through this workshop will further inform CARB's Smog Check Contingency Concept. CARB Staff plans to develop a proposal for a contingency measure utilizing California's Smog Check program which it plans to bring before CARB's Board for consideration in October 2023.

The public webinar will be held on Zoom with an available call-in option. The meeting will be conducted in English with Spanish interpretation available. Details are as follows:

Date:	Thursday, August 24, 2023
Time:	4:00 p.m. to 6:00 p.m.
Web link:	Zoom
Call-In Number:	(888) 363-4734
Access Code:	350021

Participants will be able to send written questions or comments to CARB staff during the meeting through Zoom. Webinar materials will be posted in advance of the webinar at <https://ww2.arb.ca.gov/resources/documents/california-smog-check-contingency-measure>.

Background

The Act establishes planning requirements for areas that exceed the federal health-based standards. States with nonattainment areas must develop and implement a SIP that demonstrates attainment of the standard by specified dates and meets other requirements of the Act. The Act specifies that SIPs must also provide for contingency measures, defined in section 172(c)(9) as "specific measures to be undertaken if the area fails to make reasonable further progress, or to attain the national primary ambient air quality standard by the attainment date...."

Seven areas in California are designated as nonattainment for the 75 parts per billion (ppb) 8-hour ozone standard with classifications of Severe or Extreme, and ten areas in California are designated as nonattainment for the 70 ppb 8-hour ozone standard, with classifications of Moderate, Serious, Severe or Extreme. Additionally, several areas are designated as nonattainment for the federal 80 ppb 8-hour ozone, 12 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) annual fine particulate matter ($\text{PM}_{2.5}$), 15 $\mu\text{g}/\text{m}^3$ annual $\text{PM}_{2.5}$, and 35 $\mu\text{g}/\text{m}^3$ 24-hour $\text{PM}_{2.5}$ standards. For these standards, nonattainment areas were required to submit SIP revisions meeting contingency measure and other applicable requirements of the Act by specified deadlines.

CARB staff worked with local air districts over the last several years to prepare contingency measure SIP revisions as required; these were adopted and submitted to U.S. Environmental Protection Agency (U.S. EPA) through CARB and followed all applicable U.S. EPA guidance available at the time. However, multiple lawsuits challenging U.S. EPA's interpretation of the Act led to U.S. EPA's determination that many of the previously submitted contingency measures did not fully meet the Act's requirements. As such, further analysis and measure(s) from CARB and local air districts are needed to fulfill contingency measure requirements for many nonattainment areas and standards.

California has mature emissions control programs; CARB is currently driving most mobile source categories to zero-emissions through regulations, incentives, and other programs, and the few mobile source categories that remain are primarily federally regulated. As such, opportunities for triggered contingency measures are scarce. CARB staff worked to identify a viable contingency measure to be aligned with requirements under the Act and is developing this Smog Check Contingency Concept to address these requirements.

CARB has released the *Concept Paper for a California Smog Check Contingency Measure for the State Implementation Plan* and is hosting this workshop to present the Smog Check Contingency Concept and receive input, ideas, and feedback on staff's concept. During the workshop, CARB staff will provide an overview of contingency measures and requirements for the SIP. CARB staff encourages your participation in the workshop. Input received through this workshop will further inform CARB's Smog Check Contingency Concept. CARB Staff plans to develop a proposal for a contingency measure utilizing California's Smog Check program which it plans to bring before CARB's Board for consideration in October 2023. If you have questions about the meeting purpose, scope, and logistics, please contact Kirsten Ho at Kirsten.Ho@arb.ca.gov.

Special Accommodations

If you require special accommodation or need this in an alternate format (i.e., Braille, large print), please contact Charlotte Langston at Charlotte.Langston@arb.ca.gov no later than 10 days before the scheduled webinar. TTY/TDD/Speech to Speech users may dial 711 for California Relay Service.