

**State of California  
Air Resources Board**

**Executive Order S-25-002**

**State Implementation Plan Adoption and Submittal of the South Coast Air Basin  
Contingency Measure for the 70 ppb 8-hour Ozone Standard**

Whereas, sections 39600 and 39601 of the Health and Safety Code (H&SC) 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 California Legislature in H&SC 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 (SIP) for attaining and maintaining the national ambient air quality standards (standard) as required by the federal Clean Air Act (the Act; 42 U.S.C. section 7401 et seq.), and to this end is directed by H&SC section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) as necessary to comply with the Act;

Whereas, CARB has primary responsibility for the control of air pollution from vehicular sources, including motor vehicle fuels, as specified in H&SC sections 39002, 39500, and 43000, et seq., and for ensuring that the districts meet their responsibilities under the Act pursuant to H&SC sections 39002, 39500, 39602, 40469, 41650, and 41652;

Whereas, the local air districts have primary responsibility for the control of air pollution from non-vehicular sources and for adopting control measures, rules, and regulations to attain the standards within their boundaries pursuant to H&SC sections 39002, 40000, 40001, 40701, 40702, and 41650;

Whereas, CARB is authorized by H&SC section 39600 to perform such acts as may be necessary for the proper execution of its powers and duties;

Whereas, H&SC section 39602 also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

Whereas, H&SC sections 39515 and 39516 provide that any duty may and shall be conclusively presumed to be delegated to the Board's Executive Officer as the Board deems appropriate unless specifically reserved to the Board by affirmative vote;

Whereas, the Board has not reserved the power to adopt and submit SIP revisions to itself;

Executive Order S-25-002

Whereas, on October 26, 2015, the U.S. Environmental Protection Agency (U.S. EPA) promulgated an 8-hour ozone standard of 70 parts per billion (ppb) (70 ppb ozone standard);

Whereas, effective August 3, 2018, U.S. EPA designated the South Coast Air Basin (South Coast) nonattainment for the 70 ppb ozone standard with a classification of Extreme and an August 3, 2038 attainment deadline;

Whereas, the South Coast includes Orange County, the southwestern two-thirds of Los Angeles County, southwestern San Bernardino County, and western Riverside County pursuant to section 60104 of title 17 of the California Code of Regulations;

Whereas, the South Coast Air Quality Management District (District) is the local air district with jurisdiction over the South Coast pursuant to H&SC section 40412;

Whereas, the Southern California Association of Governments (SCAG) is the regional transportation agency for the South Coast and has responsibility for preparing and implementing transportation control measures to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling and traffic congestion for the purpose of reducing motor vehicle emissions pursuant to H&SC sections 40460(b) and 40465;

Whereas, the Act requires nonattainment areas to submit a SIP demonstrating how the area will meet the 70 ppb ozone standard in addition to other Act requirements;

Whereas, sections 172(c)(9) and 182(c)(9) of the Act require that SIPs include contingency measures in the event that the area fails to meet any applicable milestone requirement or fails to attain by the applicable deadline;

Whereas, on December 2, 2022, the District adopted the 2022 Air Quality Management Plan (2022 AQMP) to meet most of the requirements of the Act for the 70 ppb ozone standard;

Whereas, the 2022 AQMP did not formally address the contingency measure requirements set forth in sections 172(c)(9) and 182(c)(9) of the Act due to the absence of U.S. EPA guidance at the time of its adoption;

Whereas, on December 3, 2024, U.S. EPA published non-binding guidance titled *Guidance on the Preparation of State Implementation Plan Provisions That Address the Nonattainment Area Contingency Measure Requirements for Ozone and Particulate Matter* (Guidance);

Whereas, the Guidance requires that contingency measures include a future action triggered by a failure to attain, failure to make reasonable further progress, or failure to submit a quantitative milestone report;

Whereas, section 182(e)(5) of the Act states that attainment contingency measures for Extreme areas, such as the South Coast, are not due until at least three years prior to the attainment date, or December 31, 2034 for the 70 ppb ozone standard;

## Executive Order S-25-002

Whereas, the Guidance also states that contingency measures must include an automatic trigger and defines the level of emission reductions needed from the contingency measures;

Whereas, in the case that the contingency measures achieve less than the necessary reductions, the Guidance requires a reasoned justification that achieving the full amount of reductions is not feasible;

Whereas, in April 2025, the District released the Draft Staff Report *“South Coast Air Basin Contingency Measure SIP Revision for the 2015 8-Hour Ozone Standard”* (South Coast Contingency Plan);

Whereas, the South Coast Contingency Plan includes ozone contingency measures as part of three stationary source rules;

Whereas, District Rule 445, Wood-Burning Devices (Amended October 27, 2020) includes contingency measures to prohibit the use of indoor or outdoor wood-burning devices in the South Coast if the daily maximum 8-hour ozone air quality forecast exceeds specified levels;

Whereas, District Rule 463, Organic Liquid Storage (Amended June 7, 2024) includes a contingency measure that requires more frequent enhanced leak detection and repair of organic liquid storage tanks;

Whereas, District Rule 1173, Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants (Amended November 1, 2024) contains contingency measures that include more frequent inspections and stricter leak detection thresholds;

Whereas, on October 26, 2023, CARB adopted the *California Smog Check Contingency Measure State Implementation Plan Revision* (Smog Check Contingency Measure), that will, if triggered, remove the Smog Check exemption currently in place for certain model years of vehicles, requiring those additional vehicles to get inspections;

Whereas, the Smog Check Contingency Measure provides a triggered contingency measure for all 70 ppb 8-hour ozone nonattainment areas in California classified as Serious and above including the South Coast;

Whereas, effective August 8, 2024, U.S. EPA approved the Smog Check Contingency Measure, Volume 89 Federal Register 56222 (July 9, 2024);

Whereas, the three District measures, in addition to the Smog Check Contingency Measure, would not meet the level of reductions prescribed in the Guidance for contingency measures;

Whereas, CARB and the District were not able to identify additional contingency measures and included reasonable justification in the form of an infeasibility analysis

Executive Order S-25-002

demonstrating the scarcity of additional opportunities to support the contingency measures;

Whereas, the South Coast Contingency Plan satisfies contingency measure requirements in sections 172(c)(9) and 182(c)(9) of the Act;

Whereas, federal law set forth in section 110(l) of the Act and title 40, Code of Federal Regulations, section 51.102 requires that the State or District must hold a public hearing or provide the public the opportunity to request a public hearing, preceded by at least 30 days notice and opportunity for review, prior to the adoption and submittal to U.S. EPA of any SIP revision;

Whereas, following a duly noticed public hearing, on August 1, 2025, the District adopted the South Coast Contingency Plan;

Whereas, the District certified in their Governing Board resolution that the South Coast Contingency Plan is exempt from California Environmental Quality Act (CEQA) under section 15061(b)(3) and 15308 of the CEQA guidelines;

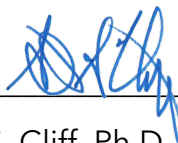
Whereas, CARB's subsequent adoption of the South Coast Contingency Plan is a "ministerial" approval for purposes of CEQA, (CCR, title 14, §15268) because CARB's review is limited to determining if the rule change meets the requirements of the Act, and CARB lacks authority to modify or not approve the plan in response to environmental concerns;

Therefore, it is ordered that CARB hereby adopts the South Coast Contingency Plan as a revision to the California SIP.

Be it further ordered that CARB hereby submits to U.S. EPA for inclusion in the California SIP, the South Coast Contingency Plan to be effective, for purposes of federal law, upon approval by U.S. EPA.

I certify, pursuant to 40 CFR §51.102(f), that the South Coast Contingency Plan was adopted after notice and public hearings as required by 40 CFR §51.102(a) and §51.102(d).

Executed in Sacramento, California, this 20 day of November, 2025.



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