

**LOCATION:**

Air Resources Board  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814

**PUBLIC MEETING AGENDA**

**June 24, 2010**

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website: <http://www.sacrt.com>  
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO: <http://www.arb.ca.gov/lispub/comm/bclist.php>**

**June 24, 2010**

**9:00 a.m.**

**CONSENT CALENDAR:**

All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. Any item may be removed from the consent calendar by a Board member or if someone in the audience wishes to speak on that item. The following item is on the consent calendar:

**Consent Item #**

- 10-6-1: Public Meeting to Consider Approval of the Coso Junction PM10 Redesignation Request and Maintenance Plan**

*Staff will present to the Board for approval the 2010 PM10 Maintenance Plan and Redesignation Request for the Coso Junction Planning Area. Coso Junction has attained the 24-hour PM10 National Ambient Air Quality Standard based on 2007-2009 air quality data.*

**DISCUSSION ITEMS:**

**Note:** The following agenda items may be heard in a different order at the Board meeting.

**Agenda Item #**

- 10-5-3: THIS ITEM HAS BEEN POSTPONED TO THE JULY BOARD MEETING  
Continuation from the May Board Meeting--Public Meeting to Provide a Status Report on new United States Environmental Protection Agency Requirements for Near-Roadway Monitoring of Nitrogen Dioxide**

*Staff will present to the Board information on new near-roadway monitoring requirements for nitrogen dioxide that were adopted earlier this year by the United States Environmental Protection Agency*

- 10-6-2: Public Hearing to Consider Adoption of Proposed Amendments to the Regulation to Reduce Emissions from Diesel Engines on Commercial Harbor Craft Operated Within California Waters and 24 Nautical Miles of the California Baseline**

*Staff will present to the Board proposed amendments to the Commercial Harbor Craft Regulation to impose on certain crew and supply, barge, and dredge vessels in-use engine requirements and provide other clarifying amendments.*

**10-6-5: Public Meeting to Consider Staff Recommendations for Commitments between ARB and UP and BNSF Railroads to Accelerate Further Diesel PM Emission Reductions at Four High Priority Railyards in the South Coast Air Basin**

*Staff will present to the Board proposed railyard-specific commitments in which UP and BNSF will be required to meet interim and final railyard specific diesel PM emissions levels between 2010 and 2020 and provide other specified periodic reporting requirements.*

**10-6-3: Public Meeting to Consider the Adoption of Prop 1B: Grants for FY 2008-09 and FY 2009-10 Funds to Reduce Emissions from Goods Movement**

*Staff will present to the Board for adoption a list of grant awards totaling up to \$200 million in incentive funding for specific local agency projects to reduce freight-related emissions in the four trade corridors.*

**10-6-4: Public Meeting to Consider the Proposed Assembly Bill 118: Air Quality Improvement Program FY 2010-11 Funding Plan**

*Staff will present to the Board a Proposed Air Quality Improvement Program (AQIP) FY 2010-11 Funding Plan which provides recommendations for program changes and the allocation of AQIP funds to specific project categories. Assembly Bill (AB) 118 (Nunez, 2007) provides the Air Resources Board with up to \$50 million annually. AB 118 allows for the AQIP to fund a variety of air quality incentive projects to address criteria pollutant emissions, including low-emission vehicles and equipment, research, and workforce training.*

**10-6-6: Public Meeting to Report to the Board on Target Setting Efforts under Senate Bill 375**

*Staff will present to the Board a status report on efforts to establish regional greenhouse gas reduction targets pursuant to Senate Bill 375 (Steinberg, Chapter 728, Statutes of 2008).*

**CLOSED SESSION – LITIGATION**

*The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:*

*Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal Fresno), Case No. 2:09-CV-01151-MCE-EFB.*

*American Trucking Associations, et al. v. U.S. Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 09-1090.*

*POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850.*

*Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-cv-02234-LJO-DLB.*

*National Petroleum & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-cv-00163-AWI-GSA.*

**OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST**

*Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.*

**OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD**

*Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.*

**TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:**  
<http://www.arb.ca.gov/lispub/comm/bclist.php>

**IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:**

**OFFICE: (916) 322-5594**

**1001 I Street, Floor 23, Sacramento, California 95814**

**ARB Homepage: [www.arb.ca.gov](http://www.arb.ca.gov)**

**SPECIAL ACCOMMODATION REQUEST**

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format (i.e., Braille, large print, etc.) or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alterno (por decir, sistema Braille, o en impresión grande) u otro idioma;
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

**SMOKING IS NOT PERMITTED AT MEETINGS OF THE CALIFORNIA AIR RESOURCES BOARD**



**PUBLIC MEETING AGENDA**

**LOCATION:**

Air Resources Board  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814

**INDEX**

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website: <http://www.sacrt.com>  
(This facility is accessible to persons with disabilities.)

**June 24, 2010 at 9:00 a.m.**

<b><u>Agenda #</u></b>		<b><u>Pages</u></b>
10-6-1	Public Meeting to Consider Approval of the Coso Junction PM10 Redesignation Request and Maintenance Plan (Consent)	1-18
10-5-3	<b><u>THIS ITEM HAS BEEN POSTPONED TO THE JULY BOARD MEETING</u></b> Continuation from the May Board Meeting--Public Meeting to Provide a Status Report on new United States Environmental Protection Agency Requirements for Near-Roadway Monitoring of Nitrogen Dioxide	---
10-6-2	Public Hearing to Consider the Adoption of Proposed Amendments to the Regulations to Reduce Emissions from Diesel Engines on Commercial Harbor Craft Operated Within California Waters and 24 Nautical Miles of the California Baseline	19-204
10-6-5	Public Meeting to Consider Staff Recommendations for Commitments between ARB and UP and BNSF Railroads to Accelerate Further Diesel PM Emission Reductions at Four High Priority Railyards in South Coast Air Basin	---
10-6-3	Public Meeting to Consider Adoption of Proposition 1B: Grants for FY 2008-09 and FY 2009-10 Funds to Reduce Emissions from Goods Movement	205-208
10-6-4	Public Meeting to Consider the Proposed AB 118: Air Quality Improvement Program (AQIP) FY 2010-11 Funding Plan	209-250
10-6-6	Public Meeting to Hear a Report on Target Setting Efforts under Senate Bill 375	251-252



**CALIFORNIA AIR RESOURCES BOARD****NOTICE OF PUBLIC MEETING TO CONSIDER APPROVAL OF THE COSO JUNCTION PM10 REDESIGNATION REQUEST AND MAINTENANCE PLAN**

The Air Resources Board (ARB or Board) will conduct a public meeting at the time and place noted below to consider the approval of the proposed PM10 Redesignation Request and Maintenance Plan for the Coso Junction Planning Area that was developed and approved by the Great Basin Unified Air Pollution Control District (District). If adopted, ARB will submit these elements to the United States Environmental Protection Agency (U.S. EPA) for approval as a revision to the California State Implementation Plan.

DATE: June 24, 2010

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency  
Air Resources Board  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., June 24, 2010, and may continue at 8:30 a.m., June 25, 2010. This item is scheduled to be heard on the Board's Consent Calendar. All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. Any item may be removed from the consent calendar by a Board member or at the request of a Board member or if someone in the audience would like to speak on that item.

**BACKGROUND**

The federal Clean Air Act establishes planning requirements for those areas that exceed the health-based National Ambient Air Quality Standards (standards). Areas are designated as nonattainment based on monitored exceedances of air quality standards. These nonattainment areas must develop and implement a State Implementation Plan (SIP) that demonstrates how they will attain the standards by specified dates.

The District adopted the first PM10 attainment plan for the Coso Junction Planning Area (Coso Junction) in 1991. The Coso Junction attainment demonstration was based on controlling dust from Owens Lake. In addition, in a 2004 plan update, the District included a dispersion model analysis that indicated that after dust controls were implemented at Owens Lake, Coso Junction would be in attainment.

On May 19, 2010, the U.S. EPA finalized its determination in the Federal Register that Coso Junction attained the 24-hour PM10 standard. In this clean data finding, U.S. EPA waived certain planning requirements including those for reasonable further progress,

an attainment demonstration, reasonably available control measures, and contingency measures, since these provisions have the sole purpose of helping achieve attainment of the standard.

On May 17, 2010, the District adopted the PM10 Redesignation Request and Maintenance Plan (Plan) for Coso Junction. The Plan officially requests that this area be redesignated to attainment for the PM10 standard and charts the course for continued maintenance of the standard. The adoption of controls on Owens Lake resulted in the Coso Junction attaining the 24-hour PM10 standard based on 2007-2009 PM10 data.

### PROPOSED ACTION

ARB staff has reviewed the District's Maintenance Plan for Coso Junction and has concluded that it meets applicable Clean Air Act requirements. ARB staff has also determined that the Maintenance Plan would ensure continued maintenance of the standard for the required ten years following redesignation. Staff is recommending that the Board approve the Maintenance Plan, as well as the corresponding emissions inventory and maintenance demonstration as a revision to the California SIP. In addition, ARB staff is recommending that the Board approve the District's request that Coso Junction be redesignated from nonattainment to attainment for the federal PM10 standard.

### AVAILABILITY OF DOCUMENTS

ARB staff has prepared a written Staff Report. Copies of the Staff Report may be obtained from the ARB Public Information Office, 1001 "I" Street, First Floor, Environmental Services Center, Sacramento, California 95814, (916) 322-2990. This notice, the Staff Report, and the District's Coso Junction PM10 Maintenance Plan will be available from ARB's website at:  
<http://www.arb.ca.gov/planning/sip/sip.htm>

### SUBMITTAL OF COMMENTS

Interested members of the public may also present comments orally or in writing at the meeting, and in writing or by e-mail before the meeting. To be considered by the Board, written comment submissions not physically submitted at the meeting must be received **no later than 12:00 noon, June 23, 2010**, and addressed to the following:

Postal mail: Clerk of the Board, Air Resources Board  
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

The Board requests, but does not require that 20 copies of any written statement be submitted and that written and e-mail statements be filed at least 10 days prior to the



meeting so that ARB staff and Board members have time to fully consider each comment.

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engines.

Further inquiries regarding this matter should be directed to Ms. Sylvia Zulawnick, Manager of the Particulate Matter Analysis Section, Planning and Technical Support Division at (916) 324-7163, or Elizabeth Melgoza, Air Pollution Specialist, Planning and Technical Support Division at (916) 322-6161.

**To request a special accommodation or language needs for any of the following:**

- An interpreter to be available at the hearing.
- Have documents available in an alternate format (i.e. Braille, Large print) or another language.
- A disability-related reasonable accommodation.

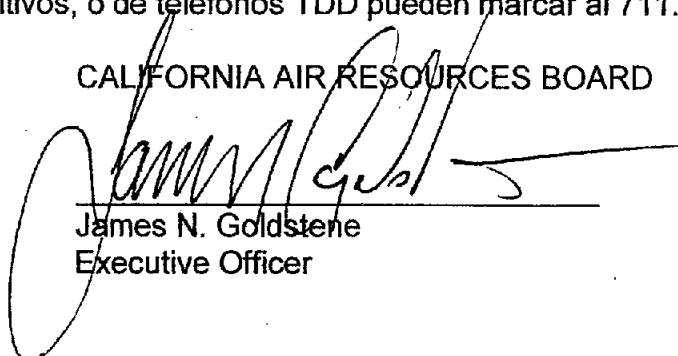
Please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

**Para solicitar alguna comodidad especial o necesidad de otro idioma para alguna de las siguientes:**

- Un intérprete que esté disponible en la audiencia.
- Tener documentos disponibles en un formato alterno (por decir, sistema Braille, o en impresión grande) u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de diez (10) días laborales antes del día programado para la audiencia. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

CALIFORNIA AIR RESOURCES BOARD

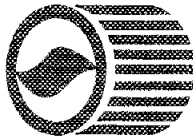


James N. Goldstene  
Executive Officer

Date: June 8, 2010



**State of California**



**California Environmental Protection Agency**  
**AIR RESOURCES BOARD**

**Staff Report**

**Analysis of the Coso Junction  
PM10 Redesignation Request and  
Maintenance Plan**

Release Date: June 7, 2010  
Scheduled for Consideration: June 24, 2010



This document has been reviewed by the staff of the California Air Resources Board and approved for publication. Approval does not signify that the contents necessarily reflect the views and policies of the Air Resources Board, nor does the mention of trade names or commercial products constitute endorsement or recommendation for use.

**TABLE OF CONTENTS**

<b>I.</b>	<b>BACKGROUND</b> .....	<b>1</b>
<b>II.</b>	<b>REDESIGNATION REQUIREMENTS</b> .....	<b>1</b>
<b>III.</b>	<b>EVALUATION OF THE COSO JUNCTION PLAN</b> .....	<b>2</b>
	A. Coso Junction Attains the 24-Hour PM10 Standard.....	2
	B. The State Has Met Applicable Act Requirements.....	3
	C. Improvement in Coso Junction's PM10 Air Quality is Due to Permanent and Enforceable Reductions in Emissions .....	3
	D. Maintenance Plan.....	4
	1. Attainment Emission Inventory .....	4
	2. Maintenance Demonstration.....	5
	3. PM10 Monitoring Network .....	5
	4. Verification of Continued Attainment .....	5
	5. Contingency Plan .....	5
<b>IV.</b>	<b>STAFF RECOMMENDATION</b> .....	<b>6</b>

## I. BACKGROUND

The Coso Junction Planning Area (Coso Junction) was initially designated as a PM10 nonattainment area in 1987 along with the Indian Wells Valley and Trona areas. Together they comprised the Searles Valley PM10 nonattainment area. The Great Basin Unified Air Pollution Control District (District) adopted the first PM10 attainment plan for the Coso Junction portion of the Searles Valley PM10 nonattainment area in November 1991. The Coso Junction attainment demonstration was based on controlling dust from Owens Lake. In August 2002, the US Environmental Protection Agency (U.S. EPA) redesignated the Searles Valley into three separate PM10 nonattainment areas; Coso Junction, Indian Wells Valley, and Trona.

On May 19, 2010, the U.S. EPA finalized its determination in the Federal Register that Coso Junction attained the 24-hour PM10 standard. Based on their clean data finding, U.S. EPA has determined that certain nonattainment area requirements do not apply, including those for reasonable further progress (RFP), an attainment demonstration, reasonably available control measures (RACM), and contingency measures, because these provision's sole purpose is to achieve attainment of the standard. On May 17, 2010, the District adopted the PM10 Redesignation Request and Maintenance Plan (Plan) for Coso Junction. The Plan officially requests that this area be redesignated to attainment for the PM10 standard and charts the course for continued maintenance of the standard. The concerted adoption of controls on Owens Lake resulted in the Coso Junction attaining the 24-hour PM10 standard based on 2007-2009 PM10 data.

## II. REDESIGNATION REQUIREMENTS

Air Resources Board (ARB) staff reviewed the Coso Junction PM10 Maintenance Plan within the context of the Clean Air Act (Act), which identifies the following requirements an area must meet to be redesignated to attainment:

- A. The PM10 standard has been attained;
- B. The District has an approved State Implementation Plan (SIP) and the State has met all applicable Act requirements for PM10 in the nonattainment area;
- C. The improvement in PM10 air quality is due to permanent and enforceable emission reductions; and
- D. U.S. EPA has approved a maintenance plan.

The Act also sets the general framework for maintenance plans<sup>1</sup>. Each PM10 maintenance plan must provide for continued maintenance of the PM10 standard for ten years after redesignation and includes the following components:

1. Attainment emission inventory;

---

<sup>1</sup> 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. <http://www.epa.gov/ttn/oarpg/t5/memoranda/redesignmem090492.pdf>

2. Maintenance demonstration;
3. Commitment to continue the monitoring network operation;
4. Commitment for verification of continued attainment; and
5. Contingency plan to promptly correct any violation of the PM10 standard that occurs after the area has been redesignated.

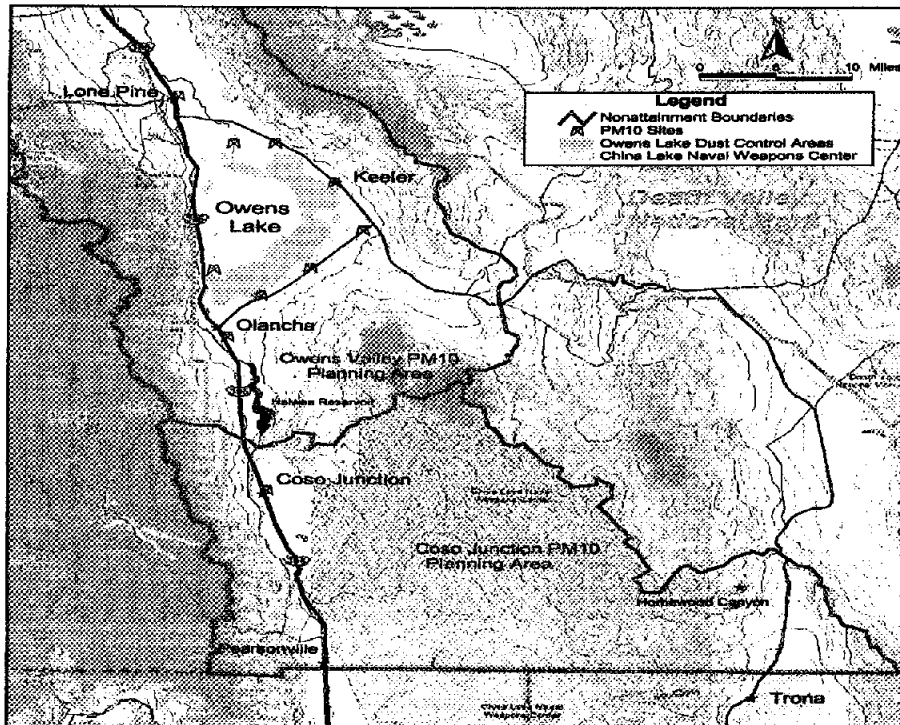
### III. EVALUATION OF THE COSO JUNCTION PLAN

Based on review of the Coso Junction PM10 Maintenance Plan and the District's supporting technical analysis, ARB staff concurs that the Plan meets the Act's requirements. The following sections describe the major elements of the Plan and the redesignation request.

#### A. Coso Junction Attains the 24-Hour PM10 Standard

PM10 is measured at one monitoring station in Coso Junction (Figure 1). A TEOM (tapered element oscillating microbalance) collects hourly PM10 samples at this site. The 24-hour standard is met when the estimated number of exceedances measured over a three year period averages one or less per year. Daily PM10 monitoring data collected at Coso Junction over the last 3 years has shown on average no more than 1 exceedance of the PM10 standard per year as required to demonstrate attainment of the federal standard. Figure 1 illustrates the Coso Junction PM10 nonattainment area, monitor locations, and the area's close proximity to Owens Lake.

Figure 1. PM10 Monitoring Stations in Coso Junction





On three days over the 2007 to 2009 period, the 24-hour standard was exceeded due to high wind conditions that suspended fugitive dust from an unpaved parking area and from Owens Lake. The owner of the unpaved parking area was notified and the area was graveled in 2008 and surfaced with asphalt in 2009 to control fugitive dust. Table 1 shows the maximum 24-hour concentration at the Coso Junction site between 2007 and 2009 and average exceedance days, demonstrating attainment.

**Table 1. Coso Junction PM10 Data from 2007 to 2009**

Monitoring Station	Observed Maximum 24-hour Concentration ( $\mu\text{g}/\text{m}^3$ )			24-Hour Exceedance Days	3-year Average Exceedance Days
	2007	2008	2009	2007-2009	2007-2009
Coso Junction	283	137	168	3	1

### **B. The State Has Met Applicable Act Requirements**

ARB and the District have met all of the Act requirements applicable for a moderate PM10 nonattainment area to be considered for redesignation. Due to the clean data finding, this Plan will serve as meeting the requirement of an approved SIP.

### **C. Improvement in Coso Junction's PM10 Air Quality is Due to Permanent and Enforceable Reductions in Emissions**

Coso Junction is an isolated area with a population of roughly 100 people. The main source of PM10 pollution in Coso Junction is transport of fugitive dust from the Owens Valley. In 1998, the Owens Valley SIP was adopted and approved by the U.S. EPA including a control strategy that required dust controls on 16.5 square miles of the lakebed. Under the Owens Valley SIP, the City of Los Angeles is responsible for mitigating the dust generated from Owens Lake in order to bring the area into attainment with the PM10 standard. (GBUAPCD, 1998) The Owens Valley SIP was revised in 2003 to expand dust controls to 29.8 square miles of the lake bed by December 31, 2006. The City of Los Angeles successfully implemented these control measures by the required deadline.

In 2008, the Owens Valley SIP was amended to expand control requirements to a total of 43.1 square miles of the Owens Lake bed. The City of Los Angeles is expected to have dust control measures implemented on 39.6 square miles of the lakebed by April 1, 2010, and then to expand the control area to 43.1 square miles by October 1, 2010. Overall, PM10 emissions from the Owens Lake bed have been reduced by 90% since 2000 when the City of Los Angeles initiated efforts to control windblown dust at Owens Lake. Thus, the improvement in Coso Junction is due to permanent and enforceable reductions.

## D. Maintenance Plan

The Coso Junction PM10 Maintenance Plan includes the following components: emission inventory; commitment to continue monitoring network operation; commitment for verification of continued attainment; and contingency plan.

### 1. Attainment Emission Inventory

An emission inventory is a critical tool used to support evaluation, control, and mitigation of air pollution which is comprised of a systematic listing of the sources of air pollutants along with the amount of pollutants emitted from each source or category over a given period of time. Emission inventories are estimates of the air pollutant emissions released into the environment – they are not direct ambient concentration measurements. To determine the expected emissions in future years, emission inventories incorporate the effects of growth and existing regulations (baseline inventories). An attainment inventory identifies the level of emissions during the period when air quality data show attainment.

The Coso Junction PM10 Maintenance Plan presents an updated 2009 attainment inventory of direct PM10 emissions split by source subcategory. Inventory updates include the latest point, area, and mobile source emissions for the Coso Junction. Total PM10 emissions are estimated at 1,427 pounds per day for the Coso Junction, which is less than 0.1% of the emissions caused by windblown dust from Owens Lake. In addition to the 2009 adjusted baseline PM10 emissions, the Coso Junction PM10 Maintenance Plan provides emission projections out to 2025. No significant growth or changes in the emission inventory are expected for Coso Junction through the year 2025.

**Table 2. Coso Junction PM10 Emissions Inventory**

<b>Daily PM10 Emissions for 2009 through 2025</b>	
<b>Stationary Sources</b>	<b>Pounds/day</b>
California Lightweight Pumice	167
China Lake Naval Air Weapons Station	84
Coso Operating Company	953
Halliburton Services	20
Twin Mountain Rock	58
<b>Area Sources</b>	
Unpaved Roads	33
Paved Roads	101
<b>Mobile Sources</b>	
On Road Motor Vehicles	12
<b>Total PM10 (pounds per day)</b>	<b>1,427</b>

## **2. Maintenance Demonstration**

Coso Junction is projected to maintain attainment with the PM10 standards due to ARB, District, and other State and local control measures already in place. No significant growth or changes in the emission inventory are expected for Coso Junction through the year 2025. Thus, Coso Junction is expected to maintain the PM10 standard. In addition, regional PM10 emissions are projected to decrease even further in the future as a result of the additional controls on Owens Lake.

## **3. PM10 Monitoring Network**

The District commits to continue PM10 monitoring to verify continued attainment of the PM10 standard. The existing PM10 monitoring network in Coso Junction includes a PM10 TEOM monitor located at the Highway 395 rest area in Coso Junction (Figure 1). Federal regulations require daily sampling at the site reporting peak PM10 concentrations. This real-time PM10 monitor meets this daily monitoring requirement.

## **4. Verification of Continued Attainment**

To verify continued attainment of the PM10 standard, the District commits to continue daily PM10 monitoring at the Coso Junction rest area to help ensure new sources of PM10 are identified and controlled, if necessary.

## **5. Contingency Plan**

The Act requires the 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. The maintenance plan is not required to contain fully adopted contingency measures that will go into effect without further state action as is required in attainment SIPs. Instead, for maintenance plans, the area must have a plan to ensure that contingency measures are adopted once they are triggered.

District staff believes the control strategy and contingency requirements in the 2008 Owens Valley PM10 SIP are adequate to protect air quality in the Coso Junction area. Therefore, no additional contingency measures will be needed to ensure future compliance with the federal PM10 standard in Coso Junction.

#### **IV. STAFF RECOMMENDATION**

ARB staff has reviewed the PM10 Redesignation Request and Maintenance Plan for Coso Junction and consulted with District staff during this review. ARB staff finds that the Coso Junction PM10 Maintenance Plan meets all applicable Act requirements. ARB staff believes that implementation of this Plan will continue to maintain PM10 levels below the national air quality standard in Coso Junction. Therefore, we recommend that the Board adopt the Coso Junction PM10 Maintenance Plan as a revision to the California SIP for submittal to U.S. EPA. In addition, ARB staff recommends that the Board approve the District's request that Coso Junction be redesignated from nonattainment to attainment for the national PM10 standard.

**PROPOSED**State of California  
**AIR RESOURCES BOARD**

Resolution 10-25

June 24, 2010

Agenda Item No: 10-6-1

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

WHEREAS, the ARB is responsible for the preparation of the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (NAAQS) 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 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, section 39602 of the Health and Safety Code also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

WHEREAS, ARB has responsibility for ensuring districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code;

WHEREAS, ARB is authorized by section 39600 of the Health and Safety Code to do such acts as may be necessary for the proper execution of its powers and duties;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any power, duty, purpose, function or jurisdiction of the Board may be delegated to the Board's Executive Officer as the Board deems appropriate;

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 NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, the Great Basin Unified Air Pollution Control District (District) was established pursuant to section 40150 of the Health and Safety Code as the air pollution control district responsible for carrying out these responsibilities in the Coso Junction Planning Area located in Inyo County;

WHEREAS, the United States Environmental Protection Agency (U.S. EPA) designated the Coso Junction Planning Area as a "moderate" PM10 nonattainment area in 2002;

WHEREAS, in November 2004, the District adopted a SIP for the Coso Junction Planning Area which relied on implementing dust controls at Owens Lake, which was scheduled to implement dust control measures on 30 square miles of the lake bed by December 31, 2006;

WHEREAS, a dispersion modeling analysis showed these dust mitigation efforts would be adequate to bring the Coso Junction Planning Area into attainment;

WHEREAS, due to a consent decree, U.S. EPA is required to either redesignate the Coso Junction Planning Area to attainment for PM10 or bump the area up to "serious" by July 31, 2010;

WHEREAS, section 107(d)(3)(D) of the Act provides that a state may request U.S. EPA to redesignate an area from nonattainment to attainment for the NAAQS;

WHEREAS, section 107(d)(3)(E) of the Act sets forth the requirements which must be met for U.S. EPA to redesignate an area from nonattainment to attainment;

WHEREAS, consistent with section 107(d)(3)(E) of the Act, the District has demonstrated attainment of the PM10 NAAQS in the 2007-2009 period for the Coso Junction Planning Area, based on quality-assured federal reference method monitoring data from the State and local monitoring network;

WHEREAS, on May 19, 2010, U.S. EPA issued a final clean data finding for the Coso Junction Planning Area;

WHEREAS, the clean data finding relieves the Coso Junction Planning Area from developing an attainment demonstration, Reasonable Further Progress, Reasonable Available Control Measures, and contingency measures;

WHEREAS, the District developed the Coso Junction Maintenance Plan to address the requirements of the Act;

WHEREAS, the Coso Junction Maintenance Plan contains:

1. Attainment Emission Inventory;
2. Maintenance Demonstration; and
3. Contingency Plan.

WHEREAS, no significant growth is expected in the emissions inventory through the year 2025;

WHEREAS, since transportation sources were not found to significantly contribute to the nonattainment problem in the Coso Junction Planning Area, transportation conformity budgets are not required;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, Code of Federal Regulations, section 51.102, requires that one or more public hearings, preceded by at least 30 days notice and opportunity for public review, must be conducted prior to the adoption and submittal to the U.S. EPA of any SIP revision;

WHEREAS, as required by federal law, the District made the Coso Junction Maintenance Plan available for public review at least 30 days prior to the hearing date;

WHEREAS, following a public hearing on May 17, 2010, the District Board voted to:

1. Adopt the Coso Junction Maintenance Plan to fulfill the applicable requirements of the Act for a moderate PM10 nonattainment area to be redesignated to attainment; and
2. Request a redesignation for the Coso Junction Planning Area to attainment for the PM10 standard.

WHEREAS, the District submitted the Coso Junction Maintenance Plan to ARB as a SIP revision on May 17, 2010, in accordance with State and federal law;

WHEREAS, the District requests that the Coso Junction Planning Area be redesignated from nonattainment to attainment with the federal PM10 standard;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternative or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the District determined they are exempt from CEQA because the SIP will not result in a direct or reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the Board finds that:

1. California's air pollution control programs have successfully reduced PM10 ambient concentrations leading to PM10 NAAQS attainment in the Coso Junction Planning Area;
2. The Coso Junction PM10 Maintenance Plan is necessary for U.S. EPA to redesignate the Coso Junction to attainment for the PM10 NAAQS;
3. The District's Coso Junction PM10 Maintenance Plan complies with the requirements of section 107(d)(3)(E) of the Act;

4. The Coso Junction PM10 Maintenance Plan provides for maintenance of the PM10 NAAQS through 2025;
5. Consistent with U.S. EPA guidance, the Coso Junction PM10 Maintenance Plan includes an attainment emission inventory, commitments by the District to continue operating the PM10 monitoring network; and a process to verify continued PM10 attainment;
6. The Coso Junction PM10 Maintenance Plan includes contingency provisions to ensure prompt correction of any post-redesignation violation of the PM10 NAAQS; and
7. The Coso Junction PM10 Maintenance Plan relies entirely on adopted regulations to demonstrate continued maintenance. ARB regulations which have been adopted and are reflected in the baseline emission projections were subject to environmental review and no further analysis is required at this time.

WHEREAS, the Board further finds the ARB has reviewed and considered the Coso Junction Maintenance Plan, along with the comments presented by interested parties, and ARB staff finds the SIP meets the requirements of the Act and CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the Coso Junction Maintenance Plan and Redesignation Request as a revision to the California SIP.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to submit the Coso Junction Maintenance Plan together with the appropriate supporting documentation to the U.S. EPA for approval as revision to the California SIP; to be effective, for purposes of federal law, upon approval by U.S. EPA.

BE IT FURTHER RESOLVED that the Board directs 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.

BE IT FURTHER RESOLVED that the Board authorizes 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.

BE IT FURTHER RESOLVED, that the Board certifies pursuant to 40 C.F.R. Section 51.102 that the proposed SIP revision was adopted after notice and public hearing as required by 40 C.F.R. Section 51.102.



## TITLES 13 AND 17. CALIFORNIA AIR RESOURCES BOARD

### NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF PROPOSED AMENDMENTS TO THE REGULATIONS TO REDUCE EMISSIONS FROM DIESEL ENGINES ON COMMERCIAL HARBOR CRAFT OPERATED WITHIN CALIFORNIA WATERS AND 24 NAUTICAL MILES OF THE CALIFORNIA BASELINE

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider the adoption of amendments to the regulations affecting commercial harbor craft (title 17, California Code of Regulations (CCR) section 93118.5 and title 13, CCR section 2299.5).<sup>1</sup> These amendments will further reduce emissions of diesel particulate matter (PM) and oxides of nitrogen (NO<sub>x</sub>) from diesel engines on commercial harbor craft operating in any California port, roadstead or terminal facility, or within all California inland waters; all California estuarine waters; and within 24 nautical miles, except as otherwise specified in this proposal, of the California baseline (collectively referred to hereinafter as "Regulated California Waters"). The Board adopted regulations affecting Commercial Harbor Craft (CHC) on November 17, 2007. These regulations became effective on January 1, 2009. The primary purpose of the proposed amendments is to require that diesel-fueled engines on crew and supply, barge, and dredge vessels be subject to in-use engine requirements of the CHC regulation (title 17, CCR section 93118.5). The proposed amendments also include several additional clarifying and/or editorial amendments to the CHC regulation. Minor conforming amendments are proposed to the Low Sulfur Fuel Requirement Regulation for Commercial Harbor Craft (title 13, CCR section 2299.5) to align numbering changes to the CHC regulation.

DATE: June 24, 2010

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency  
Air Resources Board  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814

This item may be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., June 24, 2010, and may continue at 8:30 a.m., June 25, 2010. This item may not be considered until June 25, 2010. Please consult the agenda for the meeting, which will be available at least 10 days before June 24, 2010, to determine the day on which this item will be considered.

---

<sup>1</sup>Title 17, CCR section 93118.5. is known as the Commercial Harbor Craft Regulation (CHC regulation) and establishes emission standards, reporting, record keeping, fuel, and monitoring requirements for certain categories of marine vessels. Title 13, CCR section 2299.5 is the corresponding Low Sulfur Fuel Regulation for Commercial Harbor Craft.

## **INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW**

**Sections Affected:** Proposed amendment of title 13, California Code of Regulations (CCR) section 2299.5 and title 17, CCR section 93118.5. The following documents would be incorporated in the amendments by reference: (1) the following National Oceanic and Atmospheric Administration (NOAA) Nautical Chart, as authored by the NOAA Office of Coast Survey: (G) Chart 18740, San Diego to Santa Rosa Island (March 2007); (2) U.S. Environmental Protection Agency (U.S. EPA) Tier 2 Nonroad Emission Standards, set forth in Title 40, Code of Federal Regulations (CFR) Part 89.112(a), (as it existed on April 27, 2010); (3) the U.S. EPA Tier 2 Family Emissions Limit set forth in Title 40, CFR Part 89.112(d), (as it existed on April 27, 2010); (4) U.S. EPA Tier 3 Nonroad Emission Standards set forth in Title 40, CFR Part 89.112(a), (as it existed on April 27, 2010); (5) the U.S. EPA Tier 3 Family Emissions Limit set forth in Title 40, CFR Part 89.112(d) (as it existed on April 27, 2010); (6) the U.S. EPA Final Tier 4 Nonroad Emission Standards, set forth in Title 40, CFR section Part 1039.101, (as it existed on April 27, 2010); (7) the U.S. EPA Tier 4 FEL set forth in Title 40, CFR Part 1039.101 (as it existed on April 27, 2010); (8) the U.S. EPA Interim Tier 4 Nonroad Emission Standards, set forth in Title 40, CFR Part 1039.101, (as it existed on April 27, 2010); (9) The methods and procedures set forth in Title 40, CFR Parts 94 and 1042 (as they existed on April 27, 2010); and (10) The methods and procedures set forth in Title 40, CFR Parts 89 and 1039 (as they existed on April 27, 2010).

**Background:** Over 90 percent of Californians breathe unhealthy air at times. To improve air quality and human health, ARB establishes requirements to reduce emissions from new and in-use on-road and off-road vehicles, engines, and other sources. The CHC regulation (title 17, CCR section 93118.5) and the corresponding Low Sulfur Fuel Requirement for Commercial Harbor Craft (title 13, CCR section 2299.5) are part of ARB's ongoing effort to reduce PM and NO<sub>x</sub> emissions from diesel-fueled engines and vehicles and improve air quality associated with goods movement.

Health and Safety Code (H&SC) sections 43013 and 43018 direct ARB to adopt standards and regulations that the Board has found to be necessary, cost-effective, and technologically feasible for all mobile source categories, including off-road diesel engines and equipment such as marine vessels, through the setting of emission control requirements. Specifically, H&SC 43013 directs ARB to adopt such standards and regulations on marine vessels to the extent permitted by federal law.

The California Toxic Air Contaminant Identification and Control Program, established under California law by Assembly Bill 1807 (Stats. 1983, Ch. 1047) and set forth in H&SC sections 39650-39675, requires ARB to identify and control air toxicants in California. In 1998, the Board identified diesel PM as a toxic air contaminant (TAC) with no Board-specified threshold exposure level.