

State of California
AIR RESOURCES BOARD

Resolution 97-1

January 23, 1997

Agenda Item No.: 97-1-1

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 also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

WHEREAS, sections 40469 and 41650 of the Health and Safety Code require the ARB to adopt the nonattainment plan approved by a district as part of the SIP unless the Board finds, after a conflict resolution process and public hearing, that the plan does not meet the requirements of the Act;

WHEREAS, the districts have primary responsibility for the control of air pollution from nonvehicular sources and for adopting control measures, rules, and regulations to attain the NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40460, 40462, and 41650 of the Health and Safety Code;

WHEREAS, the ARB has primary responsibility for the control of air pollution from vehicular sources, including motor vehicle fuels, as specified in sections 39002, 39500, and Part 5 (commencing with section 43000) of the Health and Safety Code, and for ensuring that the districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, 40469, and 41650 of the Health and Safety Code;

WHEREAS, the Act as amended in 1990 requires the State of California to submit to the United States Environmental Protection Agency (U.S. EPA) a revision to the SIP for particulate matter (PM10) for the South Coast Air Basin, in accordance with section 189(b) of the Act, by February 8, 1997;

WHEREAS, section 188(c)(2) of the Act requires the South Coast Air Basin to attain the PM10 NAAQS by December 2001;

WHEREAS, the District is requesting a five-year extension to this attainment date to December 2006, as allowed under section 188(e) of the Act, subject to U.S. EPA approval;

WHEREAS, section 189(b) of the Act requires the PM10 SIP revision for the South Coast Air Basin to demonstrate attainment of the PM10 NAAQS by the applicable attainment date ("attainment demonstration");

WHEREAS, section 189(c)(1) of the Act requires the PM10 SIP revision for the South Coast Air Basin to establish PM10 reasonable further progress milestone targets, which are to be achieved every three years until the area is redesignated attainment, and which demonstrate reasonable further progress ("reasonable further progress milestone targets");

WHEREAS, section 176(c) of the Act requires the establishment of conformity emissions budgets for nonattainment areas;

WHEREAS, pursuant to section 181(a) of the Act, the South Coast Air Basin is classified as an extreme ozone nonattainment area with an attainment date of 2010; the Antelope Valley region of the Mojave Desert Air Basin and Coachella Valley region of the Salton Sea Air Basin are classified as severe-17 ozone nonattainment areas with attainment dates of 2007;

WHEREAS, section 182(c)(2)(A) of the Act requires these nonattainment areas to demonstrate attainment of the ozone NAAQS by the applicable attainment date specified in section 181;

WHEREAS, section 182(c)(2)(B) of the Act requires these nonattainment areas to demonstrate at least a three percent per year average reduction in emissions of volatile organic compounds after 1996, or to demonstrate that a reduction by a lesser amount reflects all measures that can feasibly be implemented in the area ("post-1996 rate-of-progress demonstration");

WHEREAS, on November 15, 1994, the Board adopted and submitted to the U.S. EPA an ozone SIP revision which included attainment demonstrations, post-1996 rate-of-progress demonstrations, and conformity emissions budgets for the South Coast Air Basin, the Antelope Valley, and the Coachella Valley;

WHEREAS, section 186(a) of the Act requires the South Coast Air Basin to attain the carbon monoxide NAAQS by December 31, 2000;

WHEREAS, sections 187(a)(7) and 187(b)(1) of the Act require the South Coast Air Basin to submit a carbon monoxide attainment demonstration in 1992;

WHEREAS, in 1992, the South Coast Air Quality Management District (District) adopted, and the Board approved and submitted to the U.S. EPA, a carbon monoxide attainment demonstration, as required by the Act;

WHEREAS, the District adopted, and the Board approved and submitted to the U.S. EPA, a revision to the District's carbon monoxide attainment demonstration in 1994, which also contained conformity emissions budgets;

WHEREAS, section 187(d)(1) of the Act requires the South Coast Air Basin to submit in 1996 a milestone demonstration that the region has achieved by December 31, 1995, carbon monoxide emission reductions required in the carbon monoxide attainment plan;

WHEREAS, the Board submitted in 1996 a partial demonstration on behalf of the District, with a commitment by the District to supply a complete 1995 carbon monoxide emissions inventory to fulfill this requirement;

WHEREAS, section 192(b) of the Act requires the South Coast Air Basin to attain the nitrogen dioxide NAAQS by November 15, 1995;

WHEREAS, the South Coast Air Basin has not violated the nitrogen dioxide NAAQS since 1992;

WHEREAS, sections 107(d)(3) and 175A of the Act require a maintenance plan for a nonattainment area before that area can be redesignated as attainment;

WHEREAS, on November 15, 1996, the District adopted its 1997 Air Quality Management Plan (1997 Plan), which contains the following:

1. A PM10 control strategy, attainment demonstration, reasonable further progress milestone targets, and conformity emissions budgets for the South Coast Air Basin;
2. Revisions to the District's element of the 1994 ozone SIP, including the ozone control strategy, attainment demonstrations, post-1996 rate-of-progress demonstrations, and conformity emissions budgets for the South Coast Air Basin, the Antelope Valley, and the Coachella Valley;
3. Revisions to the District's 1994 carbon monoxide control strategy, attainment demonstration, conformity emissions budgets, and a complete 1995 carbon monoxide emissions inventory for the South Coast Air Basin; and
4. A nitrogen dioxide maintenance plan for the South Coast Air Basin.

WHEREAS, additional documentation needs to be compiled in order to submit a nitrogen dioxide redesignation request to the U.S. EPA, pursuant to section 107(d)(3) of the Act;

WHEREAS, the 1997 Plan does not revise the state or federal control strategy elements of the 1994 ozone SIP;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, Code of Federal Regulations (CFR), 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 U.S. EPA of any SIP revision;

WHEREAS, the 1997 Plan was available for public review and comment for at least 30 days, and a noticed public hearing was conducted in the South Coast Air Basin prior to adoption of the Plan by the District governing board, as required by the Act and U.S. EPA regulations;

WHEREAS, the California Environmental Quality Act (CEQA) and ARB regulations provide that no activity shall be approved if feasible alternatives or mitigation measures can be imposed to significantly reduce any adverse environmental impacts of the activity;

WHEREAS, the District has prepared an Environmental Impact Report (EIR), pursuant to CEQA, which sets forth the potential adverse environmental impacts of the 1997 Plan, and the District has received and responded to public comments on the EIR;

WHEREAS, the District has prepared and adopted a Mitigation, Monitoring, and Reporting Plan, which sets forth measures to mitigate the adverse environmental impacts identified in the EIR and related documents, as well as methods and procedures for monitoring and reporting on the mitigation measures;

WHEREAS, the 1997 Plan was submitted to the ARB as a SIP revision on December 10, 1996, along with proof of public notice publication and environmental documents, in accordance with state and federal law;

WHEREAS, the Board has conducted a public hearing to consider approval of the District's 1997 Plan and its submittal to U.S. EPA as a SIP revision.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the 1997 Plan adopted by the District and submitted in final form to the ARB as a revision to the SIP, which contains the following:

1. A PM10 control strategy, attainment demonstration, reasonable further progress milestone targets, and conformity emissions budgets for the South Coast Air Basin;


2. Revisions to the District's element of the 1994 ozone SIP, including the ozone control strategy, attainment demonstrations, post-1996 rate-of-progress demonstrations, and conformity emissions budgets for the South Coast Air Basin, the Antelope Valley, and the Coachella Valley;
3. Revisions to the District's 1994 carbon monoxide control strategy, attainment demonstration, conformity emissions budgets, and a complete 1995 carbon monoxide emissions inventory for the South Coast Air Basin; and
4. A nitrogen dioxide maintenance plan for the South Coast Air Basin.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to submit the 1997 Plan, together with the appropriate supporting documentation, to the U.S. EPA for approval, and to work with the U.S. EPA to resolve any issues regarding plan completeness and approvability that may arise.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the District to compile the necessary documentation to prepare a redesignation request for nitrogen dioxide, using the 1997 Plan as a maintenance plan, and to submit the redesignation request to the U.S. EPA as expeditiously as possible.

BE IT FURTHER RESOLVED, that the Board certifies pursuant to 40 CFR section 51.102 that the 1997 Plan was adopted after notice and public hearing as required by 40 CFR section 51.102.

I hereby certify that the above is true and correct copy of Resolution 97-1, as adopted by the Air Resources Board.



Pat Hutchens, Clerk of the Board