

State of California  
Air Resources Board

## **South Coast Air Basin Attainment Plan for the 2012 Annual PM2.5 Standard**

### **Resolution 24-7**

**June 27, 2024**

Agenda Item No.: 24-3-1

Whereas, sections 39600 and 39601 of the Health and Safety Code 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 Health and Safety Code 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 the State Implementation Plan (SIP) for attaining and maintaining the National Ambient Air Quality Standards (NAAQS or standards) as required by the federal Clean Air Act (Act) (42 U.S.C. § 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) 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 Health and Safety Code sections 39002, 39500, and part 5, and for ensuring that the districts meet their responsibilities under the Act pursuant to Health and Safety Code sections 39002, 39500, 39602, 40469, and 41650;

Whereas, the local 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, Health and Safety Code section 39602 also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

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

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

Whereas, Health and Safety Code 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, Health and Safety Code section 41650 requires CARB to approve the nonattainment area plan adopted by a district as part of the SIP unless the Board finds, after a public hearing, that the plan does not meet the requirements of the Act;

Whereas, Health and Safety Code section 40469, subdivision (a) requires CARB to determine the adequacy of the nonattainment area plan adopted by the districts to meet the requirements of State law and the Act;

Whereas, on July 18, 1997, the U.S. Environmental Protection Agency (U.S. EPA) established a 24-hour fine particulate matter (PM<sub>2.5</sub>) NAAQS of 65 micrograms per cubic meter (µg/m<sup>3</sup>) and an annual PM<sub>2.5</sub> NAAQS of 15 µg/m<sup>3</sup>;

Whereas, on March 17, 2013, the U.S. EPA strengthened the annual PM<sub>2.5</sub> NAAQS to 12 µg/m<sup>3</sup> (12 µg/m<sup>3</sup> annual PM<sub>2.5</sub> NAAQS);

Whereas, on December 18, 2014, U.S. EPA designated the South Coast Air Basin (South Coast) as a moderate nonattainment for the 12 µg/m<sup>3</sup> annual PM 2.5 NAAQS with an attainment date of December 31, 2021;

Whereas, the South Coast includes Orange County, the southwestern two-thirds of Los Angeles County, southwestern San Bernardino County, and western Riverside County;

Whereas, the South Coast Air Quality Management District (District) is the district with jurisdiction over the South Coast, pursuant to Health and Safety Code section 40413;

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 Health and Safety Code sections 40460(b) and 40465;

Whereas, on March 23, 2017, the Board adopted the District's 2016 Air Quality Management Plan (2016 AQMP) which included, among other things, moderate and serious nonattainment area planning requirements for the 12 µg/m<sup>3</sup> annual PM<sub>2.5</sub> NAAQS;

Whereas, the 2016 AQMP included a demonstration that attainment of the 12 µg/m<sup>3</sup> annual PM<sub>2.5</sub> NAAQS by the moderate attainment date of December 31, 2021 was impracticable and requested a serious classification with an attainment date of December 31, 2025;

Whereas, the 2016 AQMP included an attainment demonstration for the 12 µg/m<sup>3</sup> annual PM<sub>2.5</sub> NAAQS by the serious attainment date of December 31, 2025;

Whereas, effective December 9, 2020, U.S. EPA approved the 2016 AQMP moderate nonattainment area requirements for the 12 µg/m<sup>3</sup> annual PM<sub>2.5</sub> NAAQS, including; base year emissions inventories, a reasonably available control measures/reasonable available control technology demonstration, a demonstration that attainment by the moderate area

attainment date of December 31, 2021, is impracticable, a reasonable further progress demonstration, quantitative milestones, and motor vehicle emissions budgets for 2019 and 2022;

Whereas, effective December 9, 2020, U.S. EPA classified the South Coast as a serious nonattainment area for the 12  $\mu\text{g}/\text{m}^3$  annual PM<sub>2.5</sub> NAAQS and established future deadlines for the submittal of serious area plan elements including a December 31, 2023, due date for the attainment SIP;

Whereas, in the years following CARB's submittal of the 2016 AQMP, information in the SIP became out of date including the addition of near-road PM<sub>2.5</sub> monitors installed in the South Coast per U.S. EPA monitoring requirements that were not reflected in the 2016 AQMP;

Whereas, CARB and the District determined that a new attainment plan for the 12  $\mu\text{g}/\text{m}^3$  annual PM<sub>2.5</sub> NAAQS was needed in order to incorporate the latest information and address attainment in the South Coast including the near-road PM<sub>2.5</sub> monitors;

Whereas, since the attainment SIP was not due yet, on March 29, 2023, per a request from the District, CARB withdrew the submittal of the serious elements in the 2016 AQMP for the 12  $\mu\text{g}/\text{m}^3$  annual PM<sub>2.5</sub> NAAQS from consideration for inclusion in the California SIP in order to develop a new SIP reflecting the most current information;

Whereas, effective June 26, 2023, U.S. EPA found that California had failed to submit the required serious area SIP elements for base year emissions inventory and best available control measure/best available control technology (BACM/BACT) demonstration for the 12  $\mu\text{g}/\text{m}^3$  annual PM<sub>2.5</sub> NAAQS by the June 9, 2022, submittal deadline;

Whereas, effective February 29, 2024, U.S. EPA found that California failed to submit the required SIP elements by December 31, 2023, for the South Coast that meets the 12  $\mu\text{g}/\text{m}^3$  annual PM<sub>2.5</sub> NAAQS serious area requirements including a reasonable further progress (RFP) demonstration, quantitative milestones, an attainment demonstration, and contingency measures;

Whereas, on March 22, 2024, the District released the *Draft South Coast Air Basin Attainment Plan for the 2012 Annual PM<sub>2.5</sub> Standard (2024 South Coast PM<sub>2.5</sub> Plan)*;

Whereas; the 2024 South Coast PM<sub>2.5</sub> Plan demonstrates that attainment of the annual PM<sub>2.5</sub> NAAQS by December 31, 2025, is impracticable and includes a request for an extension of the attainment deadline until December 31, 2030;

Whereas; the 2024 South Coast PM<sub>2.5</sub> Plan includes a modeled attainment demonstration for the 12  $\mu\text{g}/\text{m}^3$  annual PM<sub>2.5</sub> NAAQS by December 31, 2030, demonstrating attainment at all monitors in the South Coast including the near-road PM<sub>2.5</sub> monitors;

Whereas, consistent with EPA's May 30, 2019 "PM<sub>2.5</sub> Precursor Demonstration Guidance," the 2024 South Coast PM<sub>2.5</sub> plan demonstrates that only oxides of nitrogen (NO<sub>x</sub>) and ammonia have a significant contribution to the formation of PM<sub>2.5</sub> in the South Coast, and thus control measures for these and directly-emitted PM<sub>2.5</sub> are included in the attainment strategy;

Whereas, the 2024 South Coast PM2.5 Plan identifies District control measures needed to demonstrate attainment with the 12 µg/m<sup>3</sup> annual PM2.5 NAAQS by 2030;

Whereas, to support attainment of the 70 parts per billion 8-hour ozone NAAQS in the South Coast and across the State, CARB developed the *2022 State Strategy for the State Implementation Plan (2022 State SIP Strategy)* which was adopted by the Board in September 2022;

Whereas, measures approved by the Board in the 2022 State SIP Strategy provide 9.1 tons per day (tpd) of NO<sub>x</sub>, 0.2 tpd of ammonia, and 0.5 tpd of directly-emitted PM2.5 emissions reductions by 2030 to support attainment of the 12 µg/m<sup>3</sup> annual PM2.5 NAAQS in the South Coast;

Whereas, CARB staff reviewed the 2024 South Coast PM2.5 Plan and prepared a staff report entitled *CARB Review of the South Coast Air Basin Attainment Plan for the 2012 Annual PM2.5 Standard* (CARB Staff Report);

Whereas, the CARB Staff Report proposes an aggregate commitment of emissions reductions of 9.1 tpd of NO<sub>x</sub>, 0.2 tpd of ammonia, and 0.5 tpd of directly-emitted PM2.5 in the South Coast by 2030, based on measures approved in the 2022 State SIP Strategy;

Whereas, the proposed commitment for emissions reductions is for total aggregate emissions reductions that may be achieved through the measures identified in the 2022 State SIP Strategy, alternative measures, incentive programs, and actual emission decreases;

Whereas, the 2024 South Coast PM2.5 Plan addresses all requirements of the Act for a serious nonattainment area including emission inventories, attainment demonstration, RFP demonstration, quantitative milestones, contingency measures, and a BACM/BACT demonstration;

Whereas, the 2024 South Coast PM2.5 Plan addresses the requirements of section 188(e) of the Act for a serious area requesting an extension of the attainment date, including a Most Stringent Measure (MSM) demonstration and documentation that all past SIP commitments for the 12 µg/m<sup>3</sup> annual PM2.5 NAAQS;

Whereas, section 176(c) of the Act establishes transportation conformity requirements to ensure that transportation activities do not interfere with air quality progress;

Whereas, consistent with section 176(c) of the Act, the CARB Staff Report, establishes Motor Vehicle Emissions Budgets (MVEBs) in consultation between the District, SCAG, and U.S. EPA that set a limit on emissions from on-road vehicles that conform to the attainment and RFP emission levels in each milestone year and the attainment year;

Whereas, the California Environmental Quality Act (CEQA; Public Resources Code section 21080.5) requires that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

Whereas, for the purposes of CEQA, the District found 2024 South Coast PM2.5 Plan is a later activity within the scope of the program approved earlier in the 2022 Air Quality

Management Plan (AQMP) and the 2016 AQMP per CEQA Guidelines Section 15168(c)(2) of title 14 of the California Code of Regulations, and the Final Program Environmental Impact Report (EIR) for the 2022 AQMP and the Final Program EIR for the 2016 AQMP adequately describe the activities associated with implementing the PM2.5 Plan such that no new environmental document will be required;

Whereas, CARB has determined that its subsequent approval of the District's aspects of the 2024 South Coast PM2.5 Plan is a "ministerial" approval for purposes of CEQA (Cal. Code Regs, tit. 14, § 15268) because CARB's review is limited to determining if the 2024 South Coast PM2.5 Plan meets the requirements of the Act, and CARB lacks authority to modify or not approve the Plan in response to environmental concerns, as described in the CARB Staff Report;

Whereas, CARB's regulatory program that involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans has been certified by the Secretary for Natural Resources under Public Resources Code section 21080.5 of CEQA (*see also* Cal. Code Regs., tit. 14, § 15251(d)), and CARB conducts its CEQA review according to this certified program (Cal. Code Regs., tit. 17, §§ 60000-60007);

Whereas, CARB prepared an environmental analysis for the 2022 State SIP Strategy under its certified regulatory program to comply with the requirements of CEQA, which determined the 2022 State SIP Strategy could result in beneficial, less-than-significant, and potentially significant and unavoidable adverse impacts;

Whereas, CARB staff determined that CARB can rely on the environmental analysis prepared under its certified regulatory program for the 2022 State SIP Strategy, and no additional environmental review is required because the record evidence shows that CARB's aggregate commitment will not result in new significant adverse environmental impacts or a substantial increase in severity of previously identified significant adverse impacts, as described in Section IX of the CARB Staff Report;

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 day notice and opportunity for public review, must be conducted before adopting and submitting any SIP revision to U.S. EPA;

Whereas, the District made the 2024 South Coast PM2.5 Plan available for public review at least 30 days before the District hearing on June 6, 2024, where the District Governing Board adopted the 2024 South Coast PM2.5 Plan;

Whereas, the District transmitted the 2024 South Coast PM2.5 Plan to CARB for adoption and submittal to U.S. EPA as a SIP revision;

Whereas, CARB made the CARB Staff Report, containing the aggregate emissions reduction commitment and the motor vehicle emissions budgets, available for public review on May 17, 2024 for a 30-day public review period before the Board hearing;

Whereas, as detailed in the CARB Staff Report, CARB staff has reviewed the 2024 South Coast PM2.5 Plan and has concluded that it meets the requirements of the Act for the 12 µg/m<sup>3</sup> annual PM2.5 NAAQS; and

Whereas, the Board finds that:

1. The 2024 South Coast PM2.5 Plan, together with the aggregate emissions reduction commitment for South Coast in 2030 in Section VII.B of the CARB Staff Report, and the motor vehicle emissions budgets in Section VIII.C of the CARB Staff Report, meets the requirements of the Act for the South Coast as a serious nonattainment area requesting an attainment extension for the 12 µg/m<sup>3</sup> annual PM2.5 NAAQS;
2. The 2024 South Coast PM2.5 Plan, together with Sections VII.B and VIII.C of the CARB Staff Report, includes the required emission inventories, attainment demonstration, RFP demonstration and associated motor vehicle emissions budgets, quantitative milestones, contingency measures, Best Available Control Measure/Best Available Control Technology demonstration, and MSM demonstration;
3. Implementation of the 2022 State SIP Strategy along with current and new District control programs documented in the 2024 South Coast PM2.5 Plan provide the emissions reductions needed to support attainment in the South Coast of the 12 µg/m<sup>3</sup> annual PM2.5 NAAQS by the attainment deadline of December 31, 2030;
4. This proposal is consistent with CARB's environmental justice policies and does not disproportionately impact people of any race, culture, income, or national origin; and
5. CARB's aggregate commitment is covered by the prior environmental analysis for the 2022 State SIP Strategy prepared to comply with CEQA, and no additional environmental review, or revisions to the prior environmental analysis, are required because substantial evidence in the records shows there are no changes that will result in new significant adverse environmental impacts or a substantial increase in severity of previously identified significant adverse impacts.

Now, therefore, be it resolved that the Board hereby adopts the State commitment to achieve aggregate emissions reductions of 9.1 tpd of NO<sub>x</sub>, 0.2 tpd of ammonia, and 0.5 tpd of directly emitted PM2.5 in the South Coast by 2030, based on measures approved in the 2022 State SIP Strategy, as included in the CARB Staff Report.

Be it further resolved the Board hereby adopts the motor vehicle emissions budgets for the milestone years and the attainment year in the CARB Staff Report.

Be it further resolved the Board hereby adopts the 2024 South Coast PM2.5 Plan including the emission inventories, attainment demonstration, RFP demonstration, quantitative milestones, contingency measures, BACM/BACT demonstration, and MSM demonstrations as a revision to the California SIP.

Be it further resolved that the Board hereby certifies that the 2024 South Coast PM2.5 Plan, the aggregate emissions reduction commitment, and the motor vehicle emissions budgets were adopted after notice and public hearing as required by Section 110(1) of the Act and 40 CFR section 51.102.

Be it further resolved that the Board hereby directs the Executive Officer to submit the 2024 South Coast PM2.5 Plan as adopted by the District and the relevant portions of the CARB Staff Report to U.S. EPA for inclusion in 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, including to meet applicable requirements for contingency measures.

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.

I hereby certify that the above is a true and correct copy of Resolution 24-7 as adopted by the California Air Resources Board.



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Board Clerk