

UPDATED INFORMATIVE DIGEST

Sections Affected: Amendments to title 17, California Code of Regulations (CCR), sections 60201, 60203, 60207, 60210, 70300, 70301, 70302, 70303, 70303.1, 70303.5, 70304, 70305, and 70306, and appendices 2 and 3 to sections 70300 through 70306 and deletion of appendix 4 to sections 70300 through 70306, pursuant to sections 39608 and 40925.5 of the Health and Safety Code (H&SC).

Summary: Pursuant to section 39606 of the Health and Safety Code (H&SC), the California Air Resources Board (Board or ARB) is charged with the responsibility of adopting standards of ambient air quality for each air basin in consideration of the public health, safety, and welfare. The Board has adopted State ambient air quality standards (State standards) for ten pollutants, set forth in CCR, title 17, section 70200. The California Clean Air Act in H&SC section 39607(e) requires the Board to establish and periodically review designation criteria which provide the basis for designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified with respect to the State standards.

The Board originally adopted designation criteria in 1989 and has modified them several times since then, the last time in January 2004. The designation criteria are set forth in CCR, title 17, sections 70300 through 70306, and appendices 1 through 4, thereof. Based on these designation criteria, the California Clean Air Act in H&SC section 39608 further requires the ARB to establish and annually review area designations for State standards. During the annual review, ARB determines whether changes to the existing area designation criteria and the area designations are warranted.

Following the public hearing on March 25, 2010, the Board, by Resolution 10-17, adopted amendments to the area designation criteria regulations, which set forth the requirements for making area designations for State ambient air quality standards (State standards). The amendments to the designation criteria regulations affect title 17, CCR, sections 70300, 70301, 70302, 70303, 70303.1, 70303.5, 70304, 70305, and 70306, and appendices 2 and 3 to sections 70300 through 70306 and deletion of appendix 4 to sections 70300 through 70306. These changes would delegate authority to the Executive Officer, or his or her delegate, to review and approve annual changes to the area designations and to provide for a public hearing, if requested. In addition, a provision will be added that allows current attainment areas without current monitoring data to remain attainment if emissions have not substantially increased, and appendix 4, containing outdated screening criteria, will be removed, along with all references to appendix 4. Other changes to the regulations clarify and provide for consistency among various existing portions of the designation criteria. None of

the adopted amendments change the Board's approach to or way of making the area designations for State standards.

The Board makes area designations for ten pollutants: ozone, suspended particulate matter (PM10), fine suspended particulate matter (PM2.5), carbon monoxide, nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and visibility reducing particles. The area designations comprise CCR, title 17, sections 60200 through 60210. The ARB staff reviewed the area designations based on air quality data from 2006 through 2008. Based on this review, the Board adopted amendments to several of the existing area designations for nitrogen dioxide, lead (particulate), PM2.5, and ozone. These amendments are summarized below:

Nitrogen Dioxide: The Board designated the South Coast Air Basin as nonattainment. The area was previously designated as attainment. This redesignation was the result of the new State annual nitrogen dioxide standard.

Lead (particulate): The Board designated the Los Angeles County portion of the South Coast Air Basin as nonattainment. This area was previously designated as attainment. The redesignation was the result of specific facility monitoring and therefore does not represent region-wide emissions.

PM2.5: The Board designated the portion of Placer County in the Sacramento Valley Air Basin as attainment. This area was previously designated as nonattainment. In addition, the Board designated the Great Basin Valleys Air Basin, and the counties of Colusa, Shasta, Sutter, and Yuba in the Sacramento Valley Air Basin as attainment. These areas were previously designated as unclassified.

Ozone: The Board designated the Lake Tahoe Air Basin as nonattainment. This area was previously designated as unclassified. The Board also designated that portion of Sonoma County in the North Coast Air Basin as attainment. This area was previously designated as nonattainment. Finally, the Board confirmed the redesignation of the Sutter and Yuba counties in the Sacramento Valley Air Basin as nonattainment-transitional. These areas were previously designated nonattainment and the redesignation occurred by operation of law under H&SC section 40925.5. The Board adopted amendments to the area designation regulations to reflect this change.

The staff proposal was the same as that described in the Initial Statement of Reasons for Proposed Rulemaking (Staff Report) released on February 4, 2010. At the hearing, the Board adopted the amendments to the area designation criteria and the area designation regulations as proposed by the staff.