State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-125-305

Adoption and Submittal of 2003 State Implementation Plan
for Particulate Matter in the San Joaquin Valley

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, section 41650 of the Health and Safety Code requires the ARB to approve the nonattainment plan approved 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, sections 39515 and 39516 of the Health and Safety Code provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

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

WHEREAS, section 189(d) of the Act requires the State to submit by December 31, 2002, revisions to the SIP which provide for attainment of the inhalable particulate matter (PM10) NAAQS in the San Joaquin Valley;

WHEREAS, following a public hearing on June 19, 2003, the San Joaquin Valley Unified Air Pollution Control District (District) adopted the 2003 San Joaquin Valley PM10 Plan (2003 PM10 Plan) to fulfill the applicable requirements of the Act for serious PM10 nonattainment areas;

WHEREAS, the District submitted the 2003 PM10 Plan to the ARB as a SIP revision on June 25, 2003, along with proof of public notice publication and environmental documents in accordance with state and federal law;

WHEREAS, the 2003 PM10 Plan relies in part on State commitments to develop new statewide control measures, and to achieve 10 tons per day of oxides of nitrogen (NOx) and 0.5 tons per day of PM10 reductions in the San Joaquin Valley by 2010;

WHEREAS, on June 26, 2003, the Board held a public hearing to consider approval of both the 2003 PM10 Plan and the proposed State commitments for new statewide control measures and emission reductions;

WHEREAS, prior to close of the June 26, 2003, Board hearing, ARB received written comments raising significant environmental issues related to the proposed State commitments;

WHEREAS, Board regulations provide that prior to taking final action on any proposal for which significant environmental issues have been raised, the decision maker must approve a written response to each such issue;

WHEREAS, following the public hearing, the Board adopted Resolution 03-14, which delegated to the ARB Executive Officer the responsibility to prepare and approve written responses to all significant environmental issues that were raised, and to take final action to adopt a SIP revision for the new State commitments;

WHEREAS, following the June 26, 2003, public hearing the Board also adopted Resolution 03-15, which is appended to this Executive Order G-125-305 as Appendix A;

WHEREAS, since the District's 2003 PM10 Plan relies in part on new State commitments and final action to adopt the State commitments did not occur at the June 26, 2003, Board hearing, in Resolution 03-15 the Board directed the Executive Officer to adopt the District's 2003 PM10 Plan as a SIP revision after final action had been taken by the ARB Executive Officer to adopt the State commitments;

WHEREAS, the Executive Officer has approved written responses to significant environmental issues and issued Executive Order G-125-304, which adopted the State commitments to develop new statewide measures and to achieve 10 tons per day of NOx and 0.5 tons per day of PM10 reductions in the San Joaquin Valley by 2010; these commitments will be submitted to the U.S. EPA as a revision to the SIP, as provided in Executive Order G-125-304;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 03-15 are incorporated by reference herein;

BE IT FURTHER ORDERED that the Executive Officer hereby adopts the 2003 PM10 Plan as a SIP revision, including:

(1) a revised 1999 emission inventory,
(2) an emission inventory for 2002, 2005, 2008, and 2010,
(3) chemical mass balance and urban airshed modeling to assess the PM10 and NOx emission reductions needed to attain the federal 24 hour and annual average particulate matter standards by 2010,
(4) a demonstration that 2010 is the most expeditious attainment date practicable,
(5) a control strategy comprised of new and adopted measures for stationary, area, and mobile sources that provide sufficient emission reductions to attain the federal particulate matter standards by 2010,
(6) an analysis and commitment to implement the Best Available Control Measures,
(7) contingency measures, and
(8) transportation conformity budgets for motor vehicle emissions.

BE IT FURTHER ORDERED that the ARB hereby submits to the U.S. EPA the 2003 PM10 Plan for the San Joaquin Valley, and requests that U.S. EPA approve the 2003 PM10 Plan as a revision to the California SIP;

BE IT FURTHER ORDERED that the ARB certifies pursuant to 40 C.F.R. section 51.102 that the 2003 PM10 Plan being submitted as a SIP revision was adopted after notice and public hearing as required by 40 C.F.R. section 51.102.

Executed at Sacramento, California this 19th day August, 2003.

Catherine Witherspoon
Executive Officer