California Environmental Protection Agency

Air Resources Board

PUBLIC MEETING AGENDA

March 25, 2010

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

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

March 25, 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 by someone in the audience who would like to speak on that item. The following items are on the consent calendar:

Consent Item#

10-3-1: Public Meeting to Consider a Research Proposal

"Identifying Determinants of Very Low Energy Consumption Rates Observed in Some California Households," University of California, Davis, $94,911, Proposal No. 2694-267.

10-3-2: Public Hearing to Consider Proposed Amendments to the Area Designations for State Ambient Air Quality Standards

Staff will present to the Board a routine annual update to the State area designations. Based on a review of air quality data for 2006-2008, staff is proposing several changes to the State area designations for ozone, nitrogen dioxide, lead, and PM 2.5, as well as minor changes to designation criteria language.

10-3-8: Public Meeting to Consider Approval of the South Coast Air Basin PM10 Redesignation Request, Maintenance Plan, and Transportation Conformity Budgets

Staff will present to the Board for approval the South Coast Air Basin PM10 redesignation request, maintenance plan, and transportation conformity budgets. The South Coast has attained the 24-hour PM10 National Ambient Air Quality Standard by the required 2006 attainment date.

Attached are the Proposed Resolutions for the above consent items. Please go to http://www.arb.ca.gov/board/ma/2010/ma32510.htm for resolution attachments.

DISCUSSION ITEMS:

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

Agenda Item #

10-3-3: Public Meeting to Update the Board on Proposition 1B: Goods Movement Emission Reduction Program Guidelines

Staff will present to the Board proposed updates to the Program Guidelines that lay out the eligible equipment and project funding levels for the next installment of $500 million to reduce diesel emissions and health impacts from freight movement along California's four priority trade corridors.

10-3-4: Public Meeting to Consider Near-Term Revisions to the Lower-Emission School Bus Program Guidelines and the Carl Moyer Incentive Program Guidelines

Staff will propose to the Board near-term revisions to the lower-emission school bus program and Carl Moyer Program guidelines to address recent legislative directives as well as stakeholder feedback received during implementation of the programs. Staff will also discuss revisions to the tiered transaction concept in the on-road portion of the Carl Moyer Program and request that the Board direct staff to pursue the development of this concept under the public process for approval by the Executive Officer.

10-3-6: Update the Board on AB 32 Economic Analyses

Staff will present to the Board the updated economic analysis of the impacts of AB 32.

10-3-7: Presentation of the Economic and Allocation Advisory Committee Report on Allocating Emissions Allowances under California's Cap-and-Trade Program

Staff and an Economic and Allocation Advisory Committee (EAAC) member will present to the Board the EAAC recommendations.

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:

Central Valley Chrysler-Jeep, Inc. et al. v. Goldstene, U.S. Court of Appeals, Ninth Circuit, on appeal from U.S. District Court (E.D. Cal. Fresno), Case No. 08 17378.

Fresno Dodge, Inc. et al. v. California Air Resources Board et al., Superior Court of California (Fresno County), Case No. 04CE CG03498.

General Motors Corp. et al. v. California Air Resources Board et al., Superior Court of California (Fresno County), Case No. 05CE CG02787.

Green Mountain Chrysler-Plymouth-Dodge-Jeep, et al. v. Crombie, 508 F.Supp.2d 295, U.S. District Court Vermont (2007), appeal to U.S. Court of Appeals, Second Circuit, Case Nos. 07-4342-cv(L) and 07-4360-cv(CON).

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

American Trucking Association, 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.

THE AGENDA ITEMS LISTED ABOVE MAY BE CONSIDERED IN A DIFFERENT ORDER AT THE BOARD MEETING.

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

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.

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

California Environmental Protection Agency

Air Resources Board

PUBLIC MEETING AGENDA

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March 25, 2010 at 9:00 a.m.

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PROPOSED

State of California
AIR RESOURCES BOARD

RESEARCH PROPOSAL

Resolution 10-16

March 25, 2010

Agenda Item No.: 10-3-1

WHEREAS, Air Resources Board (ARB or Board) has been directed to carry out an effective research program in conjunction with its efforts to combat air pollution, pursuant to Health and Safety Code sections 39700 through 39705;

WHEREAS, research proposal number 2694-267, entitled "Identifying Determinants of Very Low Energy Consumption Rates Observed in Some California Households," has been submitted by the University of California, Davis (UCD);

WHEREAS, Research Division staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee (RSC) has reviewed and recommends for funding:

> Proposal number 2694-267, entitled "Identifying Determinants of Very Low Energy Consumption Rates Observed in Some California Households," submitted by UC Davis, for a total amount not to exceed $104,911.

NOW, THEREFORE, BE IT RESOLVED that ARB, pursuant to the authority granted by Health and Safety Code section 39703, hereby accepts the recommendation of RSC and approves the following:

> Proposal number 2694-267, entitled "Identifying Determinants of Very Low Energy Consumption Rates Observed in Some California Households," submitted by UCD, for a total amount not to exceed $104,911.

BE IT FURTHER RESOLVED that the Executive Officer is hereby authorized to initiate administrative procedures and execute all necessary documents and contracts for the research effort proposed herein, and as described in Attachment A, in an amount not to exceed $104,911.

ATTACHMENT A

Identifying Determinants of Very Low Energy Consumption Rates Observed in Some California Households

Background

Household energy consumption makes up a substantial portion of California's greenhouse gas (GHG) emissions, 14 percent in 2002-2004. Voluntary actions as well as residential energy efficiency have been identified by the Scoping Plan as key components of the State's strategy to meet a 2020 GHG emissions goal equal to the 1990 baseline. To meet the 2050 goal of 80 percent reductions in GHG emissions, dramatic shifts in the ways residential consumers of goods, energy, and services choose and use technologies will be necessary. Thus, both near-term and longer-term GHG emissions targets require substantial behavioral changes. Historically, behavioral change measures have received relatively little support as an energy management strategy, and uncertainty regarding viable scenarios for very low energy consumption in 2050 prevails. The proposed research addresses both of these critical gaps by offering concrete examples of how Californian households live with relatively little energy, what motivates households to consume less than the norm, and what factors can be leveraged to induce other households to consume less energy. Of particular importance is that the strategies unveiled by this research are practicable within the current constellation of social, technological, and institutional constraints.

Objective

This research will forge a detailed understanding of characteristics and behaviors that coincide with and contribute to the very low electricity usage found in a subset of California households. This research will identify factors in addition to hardware and occupant levels that coincide with very low energy use. Such factors may include demographics, end use technologies, and house size; as well as domestic habits, patterns of use, and attitudes about convenience, comfort, or energy itself. Hypothesis testing will be employed to rigorously analyze the association of the several factors to low energy consumption, including: physical and demographic characteristics, income, consumer awareness, and expert advice regarding low energy consumption.

Methods

Through in-home interviews and a detailed survey, this research will explore both the physical, social, and behavioral factors contributing to low energy use as well as attitudes among low use customers about their uses of energy. Primary tasks include:

1) In partnership with a utility, acquire a consumer database comprising residential accounts at the lower quantiles of the usage spectrum for both gas and electricity;

2) Draft and pretest a detailed survey with input from project advisory committee to ensure a powerful survey instrument whose results will support the needs of the State;

3) Administer the survey, with measures (including coded identification numbers) taken to protect customer privacy while encouraging participation;

4) Analyze findings from interviews and household surveys. Identify household profiles based on physical, social-demographic, and attitudinal categories developed through systematic coding of survey responses. Test hypotheses to clarify the relationships of income, physical and demographic characteristics, expert advice, and consumer awareness to low energy consumption; and

5) Consult with project advisors, including representatives from the State, to synthesize low-consumption household profiles and policy recommendations; draft and prepare final report.

Expected Results
To date, efforts to reduce residential energy consumption have focused on technological interventions or marginal changes in behavior, but have been bereft of positive examples from households that consume very little energy while maintaining a high standard of living. This research addresses that critical gap. The proposed research will investigate the circumstances and behaviors that correspond to very low energy consumption levels in a subset of California households. Research results will help inform voluntary and behavioral change strategies, as well as efforts to promote technological energy-saving strategies, whose success also depends on human behaviors, e.g., purchase, installation, operation. The timeliness of such research is underlined by the increasing urgency of making significant reductions of greenhouse gas emissions in the near-term coupled with recent works (e.g., Dietz et al, PNAS 2009) demonstrating that plausible behavioral interventions can yield substantial residential energy savings in the very near term.

Significance to the Board
Study results will help Air Resources Board, utilities, and other stakeholders, design programs to reduce residential electricity consumption. It is imperative that State agencies resolve the range of options available to and practiced by California households if they are to effectively engage the public to make voluntary behavioral changes. The direct results of the proposed work, as well as the dataset, methodological findings, and establishment of working relationships between agencies and utilities involved with residential behavioral change efforts, will be extremely valuable to the State.

Contractor:
University of California, Davis

Contract Period:
36 months

Principal Investigator (PI):
Alan Meier

Contract Amount:
$104,911

Basis for Indirect Cost Rate:
The State and the UC system have agreed to a ten percent indirect cost rate.

Past Experience with this Principal Investigator:
The project principal investigator, Dr. Alan Meier, is Associate Director and a Faculty Researcher with the Energy Efficiency Center at UCD; as well as a senior scientist at Lawrence Berkeley National Laboratory. His research has had direct and significant impact on energy policy. For example, his international plan to reduce standby in all devices to less than 1 watt has been endorsed by the G8 countries.

The highly interdisciplinary research team brought together for this research has recently conducted highly successful energy analyses at the intersection of technological, social, and behavioral factors. Proposal reviewers from multiple agencies concur that the researchers' previous reports offer new and useful information that supports demand-side energy management, policy, and planning.

Prior Research Division Funding to UCD:

Year	2008	2007	2006
Funding	$1,209,135	$935,020	$1,684,890

BUDGET SUMMARY

Contractor: University of California, Davis

Identifying Determinants of Very Low Energy Consumption Rates Observed in Some California Households

DIRECT COSTS AND BENEFITS				
1.	Labor and Employee Fringe Benefits	$	34,124	
2.	Subcontractors	$	39,502[1]	
3.	Equipment	$	0	
4.	Travel and Subsistence	$	1051	
5.	Electronic Data Processing	$	0	
6.	Reproduction/Publication	$	8,700	
7.	Mail and Phone	$	6,426	
8.	Supplies	$	1,099	
9.	Analyses	$	0	
10.	Miscellaneous	$	5,771	
	Total Direct Costs			$96,673
INDIRECT COSTS				
1.	Overhead	$	8,238	
2.	General and Administrative Expenses	$	0	
3.	Other Indirect Costs	$	0	
4.	Fee or Profit	$	0	
	Total Indirect Costs			$8,238
TOTAL PROJECT COSTS				**$104,911**

[1] The team for the proposed research has been selected to leverage the unique expertise of a highly credentialed consultant who has obtained and analyzed residential utility data sets in both California and Oregon; and has extensive experience providing economic, regulatory, and policy analyses to state consumer advocate offices and state public utility commissions on all aspects of energy efficiency through his work for the California Public Utilities Commission, The Utility Reform Network (TURN), and Energy Economics, Inc.

SUBCONTRACTORS' BUDGET SUMMARY

Subcontractor: Reuben Deumling

Description of subcontractor's responsibility: Dr. Deumling, a private consultant with extensive experience providing economic, regulatory, and policy analyses to state consumer advocate offices and state public utility commissions on all aspects of energy efficiency, will negotiate a nondisclosure agreement with the appropriate electrical service provider[s], coordinate survey logistics with UCD researchers, perform analysis, and coordinate interpretation as well as technical writing.

DIRECT COSTS AND BENEFITS				
1.	Labor and Employee Fringe Benefits	$	38,852	
2.	Subcontractors	$	0	
3.	Equipment	$	0	
4.	Travel and Subsistence	$	0	
5.	Electronic Data Processing	$	0	
6.	Reproduction/Publication	$	0	
7.	Mail and Phone	$	0	
8.	Supplies	$	650	
9.	Analyses	$	0	
10.	Miscellaneous	$	0	
	Total Direct Costs			$39,502
INDIRECT COSTS				
1.	Overhead	$	0	
2.	General and Administrative Expenses	$		
3.	Other Indirect Costs	$		
4.	Fee or Profit	$	0	
	Total Indirect Costs			$0
TOTAL PROJECT COSTS				**$39,502**

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE AREA DESIGNATIONS FOR STATE AMBIENT AIR QUALITY STANDARDS

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider adoption of amendments to the regulations establishing designation criteria, designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards set forth in section 70200 of title 17, California Code of Regulations, and describing procedures for future amendments to the area designations.

DATE: March 25, 2010

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
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., March 25, 2010, and may continue at 8:30 a.m., March 26, 2010. This item may not be considered until March 26, 2010. Please consult the agenda for the meeting, which will be available at least 10 days before March 25, 2010, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendments to title 17, California Code of Regulations (CCR), sections 60201, 60203, 60207, 60210, 70300, 70301, 70302, 70303, 70303.1, 70303.5, 70304, 70305, 70306, and Appendices 2, and 3, and repeal of Appendix 4.

Background: The Board 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 (Health and Safety Code (H&SC) § 39606). To date, the Board has adopted State ambient air quality standards (State Standards) for ten pollutants, set forth in CCR, title 17, section 70200. In addition, H&SC section 39607(e) requires the Board to establish designation criteria which provide the basis for designating areas of California as attainment or nonattainment with respect to the State standards. The Board originally adopted designation criteria in 1989 and has modified them several times, most recently 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, H&SC section 39608 further requires ARB to establish and annually

review area designations for State standards. During the annual review, ARB staff determines whether changes to the existing area designations are warranted, based on an evaluation of recent air quality data.

Area Designation Criteria: The designation criteria specify the data requirements, the size of the designated areas, and other requirements for determining the appropriate area designation category. Based on the designation criteria, the Board designates areas as attainment, nonattainment, nonattainment-transitional or unclassified for each of the ten pollutants with State standards set forth in CCR, title 17, section 70200.

Based upon review of the designation criteria, the ARB staff is proposing several minor cleanup changes to these criteria. These amendments would not change the way in which the Board designates areas, but would clarify existing aspects of the designation criteria, assure consistency among the various provisions of the criteria, and aid in streamlining the designation process. These changes include:

- Removing language requiring a district to initiate the request for nonattainment-transitional designation;
- Adding a provision to allow current attainment areas without current monitoring data to remain attainment if emissions have not substantially increased;
- Removing references to Appendix 4 and outdated screening criteria contained therein;
- Delegating authority to the Executive Officer to review and approve annual changes to area designations and to provide for a public hearing if requested; and
- Other minor language changes to provide clarification and consistency among the various provisions of the designation criteria.

These changes would amend CCR, title 17, sections 70300, 70301, 70302, 70303, 70303.1, 70303.5, 70304, 70305, 70306, appendices 2 and 3 to sections 70300 through 70306, and deletion of appendix 4 to sections 70300 through 70306.

Area Designations: The ARB conducts a routine annual review of the State area designations. This is done 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. This year's review of the area designations is based on air quality data from 2006 through 2008. The proposed amendments include several updates to existing area designations for ozone, lead, nitrogen dioxide, and PM2.5. This is the first year the new State annual nitrogen dioxide standard is being considered in the area designation process. This new standard became effective March 20, 2008. The change to the nitrogen dioxide designations listed below is primarily due to the addition of this new more health-protective standard. All the recommended changes are summarized below:

Ozone:

- Designate the Sonoma County portion of the North Coast Air Basin as attainment. This area is currently designated as nonattainment.

- Designate the Lake Tahoe Air Basin as nonattainment. This area is currently designated as unclassified.

In addition, there is one change for ozone that occurs by operation of law. Under H&SC section 40925.5, reclassifications between nonattainment and non-attainment transitional status for ozone occur by operation of law. While these changes do not require formal action by the Board, ARB's designation criteria contain guidelines for confirming such changes. Therefore, staff is proposing that the Board confirm the change below and modify the designation regulations to reflect this automatic change.

- Change the designation of Sutter and Yuba Counties in the Sacramento Valley Air Basin to nonattainment-transitional. These counties are currently designated as nonattainment.

Lead (particulate):

- Designate that portion of Los Angeles County within the South Coast Air Basin as nonattainment. This area is currently designated as attainment.

Nitrogen Dioxide:

- Designate the South Coast Air Basin as nonattainment. This area is currently designated as attainment.

PM2.5:

- Designate the Great Basin Valleys Air Basin as attainment. This area is currently designated as unclassified.

- Designate Colusa, Shasta, Sutter, and Yuba Counties in the Sacramento Valley Air Basin as attainment. They are currently designated as unclassified.

- Designate that portion of Placer County within the Sacramento Valley Air Basin as attainment. This area is currently designated as nonattainment.

Area Designation Process: During the annual review of State area designations, ARB staff determines whether changes to the existing area designations are warranted, based on an evaluation of recent air quality data. Any proposed changes to the area designations or criteria are submitted to the Board for adoption after a public hearing. The present amendments also include changes to this process delegating authority to the Executive Officer of the ARB to allow for a public hearing before the Executive

Officer or his or her delegate, and that such a hearing be held if requested pursuant to Government Code section 11346.8(a).

COMPARABLE FEDERAL REGULATIONS

There are no comparable federal or local regulations that address area designations for the California State standards.

AVAILABILITY OF DOCUMENTS AND CONTACT PERSONS

The Board staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The Staff Report is entitled: "Initial Statement of Reasons for Proposed Rulemaking: Proposed 2010 Amendments to the State Area Designations Criteria, Area Designations, and Maps."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strike-out format to allow for comparison with the existing regulations, may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, California 95814, (916) 322-2990 at least 45 days prior to the scheduled hearing on March 25, 2010.

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on ARB's website listed below.

Inquires concerning the substance of the proposed regulations may be directed to the designated agency contact persons: Ms. Sylvia Zulawnick, Manager, Particulate Matter Analysis Section, (916) 324-7163, or Ms. Theresa Najita, Air Pollution Specialist, Particulate Matter Analysis Section, at (916) 322-7297.

Further, the agency representative and designated back-up contact persons to whom nonsubstantive inquiries concerning the proposed administrative action may be directed are Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit, (916) 322-4011, or Ms. Amy Whiting, Regulations Coordinator, (916) 322-6533. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

This notice, the ISOR, and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB website for this rulemaking at http://www.arb.ca.gov/regact/2010/area10/area10.htm.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulations are presented below.

The proposed amendments to the area designation regulations do not contain any requirements for action. The area designations are simply labels that describe the healthfulness of the air quality in each area. Because these regulations by themselves contain no requirements for action, they have no direct economic impact, and the following general determinations are appropriate.

The proposed changes to the area designations process requires a public hearing before the Executive Officer or his or her delegate if requested pursuant to Government Code section 11346.8(a). Therefore the cost, if any, associated with this change will be the cost of preparing and submitting the request, which is anticipated to be minimal.

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action will not create costs or savings to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to part 7 (commencing with section 17500), division 4, title 2 of the Government Code, or other nondiscretionary savings to state or local agencies.

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Executive Officer also has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has also determined, pursuant to title 1, CCR, section 4, that the proposed regulatory action will not affect small businesses because the proposed regulatory action does not contain any requirements for action. However, if a public hearing is requested, a minimal cost, if any, of preparing and submitting a request to ARB may be incurred.

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SUBMITTAL OF COMMENTS

Interested members of the public may also present comments orally or in writing at the meeting, and comments may be submitted by postal mail or by electronic submittal before the meeting. The public comment period for this regulatory action will begin on February 8, 2010. To be considered by the Board, written comments, not physically submitted at the meeting, must be submitted on or after February 8, 2010, and received **no later than 12:00 noon, March 24, 2010**, and must be 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

Please note that under the California Public Records Act (Gov. Code, § 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 other search engines.

The Board requests, but does not require, that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board Members have time to fully consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in H&SC sections 39600, 39601, 39607, 39608, and 40925.5; Government Code section 11346.8. This action is proposed to implement, interpret, and make specific H&SC sections 39607, 39608, and 40925.5; Government Code section 11346.8.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, title 2, division 3, part 1, chapter 3.5 (commencing with § 11340) of the Government Code.

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also

adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action; in such event, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before it is adopted.

The public may request a copy of the modified regulatory text from ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California 95814, (916) 322-2990.

SPECIAL ACCOMMODATION REQUEST
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 comodidade especial o si por su idioma necesita cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alternativo (es decir, sistema Braille, letra 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.

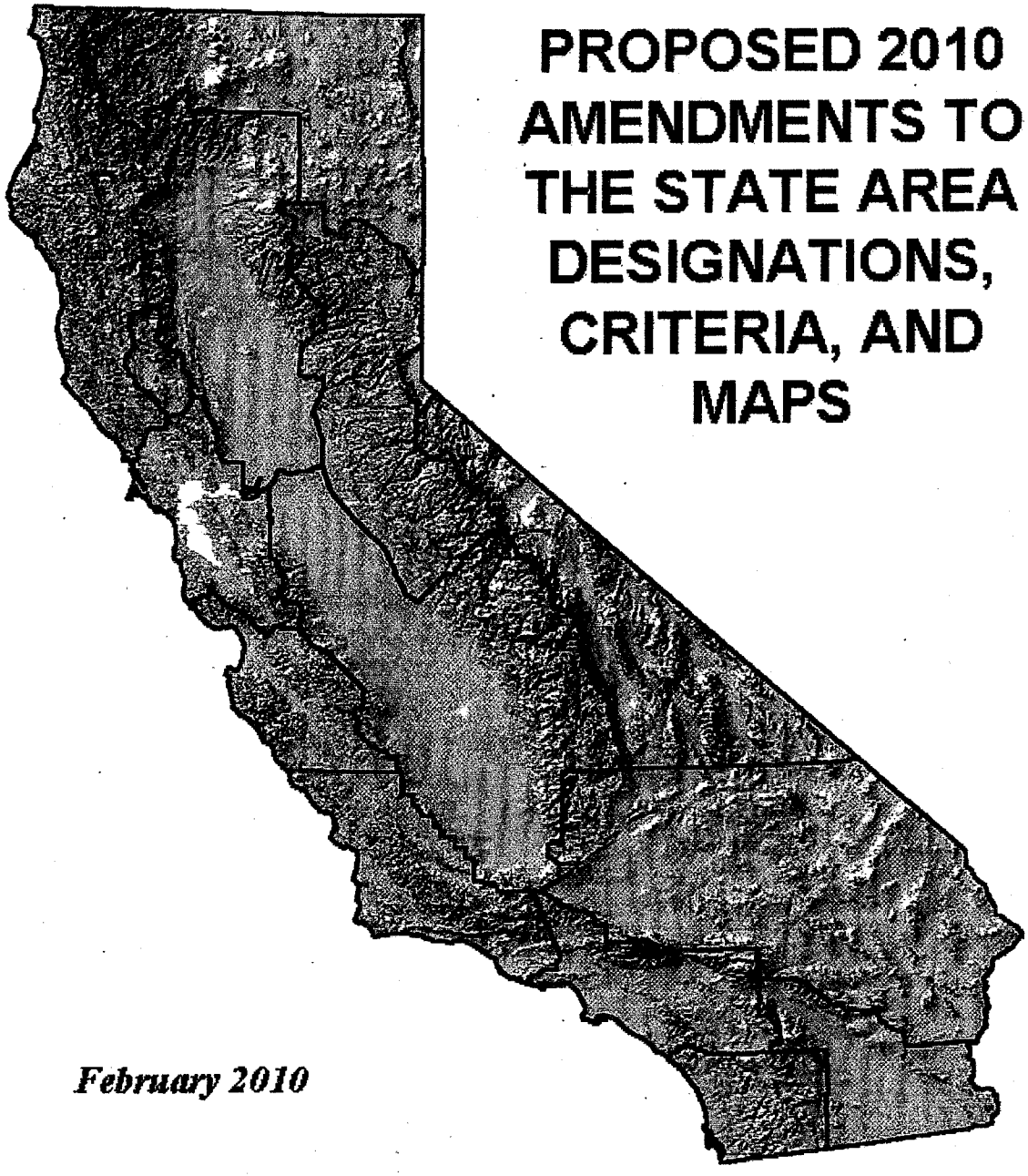
CALIFORNIA AIR RESOURCES BOARD

for James N. Goldstene
Executive Officer

Date: January 26, 2010

California Environmental Protection Agency

Air Resources Board



PROPOSED 2010 AMENDMENTS TO THE STATE AREA DESIGNATIONS, CRITERIA, AND MAPS

February 2010

Proposed 2010 Amendments to the State Area Designations Criteria, Area Designations, and Maps

STAFF REPORT:
Initial Statement of Reasons for Proposed Rulemaking

Release Date: February 4, 2010

California Environmental Protection Agency
Air Resources Board
Planning and Technical Support Division
P. O. Box 2815
Sacramento, California 95812

This document has been reviewed and approved by the staff of the California Environmental Protection Agency, Air Resources Board. Approval does not signify that the contents necessarily reflect the views and policies of the California Air Resources Board.

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EXECUTIVE SUMMARY

The Air Resources Board (ARB or Board) has established health-based State ambient air quality standards (State standards) to identify outdoor pollutant levels considered safe for the public—including those individuals most sensitive to the effects of air pollution, such as children and the elderly. After State standards are established, State law requires ARB to designate each area as attainment, nonattainment, nonattainment-transitional, or unclassified for each State standard. The area designations, which are based on the most recent available data, indicate the healthfulness of the air quality throughout the State. Currently, the Board makes area designations for the ten pollutants with State standards listed in title 17, California Code of Regulations, section 70200: ozone, suspended particulate matter (PM_{10}), fine suspended particulate matter ($PM_{2.5}$), carbon monoxide (CO), nitrogen dioxide, sulfur dioxide, lead, sulfates, hydrogen sulfide, and visibility reducing particles.

As required by State law, ARB established designation criteria to ensure that the area designations for State standards are made in a consistent manner. Based on these criteria and as required by State law, the Board originally adopted the area designation regulations in 1989 and has updated them periodically. Under State law, the Board must periodically review the designations criteria and annually review the area designations and make changes as necessary based on the most recent data.

Proposed Changes to the Area Designation Criteria Regulations

As a result of our review, ARB staff is proposing several minor cleanup changes to the designation criteria, as summarized below. These changes would not alter the way in which the Board designates areas, but would clarify existing aspects of the designation criteria, assure consistency among the various provisions of the criteria, and aid in streamlining the designation process.

- *Remove dates referencing specific versions of the Code of Federal Regulations to ensure use of most current requirements*
- *Remove language requiring a district to initiate the request for a nonattainment-transitional designation*
- *Add provision to allow attainment areas without current monitoring data to remain attainment if emissions have not substantially increased.*
- *Remove references to Appendix 4 and outdated screening criteria contained therein.*
- *Remove language specifying completion date of annual review.*

Staff is also proposing changes to the area designation process. Under the current process, ARB staff proposes area designations to the Board at a Board Hearing. The Board then adopts any changes. Staff is proposing to revise the language in the Area Designation regulations to allow for a more streamlined review, approval, and adoption

by the Executive Officer or his or her delegate, rather than by the Board. In addition, Staff is proposing that a public hearing on future Area Designations be held only if requested by a stakeholder.

The Administrative Procedures Act specifies additional requirements for any rulemaking activity (e.g., notice of the proposed action, public discussions, final statement of reasons, availability of the rulemaking file, etc.). Staff is not proposing any changes to these other aspects.

Proposed Changes to the Area Designation Regulations

As noted previously, ARB conducts a routine annual review of the State area designations. Based on the 2006 through 2008 air quality data, ARB staff is proposing changes to the current area designation regulations for ozone, $PM_{2.5}$, nitrogen dioxide, and lead, for several areas of California. The proposed changes are summarized in Table ES-1.

Under State law, the area designation changes for $PM_{2.5}$, nitrogen dioxide, lead, and two of the changes for ozone require formal action by the Board. In contrast, the ozone designation change between nonattainment and nonattainment-transitional occurs by operation of law under the provisions of Health and Safety Code (H&SC) section 40925.5. However, ARB staff is proposing the Board confirm this change in the area designation regulations.

Maps and Tables of Area Designations for State and National Ambient Air Quality Standards

As required by State law, this staff report also includes maps and tables identifying areas with at least one violation of a State standard or national ambient air quality standard (national standard). The maps and tables provided fulfill the statutory requirement in H&SC section 40718 and reflect the proposed area designations for State standards that are summarized in this staff report. The maps and tables also reflect current area designations for national standards.

TABLE ES-1

PROPOSED AREA DESIGNATIONS FOR STATE STANDARDS

Pollutant	*Air Basin/ County*	*Current Designation*	*Proposed Designation*
Ozone	**Lake Tahoe Air Basin (LTAB)**		
	Entire Air Basin	U	N
	North Coast Air Basin (NCAB)		
	Sonoma County (portion)	N	A
	Sacramento Valley Air Basin (SVAB)		
	Yuba and Sutter Counties	N	NA-T*
Nitrogen Dioxide	**South Coast Air Basin (SCAB)**		
	Entire Air Basin	A	N
Lead	**South Coast Air Basin (SCAB)**		
	Los Angeles County (portion)	A	N
$PM_{2.5}$	**Great Basin Valleys Air Basin (GBVAB)**		
	Entire Air Basin	U	A
	Sacramento Valley Air Basin (SVAB)		
	Colusa County	U	A
	Placer County (SVAB portion)	N	A
	Shasta County	U	A
	Yuba and Sutter Counties	U	A

Designation Categories:
A = Attainment; N = Nonattainment; NA-T = Nonattainment-Transitional; U = Unclassified.

* The change in ozone designation from nonattainment to nonattainment-transitional occurs by operation of law under Health and Safety Code section 40925.5. Similarly, the change from nonattainment-transitional back to nonattainment also occurs by operation of law.

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CHAPTER I

BACKGROUND

A. INTRODUCTION

This chapter provides background information on the differences between the State and national ambient air quality standards, the legal requirements for the State designation criteria and area designations, the implications of being designated for the various pollutants, and the public process used in developing the proposed amendments to the area designation regulations. The proposed changes to the designation criteria are described in Chapter III. The proposed changes to the area designations are described in Chapter IV.

B. STATE AND NATIONAL AMBIENT AIR QUALITY STANDARDS

To protect public health, ARB has adopted health-based ambient (outdoor) air quality standards. These standards define the maximum amount of an air pollutant that can be present in ambient air without harm to the public's health. Ambient air quality standards are established to protect even sensitive individuals in our communities. California law requires ARB to set State standards in consideration of public health, safety, and welfare. The Board has adopted State standards for ten pollutants: ozone (O_3), suspended particulate matter (PM_{10}), fine suspended particulate matter ($PM_{2.5}$), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), sulfates, lead (Pb), hydrogen sulfide, and visibility reducing particles.

In addition to the State standards, the Federal Clean Air Act requires the United States Environmental Protection Agency (U.S. EPA) to set national ambient air quality standards (national standards). It also permits states to adopt additional or more health-protective standards. California's State standards for most pollutants are more protective of public health than national standards. In addition, California has established State standards for pollutants not covered by national standards (for example, sulfates, hydrogen sulfide, and visibility reducing particles).

An ambient air quality standard is generally specified as a concentration averaged over a specific time period, such as 1-hour, 8-hours, 24-hours, or one year. The different averaging times and concentrations are meant to protect against different exposure effects. Some ambient air quality standards are expressed as a concentration that is not to be exceeded. Others are expressed as a concentration that is not to be equaled or exceeded.

The national standards are further categorized as primary standards and secondary standards. The national primary standards are meant to protect public health. The national secondary standards are meant to protect the public welfare from any known or anticipated adverse effects of the pollutant.

C. LEGAL REQUIREMENTS

Health and Safety Code (H&SC) section 39607(e) requires the Board to establish criteria for designating areas as attainment or nonattainment for the State standards and to periodically review these criteria to ensure their continued relevance. The criteria describe the procedures that the Board must use in determining area designations for State standards and are summarized in Chapter II. The Board originally adopted the required designation criteria in June 1989 and subsequently amended them in June 1990, May 1992, December 1992, November 1993, November 1995, September 1998, and most recently, in January 2004. Proposed changes to the designation criteria can be found in Chapter III.

H&SC section 39608 requires the Board to use the designation criteria in designating areas of California as attainment, nonattainment, or unclassified for the State standards. In addition, HS&C section 40925.5 provides a mechanism for redesignating a nonattainment district as nonattainment-transitional for ozone. Finally, H&SC section 39608 requires the Board to conduct an annual review of the area designations and update them as new information becomes available. As warranted, the Board makes changes to the existing area designations, as well as making area designations for any new or revised State standards.

The area designations are made on a pollutant-by-pollutant basis, for all pollutants listed in the California Code of Regulations, title 17, section 70200. These pollutants are: ozone, PM_{10}, $PM_{2.5}$, carbon monoxide, nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and visibility reducing particles.

In addition to the designation criteria and area designation requirements, H&SC section 40718 requires the Board to publish maps showing the areas with one or more measured violations of any State standard or national standard. The maps and summary tables provided in Attachment C fulfill this requirement. The maps and tables for the State standards reflect the changes to the area designations as described in Chapter IV. The maps and tables for the national standards reflect the current federal area designations, as promulgated by the U.S. EPA. Attachment C also contains a table that lists the applicable standards, averaging times, and analytical measurement methods for both the State and national standards. For additional information about the area designations for national standards, visit the U.S. EPA website at:

http://www.epa.gov/airprogm/oar/oaqps/greenbk

U.S. EPA has recently issued area designations for the national $PM_{2.5}$ standards which became effective in December 2009. A map and table depicting these designations are included in Attachment C.

D. PUBLIC PROCESS

In order to facilitate public comment during the designation review process, ARB staff requested public input in a number of ways.

After ARB staff's initial review of the 2006 through 2008 air quality data, staff noted potential changes to the existing area designations for ozone, nitrogen dioxide, lead, and $PM_{2.5}$. After these preliminary reviews, staff contacted the affected districts to discuss the results of the review. These discussions included the basis for the designation change, additional information relevant to the designation change, and an opportunity for district input. Furthermore, staff encouraged districts to submit any other information they would like considered. Staff also maintained a web-based subscriber notification process or listserve. For those who subscribe, the listserve provides automatic electronic updates related to area designation issues.

On December 3, 2009, staff announced a public workshop scheduled for December 17, 2009. Staff notified all district air pollution control officers, subscribers to our listserve about the workshop, as well as subscribers to the Environmental Justice listserve. The workshop announcement included a discussion of the staff's proposed amendments to the area designations based on the most recent three complete calendar years of air quality data. Approximately 20 people participated in this workshop.

The proposed amendments described in this staff report incorporate comments received from the public. The Board is scheduled to consider these amendments at a public hearing in March 2010.

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CHAPTER II

AREA DESIGNATION CRITERIA

A. INTRODUCTION

This chapter provides a summary of the existing designation criteria. The following sections describe the general provisions of the designation criteria, the area designation categories, the data requirements, the size of the designated areas, and the requirements for identifying highly irregular or infrequent events. Proposed changes to the designation criteria are discussed in Chapter III, and an underline/strikeout version of the revised criteria is provided in Attachment A.

B. GENERAL PROVISIONS OF THE DESIGNATION CRITERIA

The designation criteria describe the procedures the Board must use in determining an area's designation status with respect to the State standards. In summary, the designation criteria specify:

- The requirements for each area designation category;
- The data the Board will use for making the area designations;
- How the Board will determine the size of a designated area; and
- The requirement for an annual review of the area designations by the Board's Executive Officer.

C. DESIGNATION CATEGORIES

In determining which designation category is appropriate for an area, it is essential to understand the difference between an *exceedance* and a *violation*. An exceedance is any concentration that is higher than the level of the State standard. In contrast, violations are a subset of the exceedances. A violation is any exceedance (concentration above the level of the State standard) that is not affected by a highly irregular or infrequent event, and therefore, cannot be excluded from the area designation process (refer to discussion in Section F, below).

The designation criteria specify four designation categories: nonattainment, nonattainment-transitional, attainment, and unclassified. The Board will designate an area as *nonattainment* for a pollutant if air quality data show that a State standard for the pollutant was violated at least once during the previous three calendar years. As explained above, exceedances that are affected by highly irregular or infrequent events are not considered violations of a State standard and are not used as a basis for designating an area as nonattainment.
The *nonattainment-transitional* designation is a subcategory of nonattainment. The

Board will designate an area as nonattainment-transitional for a pollutant other than ozone if air quality data show that a State standard for that pollutant was violated two or fewer times at each of the sites in the area during the most recent calendar year. In addition, an evaluation of recent air quality trends and meteorological and emissions data must show that air quality in the area either has stabilized or has improved. Finally, each site in the area must be expected to reach attainment for the pollutant within three years.

In contrast to the nonattainment-transitional requirements for other pollutants, the ozone nonattainment-transitional requirements are specified in State law (H&SC section 40925.5). The H&SC specifies that the ozone nonattainment-transitional designation be made by district area (rather than air basin, county, or other geographic area) and be based on exceedances, not violations. Because ozone nonattainment-transitional is based on exceedances, all measurements above the level of the State ozone standard are considered and none are excluded. Furthermore, the H&SC specifies that only nonattainment districts may be designated as nonattainment-transitional for ozone.

Specifically, H&SC section 40925.5 specifies that a nonattainment district (or the portion of a district within an air basin) is designated as nonattainment-transitional for ozone if air quality data show three or fewer exceedances of the State standard at each site within the district (or portion of the district) during the most recent calendar year.

Finally, unlike the nonattainment-transitional designation for other pollutants, the redesignation of an ozone nonattainment district area as nonattainment-transitional occurs by operation of law. However, the Board confirms the change based on the guidelines set forth in the designation criteria. The Board also makes sure the area designation regulations are amended to reflect the ozone nonattainment-transitional designation.

In contrast to nonattainment and nonattainment-transitional, the Board will designate an area as *attainment* for a pollutant if data show the State standard for that pollutant was not violated during the previous three calendar years. As described earlier, exceedances affected by highly irregular or infrequent events are not considered violations, and therefore, are not considered in designating areas as attainment. As a result, an area can have measured concentrations that are higher than the level of the State standard and still be designated as attainment. Finally, the Board will designate an area as *unclassified* for a pollutant if the available data do not support a designation of nonattainment or attainment.

D. DATA REQUIREMENTS

To the extent possible, the Board makes area designations for each pollutant based on the most recent ambient air quality data. The air quality data must be *data for record*, which are those air quality data that satisfy specific siting and quality assurance procedures established by the U.S. EPA and adopted by the Board. Generally, data for record are those data collected by or under the direction of the Board or the districts. Air quality data from other sources may also qualify as data for record, as long as the same requirements are met. For area designation purposes, air quality measurements and statistics are rounded to the precision of the State standard before being compared with the State standard. The rounding convention is summarized in Attachment D.

When adequate and recent air quality data are not available, the Board may use other types of information to determine an appropriate area designation. These other types of information may include historical air quality data, emissions data, meteorological data, topographical data, and data relating to the characteristics of population or emissions.

E. SIZE OF DESIGNATED AREA

The size of the area designated for a pollutant may vary depending on the nature of the pollutant, the location of contributing emission sources, meteorology, and topographic features. Normally, an air basin is the area designated for pollutants with a regional impact: ozone, nitrogen dioxide, sulfates, and visibility reducing particles. A county (or the portion of a county located within an air basin) is normally the area designated for pollutants with a more localized impact: carbon monoxide, sulfur dioxide, lead, and hydrogen sulfide. PM_{10} and $PM_{2.5}$ could be considered either a regional or a local pollutant. In some cases, the Board may designate a smaller area if the Board finds that the smaller area has distinctly different air quality. This finding is based on a review of the air quality data, meteorology, topography, and the distribution of population and emissions. In designating a smaller area as nonattainment, the sources with emissions that contribute to a violation must be included within the designated area. In defining a smaller designation area, the Board uses political boundary lines whenever possible.

F. HIGHLY IRREGULAR OR INFREQUENT EVENTS

While area designations for State standards are based on ambient air quality data, the designation criteria provide for excluding certain high values. In particular, the designation criteria provide for excluding exceedances affected by *highly irregular or infrequent events* because it is not reasonable to mitigate these exceedances through the regulatory process. Appendix 2 to the designation criteria defines three types of highly irregular or infrequent events:

- Extreme concentration events;
- Exceptional events; and
- Unusual concentration events.

An *extreme concentration event* is identified by a statistical procedure that calculates the concentration that is not expected to be exceeded more than once per year, on average. This value is also referred to as the Expected Peak Day Concentration or EPDC. Adverse meteorology is one potential cause of an extreme concentration event. However, a specific, identifiable cause is not necessary for an exceedance to be identified as an extreme concentration.

In practice, a pollutant-specific EPDC is calculated for each monitoring site using air quality data measured at the site during the most recent three calendar years. The EPDC value is rounded to the precision of the State standard and then compared with the air quality measurements from the same site, which are also rounded to the precision of the State standard. Air quality measurements that exceed the State standard, and that are higher than the rounded EPDC value, are excluded from the area designation process. These exceedances are not considered violations of the State standard. However, air quality measurements that exceed the State standard and are equal to or lower than the rounded EPDC value are not excluded from the area designation process. These values are considered violations of the State standard.

In contrast to an extreme concentration event, an *exceptional event* is an exceedance of a State standard that is caused by a specific, identifiable event that is beyond reasonable regulatory control. An exceptional event may be caused by an act of nature (for example, a forest fire or a severe windstorm) or it may be of human origin (for example, a chemical spill or industrial accident).

Finally, an *unusual concentration event* is an unexpected or atypical exceedance of a State standard that cannot be identified as an extreme concentration event or an exceptional event. Unusual concentration events are identified only for areas already designated as attainment or unclassified at the time of the exceedance. In identifying such events, the Executive Officer must make specific findings based on relevant information. Generally, unusual concentration events are identified in areas with limited air quality data, and therefore, uncertainty as to what level of concentrations are expected to occur.

The unusual concentration event allows a wait-and-see approach in making nonattainment designations. However, there is a time limit. An area may retain its attainment or unclassified designation based on the exclusion of one or more exceedances affected by an unusual concentration event for up to three consecutive years. If an exceedance occurs during the fourth year, the area is redesignated as nonattainment, unless the exceedance can be excluded as an extreme concentration event or an exceptional event. The idea behind this time limit is that within three years, the air quality data record should be complete enough to determine whether the area is attainment or nonattainment.

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CHAPTER III

PROPOSED AMENDMENTS TO THE AREA DESIGNATION CRITERIA

A. INTRODUCTION

H&SC section 39607(e) requires the Board to establish area designation criteria. These designation criteria provide the basis for the Board to designate areas as nonattainment, nonattainment-transitional, attainment, or unclassified for the State standards, as required by H&SC section 39608.

H&SC section 39607(e) further requires the Board to periodically review the designation criteria to ensure their continued relevance. As part of the current review, ARB staff recommends amending several provisions of the designation criteria as summarized below and discussed in more detail in the following sections. The proposed amendments do not change the way in which ARB staff makes the State area designations, but simplify the designation process and clarify current practices. The full text of the proposed amendments, in underline and strikeout format, can be found in Attachment A to this staff report.

- *70300. General Statement of Purpose*
  - *Replace reference to state board with Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

- *70301. Air Quality Data Used for Designations*
  - *Delete date referencing specific version of the Code of Federal Regulations to ensure use of the most current requirements.*
  - *Allow determinations to be made by the Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

- *70302. Geographic Extent of Designations*
  - *Replace reference to state board with Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

- *70303. Criteria for Designating and Area as Nonattainment*
  - *Replace reference to state board with Executive Officer or his or her delegate to ensure consistency with change in section 70306.*
  - *Allow identifications to be made by the Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

- *70303.1. Criteria for Designating an Area as Nonattainment-Transitional for Pollutants Other than Ozone*
  - *Replace reference to state board with Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

- *Delete requirement for a district to initiate the request for a nonattainment-transitional designation.*

➢ *70303.5. Requirements for Ozone Nonattainment-Transitional.*
- *Allow determinations to be made by the Executive Officer's delegate to ensure consistency with change in section 70306.*

➢ *70304. Criteria for Designating an Area as Attainment*
- *Replace reference to state board with Executive Officer or his or her delegate to ensure consistency with change in section 70306.*
- *Add provision allowing attainment areas without current monitoring data to remain attainment if emissions have not increased substantially.*
- *Allow identifications to be made by the Executive Officer's delegate to ensure consistency with change in section 70306.*

➢ *70305. Criteria for Designating an Area as Unclassified*
- *Replace reference to state board with Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

➢ *70306. Annual Review of Designations*
- *Revise language to allow for Executive Officer's or his or her delegate's review and adoption of annual changes to designations and provide for a public hearing if requested.*

➢ *Appendix 2: Air Resources Board Procedure for Reviewing Air Quality Data Possibly Affected by a Highly Irregular or Infrequent Event*
- *Delete reference to the federal exceptional events guidelines and provide for consideration of both natural and anthropogenic events as exceptional events under Appendix 2.*
- *Allow identifications of air quality data impacted by highly irregular or infrequent events to be made by the Executive Officer or his or her delegate to ensure consistency with change in section 70306.*

➢ *Appendix 3: Criteria for Determining Data Completeness*
- *Delete specific required months for nitrogen dioxide, thereby requiring data be collected during all 12 months of the year.*

➢ *Appendix 4: Screening Procedure for Determining Attainment Designations for Areas with Incomplete Air Quality Data*
- *Delete Appendix 4 in its entirety.*
- *Revise language in section 70304(c) to specify the screening procedure.*

B. SECTION 70300. GENERAL STATEMENT OF PURPOSE

Section 70300 specifies the objective of the area designation criteria is to guide the state board in making its designations. ARB staff proposes that reference to the state board be replaced with reference to the Executive Officer or his or her delegate. This proposed change would align this section with the changes proposed for section 70306.

C. SECTION 70301(a)(1) AND (a)(2). AIR QUALITY DATA USED FOR DESIGNATIONS

Section 70301 specifies that designations shall be based on "*data for record*" and defines what comprises "*data for record.*" Currently, section 70301 includes references to the 1987 version of monitoring methods and quality assurance requirements in the Code of Federal Regulations (CFR). Because U.S. EPA periodically modifies these requirements, staff proposes to delete the date referencing a specific version of the CFR, thereby ensuring use of the most current federal requirements.

Section 70301(a)(1) and 70301(a)(2) specify that the Executive Officer determines whether air quality data constitutes "data for record" based on siting and quality assurance procedures. In order to align staff's proposal that the Executive Officer or his or her delegate makes future area designations, staff proposes changes to these sections to also allow the Executive Officer's delegate to determine data for record.

D. SECTION 70302. GEOGRAPHIC EXTENT OF DESIGNATIONS

Section 70302 specifies the geographic extent of the areas designated. ARB staff proposes that reference to the state board be replaced with reference to the Executive Officer or his or her delegate. This proposed change would align this section with the changes proposed for section 70306.

E. SECTION 70303. CRITERIA FOR DESIGNATING AN AREA AS NONATTAINMENT

Section 70303 specifies the requirements for nonattainment designation for all pollutants. ARB staff proposes that reference to the state board be replaced with reference to the Executive Officer or his or her delegate. This proposed change would align this section with the changes proposed for section 70306.

Section 70303(b) requires the Executive Officer to identify highly irregular or infrequent events. In order to align staff's proposal that the Executive Officer or his or her delegate makes future area designations, staff proposes changes to this section to also allow the Executive Officer's delegate to identify highly irregular or infrequent events.

F. SECTION 70303.1(a). CRITERIA FOR DESIGNATING AN AREA AS NONATTAINMENT-TRANSITIONAL FOR POLLUTANTS OTHER THAN OZONE

Section 70303.1 specifies the requirements for the nonattainment-transitional designation for pollutants other than ozone. The section states that ARB staff will, if requested by a district before May 1, designate an area as nonattainment-transitional for a pollutant other than ozone if the area meets the specified requirements. In general, a district does not request the designation change, rather ARB staff evaluates the data and notifies the district if the area qualifies. ARB staff proposes removing the requirement for district initiation of this process. This change clarifies existing procedures.

ARB staff also proposes that reference to state board be replaced with reference to the Executive Officer or his or her delegate. This proposed change would align this section with the changes proposed for section 70306.

G. SECTION 70303.5(b). REQUIREMENTS FOR OZONE NONATTAINMENT-TRANSITIONAL

Section 70303.5(b) specifies the situation where an area that would ordinarily qualify as nonattainment-transitional for ozone is instead designated by the Executive Officer as nonattainment. Staff proposes to also allow the Executive Officer's delegate to designate these areas. This proposed change would align this section with the changes proposed for section 70306.

H. SECTION 70304. CRITERIA FOR DESIGNATING AN AREA AS ATTAINMENT

Section 70304 specifies the requirements for attainment designation for all pollutants. ARB staff proposes that reference to the state board be replaced with reference to the Executive Officer or his or her delegate. This proposed change would align this section with the changes proposed for section 70306.

In addition, section 70304(c) specifies the requirements for an attainment designation under Appendix 4 for areas with limited or no air quality data. Currently, the provisions apply to nitrogen dioxide, sulfur dioxide, sulfates, and lead. Because ARB staff proposes deleting Appendix 4, staff proposes modifying section 70304(c) to allow current attainment areas to remain attainment when they have limited or no air quality data during the most recent three-year period, and emissions have not increased substantially.

Many attainment areas discontinue monitoring when concentrations meet the standard and continue to be very low. However, Appendix 4 includes population and emissions threshold criteria that reflect outdated assumptions rather than current conditions. Evaluating the most recent emissions data and emissions trends provides a better approach. If emissions have not increased substantially since the area was designated

as attainment and the standard is not likely to be violated, the area would remain designated as attainment. This change provides more flexibility and clarifies an existing process.

In addition, staff proposes adding carbon monoxide (CO) to the list of pollutants evaluated under section 70304(c). Carbon monoxide is a directly emitted primary pollutant, but was not included when the provision was originally adopted in 1989 because CO concentrations throughout California were substantially higher than they are now, many areas were designated as nonattainment, and the monitoring network was comprehensive. Over the years, CO concentrations have dropped dramatically, and there are no longer any nonattainment areas. Furthermore, the current attainment designations were all based on monitored data. Therefore, evaluating emissions should be adequate for an area to remain designated as attainment.

I. SECTION 70305. CRITERIA FOR DESIGNATING AN AREA AS UNCLASSIFIED

Section 70305 specifies the requirements for unclassified designation for all pollutants. ARB staff proposes that reference to the state board be replaced with reference to the Executive Officer or his or her delegate. This proposed change would align this section with the changes proposed for section 70306.

J. SECTION 70306. ANNUAL REVIEW OF DESIGNATIONS

To provide a more streamlined and cost-effective approach to the timely presentation of the designation status of an area, ARB staff proposes that section 70306 be revised to allow the Executive Officer or his or her delegate to conduct the annual review of the designations and hold a public hearing upon request. Section 70306 currently requires the Executive Officer to complete annual reviews by November 15. ARB staff proposes that this deadline be removed to allow for completion of the reviews at the most appropriate time based on data availability. This proposed change does not substantially change the public process, but streamlines it, allowing the designations process to be completed by the Executive Officer, or his or her delegate, in a timely manner with the most current air quality data available.

K. APPENDIX 2: AIR RESOURCES BOARD PROCEDURE FOR REVIEWING AIR QUALITY DATA POSSIBLY AFFECTED BY A HIGHLY IRREGULAR OR INFREQUENT EVENT

Appendix 2 to the designation criteria describes the procedures ARB staff uses to review air quality impacted by highly irregular or infrequent events, which include exceptional events, extreme concentration events, and unusual concentration events. In May 2007, U.S. EPA promulgated a final rule for the treatment of data influenced by exceptional events, which includes both natural events and anthropogenic events. This final rule replaced previous exceptional event guidelines. ARB staff proposes updating the references in Appendix 2 to federal documents that are considered when evaluating

exceptional events. Specifically, staff proposes updating the reference to the federal exceptional events guidelines, thereby providing for consideration of both natural events and anthropogenic events as exceptional events under Appendix 2.

Staff also proposes to allow identifications of air quality data impacted by highly irregular or infrequent events to be made by the Executive Officer or his or her delegate. This proposed change would align this Appendix with the changes proposed for section 70306.

L. APPENDIX 3: CRITERIA FOR DETERMINING DATA COMPLETENESS

Appendix 3 describes the criteria for determining whether a group or set of individual air quality measurements or statistics is sufficient to reflect the time of day and season of the year during which high concentrations are expected to occur. Under the designation criteria, the set of air quality measurements or statistics used for making designations of attainment or nonattainment-transitional must be complete. Staff proposes deleting the reference to October through December as the "Required Months" for nitrogen dioxide. With the addition of a State annual standard, nitrogen dioxide data need to be available for all 12 months of a year to be considered complete. Deleting the specific reference to nitrogen dioxide puts it under the category of "Other Pollutants," for which data must be available for January through December in order to be considered complete.

M. APPENDIX 4: SCREENING PROCEDURE FOR DETERMINING ATTAINMENT DESIGNATIONS FOR AREAS WITH INCOMPLETE AIR QUALITY DATA

Appendix 4 establishes a Screening Procedure for nitrogen dioxide, sulfur dioxide, sulfates, and lead that was originally adopted in 1989 and revised in 1996. The Screening Procedure applies to areas with limited or no air quality data for these four pollutants. Appendix 4 contains specific population and emissions threshold criteria that are now outdated. With the proposed amendments to section 70304(c), the Screening Procedure is no longer needed. Therefore, staff proposes deleting Appendix 4 to the designation criteria.

CHAPTER IV

PROPOSED AMENDMENTS TO THE AREA DESIGNATIONS

A. INTRODUCTION

This chapter describes the area designation process and the proposed changes to the area designation regulations. As required by H&SC section 39608, the Board updates the area designations each year, based on a review of data from the most recent three calendar years. This year's review is based on air quality data collected during the calendar years 2006 through 2008. These proposed changes amend the existing CCR, title 17, sections 60201, 60203, 60207, and 60210. Once adopted by the Board, the proposed amendments must be approved by the Office of Administrative Law before they become effective, with the exception of those that occur by operation of law.

Based on data collected during 2006 through 2008, the staff proposes changes to the area designations for four pollutants, as summarized below. Changes in area designation status are appropriate for ozone, nitrogen dioxide, lead, and $PM_{2.5}$. Summary tables of the designation values for these pollutants can be found in Attachment E. No changes are proposed for the remaining pollutants: carbon monoxide, PM_{10}, sulfur dioxide, sulfates, hydrogen sulfide, and visibility reducing particles.

- *Proposed Changes to Ozone Area Designations (section 60201):*
  - *Redesignate the Sonoma County portion of the North Coast Air Basin as Attainment.*
  - *Redesignate the Lake Tahoe Air Basin as Nonattainment.*
  - *Confirm the redesignation of Yuba and Sutter Counties in the Sacramento Valley Air Basin as Nonattainment-Transitional that occurred by operation of law.*

- *Proposed Changes to Nitrogen Dioxide Area Designations (section 60203):*
  - *Redesignate the South Coast Air Basin as Nonattainment.*

- *Proposed Changes to Lead (Particulate) Area Designations (section 60207):*
  - *Redesignate that portion of Los Angeles County in the South Coast Air Basin as Nonattainment.*

- *Proposed Changes to Fine Particulate Matter ($PM_{2.5}$) Area Designations (section 60210):*
  - *Redesignate the Great Basin Valleys Air Basin as Attainment.*
  - *Redesignate five counties in the Sacramento Valley Air Basin (Colusa, Placer (portion), Shasta, Sutter, and Yuba) as Attainment.*

B. DESIGNATION PROCESS

The area designations are based on air quality data for record as defined in section 70301 of the designation criteria. Data for record must meet established siting and quality assurance procedures. Generally, data for record are those data collected by the Board or the districts. However, data from other sources may also be considered, as long as they satisfy the established procedures.

The process used to designate an area with respect to a State standard is generally the same for each of the ten pollutants:

- Gather data for the three-year period for each site in the area;
- Evaluate data representativeness and data completeness for each site;
- Identify and exclude exceedances affected by highly irregular or infrequent events;
- Tabulate the number of exceedances and violations by site;
- Determine the designation value for each site in the area;
- Determine the designation value for the area; and
- Determine the appropriate area designation category.

Determining the designation value is the most critical part of the designation process because the designation value determines, in large part, the area designation. More detail about the designation value and how it is determined, is given in the following section.

C. DESIGNATION VALUE

The designation value is the measured concentration that is used to determine the designation status of a given area. In practice, the designation value is the highest measured concentration in the three year period that remains, after excluding measurements identified as affected by highly irregular or infrequent events.

Under Appendix 2 to the designation criteria, there are three types of highly irregular or infrequent events: extreme concentration events, exceptional events, and unusual concentration events. Each of these types of events is described more fully in Chapter II. The extreme concentration event is the most frequently used method for excluding values from the designation process. Using a statistical process, ARB staff computes a site-specific and pollutant-specific value for each State standard with an

averaging time of 24-hours or less. This computed value represents the concentration not expected to be exceeded more than once per year, on average, based on the distribution of data for the site. The resulting value, the Expected Peak Day Concentration (EPDC), is rounded to the precision of the State standard before being used. The measured or averaged (for example, 8-hour average) pollutant concentrations are also rounded and compared with the rounded EPDC. Any rounded concentrations that are higher than the rounded EPDC are excluded as extreme concentration events. Although the EPDC is designed to exclude an average of one exceedance per year, over the long-term, it will not necessarily exclude one exceedance per year during any particular three-year period. Depending on the distribution of the data, the EPDC will sometimes exclude more than one exceedance per year and sometimes less than one exceedance per year. In many cases, the EPDC will not exclude any exceedances during a given three-year period. Once the extreme concentrations are excluded from the database, the highest remaining concentration becomes the designation value for the site, unless it is identified as an exceptional event or unusual concentration event.

A designation value is determined for each pollutant, for each monitoring site in an area. The highest designation value for any site in the area becomes the designation value for the area. When there is more than one standard for a single pollutant, a designation value is determined for each standard averaging time. For example, there is both a 1-hour and an 8-hour State standard for ozone. As a result, there is a 1-hour designation value, as well as an 8-hour designation value. The final area designation reflects the more stringent designation category of the two averaging periods. Using ozone as an example, consider an area with a 1-hour ozone designation value that is lower than the standard, indicating attainment. In contrast, the 8-hour designation value for the same area may be higher than the State 8-hour standard, indicating nonattainment. In this case, the area would be designated as nonattainment for ozone because that is the more stringent designation category.

When there are less than three complete years of air quality data for a site, the EPDC may not be valid for area designation purposes. If the EPDC is not valid, no measurements are excluded as extreme concentration events. In this case, the designation value for a site is simply the highest measured concentration during the specified three-year period, after excluding measurements affected by exceptional events or unusual concentration events.

Finally, there is no EPDC for State annual standards and the designation value is the highest annual average concentration in the three-year period.

D. OZONE

The State ozone standards are a 1-hour standard of 0.09 ppm and an 8-hour standard of 0.070 ppm, neither to be exceeded. Both of these standards must be met for an area to be attainment.

Based on data collected during 2006 through 2008, the staff recommends a change in the ozone designation for four areas. As described previously, the change from ozone nonattainment to nonattainment-transitional occurs by operation of law. Similarly, the change from ozone nonattainment-transitional back to nonattainment also occurs by operation of law. In these cases, the Board simply confirms the change based on guidelines set forth in the designation criteria, and takes the steps necessary to make sure the change is reflected in the area designation regulations. In contrast, all other designation changes for ozone require Board action.

1. Lake Tahoe Air Basin

The staff recommends that the Board redesignate the Lake Tahoe Air Basin as nonattainment for ozone. The Lake Tahoe Air Basin is comprised of the eastern portions of El Dorado and Placer counties. This area is currently designated as unclassified. During 2006 through 2008, monitoring data are available for one site located at the South Lake Tahoe Airport. Data for this site are representative and complete, with violations of the State 8-hour ozone standards. The site has an 8-hour ozone designation value of 0.077 ppm and had twelve violations of the 8-hour ozone standard during the three year period.

2. North Coast Air Basin

a. Sonoma County

The staff recommends that the Board redesignate Sonoma County as attainment for ozone. Sonoma County is located in the North Coast Air Basin and is currently designated as nonattainment. During 2006 through 2008, monitoring data are available for one site located in the City of Healdsburg. Data for this site are representative and complete, with no violations of the State 1-hour or 8-hour ozone standards. The site has an 8-hour ozone designation value of 0.065 ppm and meets all the requirements for attainment, as specified in the designation criteria. Because the remaining portion of the North Coast Air Basin is already designated attainment, this change will bring the entire Basin into attainment.

3. Sacramento Valley Air Basin

a. Yuba and Sutter Counties

The staff recommends that the Board confirm the change in designation for Yuba and Sutter Counties to nonattainment-transitional and amend the area designation regulations to reflect this change that occurred by operation of law. The Yuba and Sutter Counties include the Feather River Air Quality Management District. Yuba and Sutter Counties are located in the Sacramento Valley Air Basin and are currently designated as nonattainment. During 2006 through 2008, monitoring data are available

for one site located in Yuba City. Data for this site are representative and complete. The site has an 8-hour ozone designation value of 0.082 ppm, and meets all the requirements for nonattainment-transitional, with three or fewer exceedances in each year during the three year period, as well as the current calendar year, as specified in the designation criteria.

E. NITROGEN DIOXIDE

The Air Resources Board established a 1-hour nitrogen dioxide (NO_2) standard of 0.25 ppm in 1992, and the entire State has attained the standard since 1995. In 2007, after an extensive review of scientific literature, the Air Resources Board lowered the 1-hour NO_2 standard to 0.18 ppm and established a new annual average NO_2 standard of 0.030 ppm. The standards were approved by the Office of Administrative Law and became effective on March 20, 2008.

ARB staff recommendations are, for the first time, based on air quality data with respect to both the revised 1-hour NO_2 and new annual average NO_2 standards. If either standard is violated, the area must be designated as nonattainment. Although the 1-hour NO_2 standard was strengthened, all areas in California continue to meet the more stringent standard. However, the South Coast Air Basin violates the annual average NO_2 standard. Monitoring data is provided in Table IV-1 for the both the 1-hour and annual average designation values.

The annual average NO_2 concentration is calculated using a prescribed methodology. The first step is to truncate hourly values to the precision of the standard and then calculate a quarterly average. Data for each quarter must be complete. The quarterly averages are truncated, then averaged together to determine an annual average. The annual average is then rounded to three decimal places, to be consistent with the precision of the annual standard. The highest annual average for the most recent three year period becomes the designation value. Any site having an annual average concentration greater than 0.030 ppm is designated nonattainment.

1. South Coast Air Basin

The staff recommends that the Board redesignate the South Coast Air Basin as nonattainment for the nitrogen dioxide (NO_2) standard. The air basin is currently designated as attainment. During 2006 through 2008, monitoring data are available for 13 sites located throughout the air basin, and are representative and complete. The NO_2 standard was exceeded at 3 monitoring sites located in Lynwood and Pomona in Los Angeles County and Upland in San Bernardino County. The air basin has an annual NO_2 designation value of 0.031 ppm, and meets all the requirements for nonattainment, as specified in the designation criteria.

TABLE IV-1
Proposed Area Designations for the State Nitrogen Dioxide Standard[1]

Air Basin	Annual Average Designation Site	Annual Average DV [0.030 ppm]	Designation Based on Annual Average	1-Hour Designation Site	1-Hour DV [0.18 ppm]	Designation Based on 1-Hour Standard	Purposed Designation
Mojave Desert	Barstow	0.022	A	Barstow	0.09	A	**A**
Mountain Counties	Grass Valley	0.003	A	Grass Valley	0.04	A	**A**
North Central Coast	Salinas-#3	0.007	A	Salinas-#3	0.05	A	**A**
North Coast	Willits	0.009	A	Willits	0.04	A	**A**
Sacramento Valley	Sacramento-T St	0.016	A	North Highlands	0.13	A	**A**
Salton Sea	Calexico-Ethel	0.014	A	Calexico-Ethel	0.10	A	**A**
San Diego	Otay Mesa	0.024	A	Otay Mesa	0.11	A	**A**
San Francisco Bay Area	San Jose	0.018	A	San Jose	0.07	A	**A**
San Joaquin Valley	Bakersfield-Golden	0.021	A	Shafter	0.09	A	**A**
South Central Coast	Simi Valley	0.013	A	Santa Barbara	0.06	A	**A**
South Coast	Lynwood/ Pomona/ Upland	0.031	N	Los Angeles-North Main	0.12	A	**N**

(1) Based on ambient Nitrogen Dioxide data collected during 2006, 2007 and 2008. Areas without monitoring data are not included in the table.

DV = Designation Value, A = Attainment, and N = Nonattainment.

F. LEAD (PARTICULATE)

The State lead standard is a 30-day average concentration of 1.5 micrograms per cubic meter ($\mu g/m^3$). This concentration is not to be equaled or exceeded.

1. South Coast Air Basin

a. Los Angeles County

The staff recommends that that the Board redesignate the Los Angeles County portion of the South Coast Air Basin as nonattainment for lead. That portion of Los Angeles County, located in the South Coast Air Basin, is currently designated attainment.

The South Coast Air Quality Management District (District) has collected lead data at

several sites in Los Angeles County for a number of years. Several of these sampling sites are located near lead-related facilities and were established as part of the District's Rule 1420 (Emissions Standard for Lead) that was adopted in September 1992. The purpose of Rule 1420 is to reduce lead emissions from non-vehicular sources. It applies to all facilities that use or process materials containing lead, including primary or secondary lead smelters, foundries, lead-acid battery manufacturers or recyclers, as well as facilities that produce lead-oxide, brass, and bronze. The samplers are located at or beyond the property line of the facility and comply with ARB and U.S. EPA siting and operating criteria. Lead samples are generally collected on a 1-in-6 day schedule, although samples can be collected more frequently at sites with the highest concentrations.

Monitoring data has been collected at several sites throughout the basin during 2006 through 2008. In 2008, monitoring data for one site located near a lead emissions facility violated the State lead standard. The designation value is 2.9 $\mu g/m^3$. Because lead concentrations drop off fairly rapidly with distance from the source, ARB staff recommends the nonattainment area be limited to the portion of Los Angeles County that is located in the South Coast Air Basin.

G. FINE SUSPENDED PARTICULATE MATTER ($PM_{2.5}$)

There is one State $PM_{2.5}$ standard: an annual average of 12 $\mu g/m^3$, calculated as an annual arithmetic mean. This concentration is not to be exceeded. Based on data collected during 2006 through 2008, several areas qualify for redesignation as attainment.

1. Great Basin Valleys Air Basin

The staff recommends that the Board redesignate the Great Basin Valleys Air Basin (GBVAB) as attainment for $PM_{2.5}$. The GBVAB is located in the east central portion of California and is comprised of Alpine, Mono, and Inyo Counties.

Data completeness criteria, set forth in "Criteria for Determining Data Completeness" contained in Appendix 3 to CCR, title 17, section 70304, allows for the use of two years of complete data, if the maximum pollutant concentration is less than three-fourths the applicable state ambient air quality standard. During 2007 through 2008, monitoring data for the Keeler-Cerro Gordo monitoring site were below the three-fourths requirements with the annual average designation value at 7 µg/m3. Based on these data, Great Basin Valleys Air Basin qualifies for attainment for $PM_{2.5}$.

2. Sacramento Valley Air Basin

The staff recommends that the Board redesignate five counties in the Sacramento Valley Air Basin (SVAB) as attainment for $PM_{2.5}$. The SVAB is located in the north central portion of California and is comprised of the following areas: Butte County,

Colusa County, Glenn County, western Placer County, Sacramento County, Shasta County, eastern Solano County, Sutter County, Tehama County, Yolo County, and Yuba County. Based on the most recent 2006 to 2008 data, the following areas have a change in designation status.

a. Colusa County

The staff recommends that the Board redesignate Colusa County as attainment. Colusa County comprises the Colusa County Air Pollution Control District and is currently designated as unclassified for $PM_{2.5}$.

During 2006 through 2008, air quality data are available for the monitoring site in the City of Colusa. The annual average concentrations for Colusa-Sunrise are valid and complete for 2006 and 2007. While the annual average concentration from the primary monitor in 2008 was incomplete due to missing data, data from the California Approved Sampler Beta Attenuation Method (BAM) monitor was available. Per ARB procedures, data from the BAM monitor was substituted for missing values to calculate a valid and complete annual average for 2008.

In addition, the 2008 Northern California Wildfires heavily influenced concentrations on a number of sampling days during the summer of 2008. These values were determined to be due to an exceptional event as determined by the criteria in Appendix 2, and were not used in calculating the annual average.

The estimated State designation value for Colusa-Sunrise is 10 µg/m3. Based on these data, Colusa County qualifies as attainment for $PM_{2.5}$.

b. Placer County (SVAB portion)

The staff recommends that the Board redesignate that portion of Placer County within the SVAB as attainment. Placer County comprises the Placer County Air Pollution Control District, the eastern portion residing in the Mountain Counties and Lake Tahoe Air Basins, with the western portion within the SVAB. The SVAB portion of Placer County is currently designated as nonattainment for $PM_{2.5}$.

During 2006 through 2008, data are available for the monitoring site at Roseville. Data for Roseville do not show any violations of the State standard during the three-year period. In addition, the 2008 Northern California Wildfires heavily influenced concentrations on a number of sampling days during the summer of 2008. These values were determined to be due to an exceptional event as determined by the criteria in Appendix 2, and were not used in calculating the annual average.

The estimated State designation value for Roseville is 12 µg/m3. Based on these data, that portion of Placer County in the SVAB qualifies as attainment for $PM_{2.5}$.

c. *Shasta County*

The staff recommends that the Board redesignate Shasta County to attainment. Shasta County comprises the Shasta County Air Quality Management District and is currently designated as unclassified for $PM_{2.5}$.

During 2006 through 2008, data are available for the monitoring site in Redding. Data for Redding do not show any violations of the State standard during the three-year period. In addition, the 2008 Northern California Wildfires heavily influenced concentrations on a number of sampling days during the summer of 2008. These values were determined to be due to an exceptional event as determined by the criteria in Appendix 2, and were not used in calculating the annual average.

The estimated designation value for Redding is 9 µg/m3. Based on these data, Shasta County qualifies as attainment for $PM_{2.5}$.

d. *Sutter and Yuba Counties*

The staff recommends that the Board redesignate Sutter and Yuba counties to attainment. Sutter and Yuba counties comprise the Feather River Air Quality Management District (Feather River AQMD) and are currently designated as unclassified for $PM_{2.5}$.

This redesignation is based on 2006 through 2008 data for the Yuba City monitoring site, located in Sutter County. There is no $PM_{2.5}$ monitoring site located in Yuba County. However, the two most populated areas in the two counties, Yuba City in Sutter County and Marysville in Yuba County, form a contiguous urbanized area, separated only by the Feather River. Because the two towns are so close in proximity, the Yuba City site can be used to represent air quality in both counties.

During 2006 through 2008, air quality data are available for the monitoring site in Yuba City. The annual average concentrations for the Yuba City monitoring site are valid and complete for 2006 and 2008. While the annual average concentration from the primary monitor in 2007 was incomplete due to missing data, data from the California Approved Sampler Beta Attenuation Method (BAM) monitor was available. Per ARB procedures, data from the BAM monitor was substituted for missing values to calculate a valid and complete annual average for 2007.

In addition, the 2008 Northern California Wildfires heavily influenced concentrations on a number of sampling days during the summer of 2008. These values were determined to be due to an exceptional event as determined by the criteria in Appendix 2, and were not used in calculating the annual average.

The estimated designation value for the Yuba City monitoring site is 11 $\mu g/m^3$. Based on these data, the Feather River AQMD qualifies as attainment for $PM_{2.5}$.

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CHAPTER V

ALTERNATIVES TO THE PROPOSED AMENDMENTS

State law (H&SC section 39607(e)) requires the Board to establish criteria for designating areas as attainment, nonattainment, or unclassified for the State standards. State law (H&SC section 39608(c)) further requires the Board to use the designation criteria in an annual review of the area designations.

ARB staff's proposed amendments to the area designations are described in Chapter IV. The proposed area designations reflect the application of the designation criteria set forth in CCR, title 17, sections 70300 through 70306 and Appendices 1 through 4, thereof. Each proposed area designation is accompanied by a discussion of its basis and justification. ARB staff have considered the potential alternatives to the proposed amendments (namely, the no action alternative). However, based on the available data, ARB staff find the proposed amendments are more appropriate than the no action alternative because the no action alternative would not be consistent with State law. In addition, the no action alternative would not inform the public about the healthfulness of air quality based on the most recent data.

ARB staff also considered the potential alternatives to the proposed changes to the area designations process (namely, the no action alternative). ARB staff has determined that the proposed process change is the preferred alternative because it facilitates a more streamlined review and adoption of area designations. This in turn will facilitate a more efficient dissemination of information to the public about the healthfulness of air quality. While the process is streamlined, the opportunity for public participation (e.g., notification of proposed changes, public discussions, final statement of reasons, availability of the rulemaking file, etc.) remains unchanged.

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CHAPTER VI

IMPACTS OF THE PROPOSED AMENDMENTS

A. ECONOMIC IMPACTS

ARB staff do not expect the proposed amendments to have any adverse impacts on California employment, business status, or competitiveness.

1. Legal Requirement

The Government Code requires State agencies proposing to adopt or amend any administrative regulation to assess the potential for adverse economic impact on California business enterprises and individuals. The assessment shall include consideration of the impact of the proposed regulatory amendments on California jobs, business expansion, elimination, or creation, and the ability of California businesses to compete in other states.

State agencies are also required to estimate the cost or savings to any State or local agency and school district in accordance with instructions adopted by the Department of Finance. This estimate is to include non-discretionary costs or savings to local agencies and the costs or savings in federal funding to the State.

2. Potential Impact on Businesses, Business Competitiveness, Employment, and Business Creation, Elimination, or Expansion

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed amendments are presented below.

The proposed amendments to the area designation regulations do not contain any requirements for action. The area designations are simply labels that describe the healthfulness of the air quality in each area, although subsequent requirements for action may result after additional steps, such as plan preparation and approval, are taken. Because the area designation regulations by themselves contain no requirements for action, they have no direct economic impact, and the following general determinations are appropriate.

The proposed changes to the area designations process requires a public hearing before the Executive Officer or his or her delegate if requested pursuant to Government Code section 11346.8(a). Therefore, if a stakeholder wants a public hearing, he or she must submit a written request to ARB. There is no fee associated with the request. Therefore, the only cost associated with this change will be the cost of preparing and submitting the request, which is anticipated to be minimal.

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Executive Officer also has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California.

The Executive Officer has also determined, pursuant to title 1, CCR, section 4, that the proposed regulatory action will not affect small businesses because the proposed regulatory action does not contain any requirements for action.

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

3. Potential Cost to Local and State Agencies

Similar to the previous discussion, the area designations do not contain any requirements for action, and these regulations have no direct economic impact. Therefore, pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action will not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district whether or not reimbursable by the State under Part 7 (commencing with section 17500), Division 4, Title 2 of the Government Code, or other nondiscretionary savings to State or local agencies.

Before taking final action on the proposed amendments to the regulations, the Board must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CHAPTER VII

ENVIRONMENTAL IMPACTS AND ENVIRONMENTAL JUSTICE

A. INTRODUCTION

The intent of the proposed regulatory action is to identify areas with unhealthy ambient air quality. Adopting the proposed amendments to the area designations will not result in any direct impact on public health or the environment because the regulations do not contain any requirements for action. However, because State law specifies certain requirements based on an area's designation status, there may be indirect benefits, based on the area designations.

B. AIR QUALITY AND ENVIRONMENTAL BENEFITS

The area designations do not contain any requirements for action, and therefore, they will not result in any air quality or environmental benefits. However, the area designations do label areas with respect to the healthfulness of their air quality. Based on these labels, certain planning requirements may come into play, thereby providing some indirect benefits to air quality and the environment.

The proposed amendments to the area designations would change the State ozone designations for five areas and the State nitrogen dioxide designations for one area. Under State law, there are specific planning requirements for areas designated as nonattainment for ozone, nitrogen dioxide, sulfur dioxide, and carbon monoxide, or nonattainment-transitional for ozone and carbon monoxide. Furthermore, areas designated as attainment are required to adopt and implement rules and regulations necessary to maintain attainment status. The goal of these planning requirements is to bring the area into attainment as expeditiously as practicable. Therefore, these requirements will result in air quality and environmental benefits.

The staff are proposing one change to the State lead designations. This change would designate an area as nonattainment. Areas designated as nonattainment for a State standard are expected to attain the State standard as expeditiously as possible, but there are no planning requirements for districts designated as nonattainment for the State lead standard.

The staff are also proposing six changes to the State $PM_{2.5}$ designations. These changes would designate areas as attainment. Areas designated as attainment for any pollutant are required to adopt and implement the rules and regulations necessary to maintain attainment status. These requirements will result in air quality and environmental benefits.

The proposed changes to the area designations process requires a public hearing

before the Executive Officer or his or her delegate if requested pursuant to Government Code section 11346.8(a). Currently, a public hearing before the Board always occurs prior to adopting any changes to the area designations. As Board hearings may occur at locations requiring travel, even when stakeholders have no comments, the proposed process change is anticipated to reduce emissions and the use of natural resources associated with travel, presentations at the hearing, and publication of documents for the hearing.

C. ENVIRONMENTAL JUSTICE

The Board is committed to evaluating community impacts of proposed regulations, including environmental justice concerns. Because some communities experience higher exposures to air pollutants, it is a priority of the Board to ensure that full protection is afforded to all Californians. The proposed amendments to the area designations do not contain any requirements for action. However, the area designations are designed to identify areas with unhealthful air quality, based on the most recently available data.

Based on an area's designation category, there may be specific planning requirements for improving the level of air quality. These requirements will result in reduced emissions for all nonattainment communities throughout the State. Furthermore, although State law does not impose any specific planning requirements upon districts with areas designated as attainment or unclassified, State law does require districts and the Board to make a coordinated effort to protect and enhance the ambient air quality (H&SC sections 39001 through 39003). As part of this effort, the districts must adopt rules and regulations sufficiently effective to achieve and maintain the State standards (H&SC sections 40001 and 41500). These requirements will result in improved air quality in communities throughout the State, with associated lower potential health risks.

The proposed changes to the area designations process requires a public hearing before the Executive Officer or his or her delegate if requested pursuant to Government Code section 11346.8(a). These changes, however, do not eliminate the Environmental Justice community's opportunity for public participation and are not expected to result in significant negative imparts in any community.

ATTACHMENT A

PROPOSED 2010 AMENDMENTS TO THE

AREA DESIGNATION CRITERIA

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PROPOSED REGULATION ORDER

PROPOSED 2010 AMENDMENTS TO THE AREA DESIGNATION CRITERIA

CALIFORNIA CODE OF REGULATIONS, TITLE 17, DIVISION 3
CHAPTER 1. AIR RESOURCES BOARD
SUBCHAPTER 1.5. AIR BASINS AND AIR QUALITY STANDARDS
ARTICLE 3. CRITERIA FOR DETERMINING AREA DESIGNATIONS
SECTIONS 70300 THROUGH 70306, AND APPENDICES 1 THROUGH 4, THEREOF

[Note: Proposed deletions are shown in ~~strikeout~~ and proposed additions as underline. The symbol "* * * * *" means that intervening text not being amended is not shown.]

§ 70300. General Statement of Purpose.

The objective of these criteria is to guide the ~~state board~~Executive Officer or his or her delegate in making designations of areas as attainment, nonattainment, nonattainment-transitional, or unclassified for each of the pollutants for which state ambient air quality standards have been established in Section 70200.

NOTE: Authority cited: Sections 39600, 39601, 39607, 39608, and 40925.5, Health and Safety Code. Reference: Sections 39607, 39608, and 40925.5, Health and Safety Code.

§ 70301. Air Quality Data Used for Designations.

(a) Except as otherwise provided in this article, designations shall be based on "data for record."

(1) Data for record are those data collected by or under the auspices of the state board or the districts for the purpose of measuring ambient air quality, and which the ~~executive officer~~Executive Officer or his or her delegate has determined comply with the siting and quality assurance procedures established in Part 58, Title 40, Code of Federal Regulations~~, as they existed on July 1, 1987,~~ or other equivalent procedures.

(2) Any other data which are provided by a district or by any other person will be data for record if the ~~executive officer~~Executive Officer or his or her delegate determines within 90 days of submittal of complete supporting documentation that the data comply with the siting and quality assurance procedures established in Part 58, Title 40, Code of Federal Regulations~~, as they existed on July 1, 1987,~~ or other equivalent procedures. If the ~~executive officer~~Executive Officer or his or her delegate finds there is good cause that 90 days is insufficient time to make a determination, ~~he/she~~he or she may after notification of the

person requesting the data review extend the deadline for completion ~~for~~of the data review.

(b) Except as otherwise provided in this article, designations and reviews of designations will be based on data for record for the three calendar years prior to the year in which the designation is made or the annual review of the designation is conducted.

(c) Data as described in section 70301(a)(1) and (2) become data for record upon completion of the ~~executive officer's~~Executive Officer's or his or her delegate's review.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

§ 70302. Geographic Extent of Designations.

(a) An air basin will be the area designated for ozone, nitrogen dioxide, suspended particulate matter (PM10), fine suspended particulate matter (PM2.5), sulfates, and visibility reducing particles. Provided, however, if the ~~state board~~Executive Officer or his or her delegate finds (based on air quality data, meteorology, topography, or the distribution of population and emissions) that there are areas within an air basin with distinctly different air quality deriving from sources and conditions not affecting the entire air basin, the ~~state board~~Executive Officer or his or her delegate may designate an area smaller than an air basin using political boundary lines to the extent practicable. In designating an area smaller than an air basin as nonattainment, the ~~state board~~Executive Officer or his or her delegate will include within the area those sources whose emissions contribute to a violation of a state standard for that pollutant. Contiguous areas which would have the same designation within an air basin will be one designated area.

(b) A county or the portion of a county which is located within an air basin will be the area designated for carbon monoxide, sulfur dioxide, lead (particulate), and hydrogen sulfide. Provided, however, if the ~~state board~~Executive Officer or his or her delegate finds (based on air quality data, meteorology, topography, or the distribution of population and emissions) that there are areas within the county with distinctly different air quality, it may designate a smaller area. In designating an area smaller than a county as nonattainment, the ~~state board~~Executive Officer or his or her delegate will include within the area those sources whose emissions contribute to a violation of a state standard for that pollutant.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 38608, Health and Safety Code.

§ 70303. Criteria for Designating an Area as Nonattainment.

(a) The ~~state board~~Executive Officer or his or her delegate will designate an area as nonattainment for a pollutant if:

(1) Data for record show at least one violation of a state standard for that pollutant in the area, and the measurement of the violation meets the representativeness criteria set forth in "Criteria for Determining Data Representativeness" contained in Appendix 1 to this article; or

(2) Limited or no air quality data were collected in the area, but the ~~state board~~Executive Officer or his or her delegate finds, based on meteorology, topography, and air quality data for an adjacent nonattainment area, that there has been at least one violation of a state standard for that pollutant in the area being designated.

(b) An area will not be designated as nonattainment if the only recorded exceedance(s) of that state standard were based solely on data for record determined to be affected by a highly irregular or infrequent event. Data affected by a highly irregular or infrequent event will be identified as such by the ~~executive officer~~Executive Officer or his or her delegate in accordance with the "Air Resources Board Procedure for Reviewing Air Quality Data Possibly Affected by a Highly Irregular or Infrequent Event," set forth in Appendix 2 to this article.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607, and 39608, Health and Safety Code.

§ 70303.1. Criteria for Designating an Area as Nonattainment-Transitional for Pollutants Other than Ozone.

(a) Nonattainment-transitional is a subcategory of the nonattainment designation. The ~~state board~~Executive Officer or his or her delegate will~~, if requested by a district no later than May 1 of each year pursuant to section 70306,~~ identify that portion of a designated area within the district as nonattainment-transitional for a pollutant other than ozone with a state standard averaging time less than or equal to 24 hours and for which samples are routinely collected every day if it finds that:

(1) Data for record for the previous calendar year are consistent with the criteria established in section 70304(a)(2) and show two or fewer days at each site in the area with violations of a state standard for that pollutant (not including exceedances found to be affected by a highly irregular or infrequent event under the procedure set forth in Appendix 2 to this article);

(2) Evaluation of multi-year air quality, meteorological and emission data indicates that ambient air quality either has stabilized or is improving and that every site in the area is expected to reach attainment within three years; and

(3) The geographic extent of the area is consistent with the criteria established in section 70302.

(b) An area designated as nonattainment-transitional for a pollutant is close to attaining the state standard(s) for that pollutant. The nonattainment-transitional designation provides an opportunity for a district to review and potentially to modify its attainment plan. Any modification to an attainment plan must be consistent with state and federal regulations and statutes.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

§ 70303.5. Requirements for Ozone Nonattainment-Transitional.

(a) If an area within an air basin is designated as nonattainment for ozone, that area is designated as nonattainment-transitional for ozone if the following conditions are met:

(1) The area is an entire district within an air basin, or the area is the entire portion of a district within an air basin consistent with the criteria established in section 70302(a);

(2) Data for record consistent with the criteria established in section 70304(a)(2) are used to determine the number of exceedances for the previous calendar year at each monitoring location in the area;

(3) All data collected during the previous calendar year are considered in the evaluation, including data possibly affected by a highly irregular or infrequent event under the procedure set forth in Appendix 2 to this article;

(4) Each day with concentration(s) that exceed the state ozone standard is counted as one exceedance day; and

(5) No monitoring location in the area has more than three exceedance days during the previous calendar year.

(b) If an area qualifies for designation as nonattainment-transitional for ozone for the previous calendar year under section 70303.5(a), and the ~~executive officer~~Executive Officer or his or her delegate has determined that data for the current calendar year indicate more than three exceedance days at any one monitoring location, that area is

designated as nonattainment.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 40925.5, Health and Safety Code. Reference: Sections 39607 and 40925.5, Health and Safety Code.

§ 70304. Criteria for Designating an Area as Attainment.

(a) The ~~state board~~Executive Officer or his or her delegate will designate an area as attainment for a pollutant if:

(1) Data for record show that no state standard for that pollutant was violated at any site in the area; and

(2) Data for record meet representativeness and completeness criteria for a location at which the pollutant concentrations are expected to be high based on the spatial distribution of emission sources in the area and the relationship of emissions to air quality. Data representativeness criteria are set forth in "Criteria for Determining Data Representativeness" contained in Appendix 1 to this article. Data completeness criteria are set forth in "Criteria for Determining Data Completeness" contained in Appendix 3 to this article.

(b) Where there are limited or no air quality data for an area, the ~~state board~~Executive Officer or his or her delegate will designate the area as attainment for a pollutant if it finds that no state standard for that pollutant has been violated in that area based on:

(1) Air quality data collected in the area during the most recent period since 1980 which meet the conditions in (a) above;

(2) Emissions of that pollutant or its precursors in the area have not increased since that period to a level at which the state standard might be exceeded; and

(3) Air quality data collected in the area since the time period in (1) above do not show a violation of the state standard.

(c) If an area is designated as attainment and now~~Where an area~~ has limited or no air quality data for record for carbon monoxide, nitrogen dioxide, sulfur dioxide, sulfates, ~~and~~or lead (particulate), the ~~state board~~Executive Officer or his or her delegate shall continue to designate that area attainment for the respective pollutant if:~~a pollutant if it finds that no state standard for that pollutant has been violated in that area based on the "Screening Procedure for Determining Attainment Designations for Areas with Incomplete Air Quality Data" set forth in Appendix 4 to this article.~~

(1) Emissions of that pollutant or its precursors in the area have not increased since

the area was most recently designated as attainment to a level at which the state standard might be exceeded.

(d) A nonattainment area will not be redesignated as attainment for a pollutant if:

(1) Data for record for the monitoring site showing the greatest violation of a state standard for that pollutant no longer are available; and

(2) No other site has been identified as equivalent by the ~~executive officer~~Executive Officer or his or her delegate.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

§ 70305. Criteria for Designating an Area as Unclassified.

The ~~state board~~Executive Officer or his or her delegate will designate an area as unclassified for a pollutant if it finds that, except as otherwise provided in this article, the data do not support a designation of attainment or nonattainment.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

§ 70306. Annual Review of Designations.

(a) The eExecutive ~~o~~Officer or his or her delegate will conduct annual reviews of all designations and will ~~propose revisions to the designations as necessary to the state board~~hold a public hearing if requested pursuant to Government Code section 11346.8(a). ~~The executive officer will complete the annual reviews by November 15.~~

(b) Any request for a change in a designation and any submittal of information for purposes of the ~~executive officer's~~Executive Officer's or his or her delegate's consideration in the annual review of a designation shall be provided in writing to the ~~executive officer~~Executive Officer no later than May 1 of each year.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

* * * * *

Appendix 2

Air Resources Board Procedure for Reviewing Air Quality Data Possibly Affected by a Highly Irregular or Infrequent Event

This Appendix describes the procedures that the Air Resources Board will use for reviewing air quality data possibly affected by a highly irregular or infrequent event with regard to the state ambient air quality standards. All decisions regarding the identification of data as being affected by a highly irregular or infrequent event will be made by the ~~executive officer~~Executive Officer or his or her delegate.

The ~~executive officer~~Executive Officer or his or her delegate will review air quality data for possible identification as affected by a highly irregular or infrequent event if the data are the only exceedances of a state ambient air quality standard in the area or if such identification would otherwise affect the designation of the area.

Three types of highly irregular or infrequent events may be identified:

1. Extreme Concentration Event.
2. Exceptional Event.
3. Unusual Concentration Event.

Extreme Concentration Events

An extreme concentration event is an event beyond reasonable regulatory control which causes an exceedance of a state standard. An extreme concentration event is based on a statistical procedure and may not always be linked to a specific identifiable cause. The causes of an extreme concentration event include but are not limited to unusual meteorology.

The steps for identifying an extreme concentration event are:

1. A district (or the ~~executive officer~~Executive Officer or his or her delegate) identifies questionable data.

2. In evaluating a possible extreme concentration event, the ~~executive officer~~Executive Officer or his or her delegate will use the data for the site at which the event is suspected to determine a limit for concentrations expected to recur no more frequently than once in one year. The limit will be determined using the "exponential tail method" described in Procedure for Computing the Values Used in Identifying Extreme Concentration Events (August 1998), which is incorporated by reference herein.

Using conventional rounding procedures, the limit will be consistent with the level of precision in which the state standard is expressed. If the possible extreme concentration exceeds the concentration expected to recur no more frequently than once in one year, the ~~executive officer~~Executive Officer or his or her delegate will consult with the district in identifying the data as affected by an extreme concentration event.

3. When an extreme concentration event is identified, the ~~executive officer~~Executive Officer or his or her delegate will review other information, including but not limited to meteorological data, to determine whether air quality data for other sites in the area were affected by the extreme concentration event.

Exceptional Events

An exceptional event is an event beyond reasonable regulatory control which causes an exceedance of a state standard. An exceptional event must be linked to a specific cause such as an act of nature or unusual human activity. The federal Environmental Protection Agency (EPA) has published guidelines and rules to assist~~As guidance to~~ the states ~~for~~in determining exceptional and natural events~~, the federal Environmental Protection Agency (EPA) has published Guideline on the Identification and Use of Air Quality Data Affected by Exceptional Events, (EPA-450/4-86-007), July 1986 (the EPA Guideline)~~. These EPA g~~G~~uidelines and rules provides overall criteria for determining whether an event is exceptional with regard to the national standards. The ~~executive officer~~Executive Officer or his or her delegate will use the EPA g~~G~~uidelines and rules as a general basis for reviewing ambient data, but will not be bound by the specific definitions in the EPA g~~G~~uidelines and rules for the various types of exceptional events because those definitions are made on a national basis. In addition, since what may be exceptional in one part of the state may be common in another, each possible event will be evaluated on a case-by-case basis.

The steps for identifying an exceptional event are:

1. A district (or the ~~executive officer~~Executive Officer or his or her delegate) identifies questionable data.

2. If a known exceptional event has occurred, the district gathers relevant data to document the occurrence.

3. If an exceptional event is only suspected, the district investigates available data for the possible event.

4. The district submits to the ~~executive officer~~Executive Officer or his or her delegate a request for identifying the data as affected by an exceptional event and also provides supporting documentation.

5. If the ~~executive officer~~Executive Officer or his or her delegate concurs with the district, he or she will identify the data as affected by an exceptional event.

6. If the district's request for identifying data as affected by an exceptional event cannot be supported, the district will be notified of the reasons. The ~~executive officer~~Executive Officer or his or her delegate will consider any additional data to support the request, but in the absence of any new evidence, will disapprove the request.

Unusual Concentration Events

An unusual concentration event is an event which causes an anomalous exceedance of a state standard and which does not qualify as an extreme concentration event or an exceptional event. An exceedance affected by an unusual concentration event may be identified only for an area designated as attainment or unclassified at the time of the exceedance.

The steps for identifying an unusual concentration event are:

1. A district (or the ~~executive officer~~Executive Officer or his or her delegate) identifies a questionable exceedance(s).

2. If the exceedance(s) has not been identified as having been affected by an extreme concentration event or an exceptional event, and if the area was designated as attainment or unclassified at the time of the exceedance(s), the ~~executive officer~~Executive Officer or his or her delegate will review the exceedance(s) to determine whether it was affected by an unusual concentration event.

3. In evaluating a possible unusual concentration event, the ~~executive officer~~Executive Officer or his or her delegate will consider all relevant information, including but not limited to the amount and characteristics of air quality data, emission data, meteorological data, potential public health and welfare impacts, and any applicable state, district, and federal rules and regulations. To identify the exceedance(s) as affected by an unusual concentration event, the ~~executive officer~~Executive Officer or his or her delegate must find, based on the relevant information, that the impact of the exceedance(s) is limited to the local area, the exceedance(s) is not expected to recur, and that the data do not support a nonattainment designation.

4. If the exceedance(s) qualifies as possibly affected by an unusual concentration event, the ~~executive officer~~Executive Officer or his or her delegate will consult with the district in identifying the exceedance(s) as affected by an unusual

concentration event.

5. An area may retain its attainment or unclassified designation based on the identification and exclusion of an exceedance(s) affected by an unusual concentration event for no more than three consecutive years. If the ~~executive officer~~Executive Officer or his or her delegate identifies an exceedance(s) affected by an unusual concentration event in the area in the fourth consecutive year, the area will be redesignated as nonattainment.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

Appendix 3

Criteria for Determining Data Completeness

This Appendix describes the criteria to be used in determining data completeness for the purpose of designating areas as described in this article. These Criteria for Determining Data Completeness (Completeness Criteria) apply only to air quality data used in designating an area as attainment or nonattainment-transitional. Air quality data used in designating an area as nonattainment do not need to be complete. The purpose of these Completeness Criteria is to specify the minimum amount of data deemed necessary to ensure that sampling occurred at times when a violation is most likely to occur.

After a set or group of air quality measurements or statistics are deemed representative under the Criteria for Determining Data Representativeness set forth in Appendix 1 to this article, they are then evaluated under these Completeness Criteria to ensure that the group of representative measurements or statistics reflect the time of day and the season of the year during which high concentrations are likely to occur.

Complete Data

Data for a site will be complete if there are representative data (as determined in accordance with the Representativeness Criteria in Appendix 1 to this article) during the required hours (see below) of the day during the required months (see below) for the required years (see below).

Required Hours

The hours of potentially high concentration must be included. Unless a detailed evaluation determines different hours to be appropriate for a specific site, these hours are:

Pollutant	*Hours (PST)*
Ozone	9 am - 5 pm
Carbon Monoxide	3 pm - 9 am (next day)
Nitrogen Dioxide	8 am - 8 pm
Visibility Reducing Particles	10 am - 6 pm
Other Pollutants	Throughout day

Required Months

The months of potentially high concentrations must be included. Unless a detailed evaluation determines different months to be appropriate for a specific site, these months are:

Pollutant	*Months*
Ozone	July - September
Carbon Monoxide	January, November - December
~~Nitrogen Dioxide~~	~~October - December~~
Sulfur Dioxide	September - December
Sulfates	January, June - December
Lead (Particulate)	January, November - December
Other Pollutants	January – December

Required Years for an Attainment Designation

The number of years to be included for an attainment designation is:

a) Three; or
b) Two, if during these years the maximum pollutant concentration (not including data found to be affected by a highly irregular or infrequent event under the procedure set forth in Appendix 2 to this article) is less than three-fourths the applicable state ambient air quality standard; or
c) One, if during this year the maximum pollutant concentration (not including data found to be affected by a highly irregular or infrequent event under the procedure set forth in Appendix 2 to this article) is less than one-half the applicable state ambient air quality standard.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

Appendix 4

Screening Procedure for Determining Attainment Designations for Areas with Incomplete Air Quality Data

This Appendix describes the screening procedure that will serve as the basis for making a pollutant-specific finding under section 70304(c) that the state ambient air quality standard is being attained for areas with no or an incomplete air quality data record. The procedure is applicable only for nitrogen dioxide, sulfur dioxide, sulfates, and lead (particulate). For those areas with some air quality data for the prior three years, the screening procedure will be applied for a pollutant only if the maximum concentrations of that pollutant in the area did not exceed 75 percent of the state standard(s).

Pollutant	*Screening Parameters*	*Screening Values*
Nitrogen Dioxide	a) Basin Population	1,000,000 people
	b) Total Annual NOx Emissions in Air Basin	40,000 tons/yr
	c) Total Annual Point Source NOx Emissions in County	2,100 tons/yr
Sulfur Dioxide	a) Total Annual Point Source SOx emissions in County	1,700 tons/yr
	b) Maximum Annual SOx Emissions from Single Facility in County	900 tons/yr
Sulfates	a) Total Annual SOx Emissions in Air Basin	19,000 tons/yr
	b) Total Annual Point Source SOx Emissions in County	1,700 tons/yr
	c) Maximum Annual SOx Emissions from Single Facility in County	900 tons/yr
Lead	a) County Population	600,000 people
	b) Maximum Annual Lead Emissions from Single Facility in County	0.5 tons/yr

For an area to which these values are applied, the local values of the applicable screening parameters will be compared to the respective screening values. The area will be presumed to be attainment if none of the applicable screening parameters for a pollutant exceed the associated screening values.

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ATTACHMENT B

PROPOSED 2010 AMENDMENTS TO THE AREA DESIGNATIONS

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PROPOSED REGULATION ORDER

PROPOSED 2010 AMENDMENTS TO THE AREA DESIGNATIONS

CALIFORNIA CODE OF REGULATIONS, TITLE 17, DIVISION 3
CHAPTER 1. AIR RESOURCES BOARD
SUBCHAPTER 1.5. AIR BASINS AND AIR QUALITY STANDARDS
ARTICLE 1.5N AREA POLLUTANT DESIGNATIONS
SECTIONS 60201, 60203, 60207, AND 60210

[Note: Additions are shown as *underline italics* and deletions as ~~strikeout~~.]

§ 60201. Table of Area Designations for Ozone.

Area	***Designation***
North Coast Air Basin	*Attainment*
~~Sonoma County~~	~~Nonattainment~~
~~Remainder of Air Basin~~	~~Attainment~~
San Francisco Bay Area Air Basin	Nonattainment
North Central Coast Air Basin	Nonattainment
South Central Coast Air Basin	Nonattainment
South Coast Air Basin	Nonattainment
San Diego Air Basin	Nonattainment
Northeast Plateau Air Basin	
Siskiyou County	Nonattainment-Transitional
Remainder of Air Basin	Unclassified
Sacramento Valley Air Basin	
~~Colusa County~~	~~Nonattainment-Transitional~~
Glenn County	Nonattainment-Transitional
Colusa, Sutter, and Yuba Counties	*Nonattainment-Transitional*
~~Remainder of Air Basin~~	~~Nonattainment~~
Butte, Shasta, and Tehama Counties	*Nonattainment*
Placer, Sacramento, Solano, and Yolo Counties	*Nonattainment*
San Joaquin Valley Air Basin	Nonattainment
Great Basin Valleys Air Basin	
Alpine County	Unclassified
Inyo County	Nonattainment
Mono County	Nonattainment

§ 60201. Table of Area Designations for Ozone (continued)

Area	*Designation*
Mojave Desert Air Basin	Nonattainment
Salton Sea Air Basin	Nonattainment
Mountain Counties Air Basin	
Amador, Calaveras, El Dorado, Nevada, Placer, Mariposa, and Tuolumne Counties	Nonattainment
Plumas and Sierra Counties	Unclassified
Lake County Air Basin	Attainment
Lake Tahoe Air Basin	~~Unclassified~~*Nonattainment*

NOTE: Authority cited: Sections 39600, 39601, and 39608, Health and Safety Code. Reference: Sections 39608 and 40925.5, Health and Safety Code.

§ 60203. Table of Area Designations for Nitrogen Dioxide.

Area	*Designation*
North Coast Air Basin	Attainment
San Francisco Bay Area Air Basin	Attainment
North Central Coast Air Basin	Attainment
South Central Coast Air Basin	Attainment
South Coast Air Basin	~~Attainment~~*Nonattainment*
San Diego Air Basin	Attainment
Northeast Plateau Air Basin	Attainment
Sacramento Valley Air Basin	Attainment
San Joaquin Valley Air Basin	Attainment
Great Basin Valleys Air Basin	Attainment
Mojave Desert Air Basin	Attainment
Salton Sea Air Basin	Attainment
Mountain Counties Air Basin	Attainment
Lake County Air Basin	Attainment
Lake Tahoe Air Basin	Attainment

NOTE: Authority cited: Sections 39600, 39601, and 39608, Health and Safety Code. Reference: Section 39608, Health and Safety Code.

§ 60207. Table of Area Designations for Lead (Particulate).

Area	*Designation*
North Coast Air Basin	
Del Norte County	Attainment
Humboldt County	Attainment
Mendocino County	Attainment
Sonoma County	Attainment
Trinity County	Attainment
San Francisco Bay Area Air Basin	
Alameda County	Attainment
Contra Costa County	Attainment
Marin County	Attainment
Napa County	Attainment
San Francisco County	Attainment
San Mateo County	Attainment
Santa Clara County	Attainment
Solano County	Attainment
Sonoma County	Attainment
North Central Coast Air Basin	
Monterey County	Attainment
San Benito County	Attainment
Santa Cruz County	Attainment
South Central Coast Air Basin	
San Luis Obispo County	Attainment
Santa Barbara County	Attainment
Ventura County	Attainment
South Coast Air Basin	
Los Angeles County	~~Attainment~~*Nonattainment*
Orange County	Attainment
Riverside County	Attainment
San Bernardino County	Attainment
San Diego Air Basin	
San Diego County	Attainment
Northeast Plateau Air Basin	
Lassen County	Attainment
Modoc County	Attainment
Siskiyou County	Attainment

§ 60207. Table of Area Designations for Lead (Particulate) (continued)

Area	*Designation*
Sacramento Valley Air Basin	
Butte County	Attainment
Colusa County	Attainment
Glenn County	Attainment
Placer County	Attainment
Sacramento County	Attainment
Shasta County	Attainment
Solano County	Attainment
Sutter County	Attainment
Tehama County	Attainment
Yolo County	Attainment
Yuba County	Attainment
San Joaquin Valley Air Basin	
Fresno County	Attainment
Kern County	Attainment
Kings County	Attainment
Madera County	Attainment
Merced County	Attainment
San Joaquin County	Attainment
Stanislaus County	Attainment
Tulare County	Attainment
Great Basin Valleys Air Basin	
Alpine County	Attainment
Inyo County	Attainment
Mono County	Attainment
Mojave Desert Air Basin	
Kern County	Attainment
Los Angeles County	Attainment
Riverside County	Attainment
San Bernardino County	Attainment
Salton Sea Air Basin	
Imperial County	Attainment
Riverside County	Attainment

§ 60207. Table of Area Designations for Lead (Particulate) (continued)

Area	*Designation*
Mountain Counties Air Basin	
Amador County	Attainment
Calaveras County	Attainment
El Dorado County	Attainment
Mariposa County	Attainment
Nevada County	Attainment
Placer County	Attainment
Plumas County	Attainment
Sierra County	Attainment
Tuolumne County	Attainment
Lake County Air Basin	
Lake County	Attainment
Lake Tahoe Air Basin	
El Dorado County	Attainment
Placer County	Attainment

NOTE: Authority cited: Sections 39600, 39601, and 39608, Health and Safety Code. Reference: Section 39608, Health and Safety Code.

§ 60210. Table of Area Designations for Fine Particulate Matter ($PM_{2.5}$).

Area	***Designation***
North Coast Air Basin	Unclassified
San Francisco Bay Area Air Basin	Nonattainment
North Central Coast Air Basin	Attainment
South Central Coast Air Basin	
San Luis Obispo County	Attainment
Santa Barbara County	Unclassified
Ventura County	Nonattainment
South Coast Air Basin	Nonattainment
San Diego Air Basin	Nonattainment
Northeast Plateau Air Basin	Unclassified
Sacramento Valley Air Basin	
Butte County	Nonattainment
Colusa, Placer, Sutter and Yuba Counties	*Attainment*
~~Placer and~~ Sacramento ~~Counties~~*County*	Nonattainment
Shasta County	*Attainment*
Remainder of Air Basin	Unclassified
San Joaquin Valley Air Basin	Nonattainment
Great Basin Valleys Air Basin	~~Unclassified~~*Attainment*
Mojave Desert Air Basin	
San Bernardino County	
County Portion of federal Southeast Desert Modified AQMA for Ozone[1]	Nonattainment
Remainder of San Bernardino County and Kern, Los Angeles, and Riverside Counties	Unclassified
Salton Sea Air Basin	
Imperial County	
City of Calexico[2]	Nonattainment
Remainder of Imperial County and Riverside County	Unclassified
Mountain Counties Air Basin	
Plumas County	
Portola Valley[3]	Nonattainment
Remainder of Plumas County and Amador, Calaveras, El Dorado, Mariposa, Nevada, Placer, Sierra, and Tuolumne Counties	Unclassified

§ 60210. Table of Area Designations for Fine Particulate Matter ($PM_{2.5}$) (continued)

Area	*Designation*
Lake County Air Basin	Attainment
Lake Tahoe Air Basin	Attainment

[1] section 60200(b).
[2] section 60200(a).
[3] section 60200(c).

NOTE: Authority cited: Sections 39600, 39601, and 39608, Health and Safety Code. Reference: Section 39608, Health and Safety Code.

ATTACHMENT C

MAPS AND TABLES OF AREA DESIGNATIONS FOR STATE AND NATIONAL AMBIENT AIR QUALITY STANDARDS

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ATTACHMENT C

MAPS AND TABLES OF AREA DESIGNATIONS FOR STATE AND NATIONAL AMBIENT AIR QUALITY STANDARDS

This attachment fulfills the requirement of Health and Safety Code, section section 40718 for the Board to publish maps that identify areas where one or more violations of any State ambient air quality standard (State standard) or national ambient air quality standard (national standard) have been measured. The national standards are those promulgated under section 109 of the federal Clean Air Act (42 U.S.C. 7409).

This attachment is divided into three parts. The first part comprises a table showing the levels, averaging times, and measurement methods for each of the State and national standards. This is followed by a section containing maps and tables showing the 2009 area designations for each pollutant for which there is a State standard in the California Code of Regulations, title 17, section 70200. The last section contains maps and tables showing the most current area designations for each pollutant for which there is a national standard.

Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		Federal Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m³)		0.075 ppm (147 µg/m³)		
Respirable Particulate Matter (PM10)	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		—		
Fine Particulate Matter (PM2.5)	24 Hour	No Separate State Standard		35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	15.0 µg/m³		
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m³)	None	Non-Dispersive Infrared Photometry (NDIR)
	1 Hour	20 ppm (23 mg/m³)		35 ppm (40 mg/m³)		
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		—	—	—
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m3)	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m³)	Same as Primary Standard	Gas Phase Chemiluminescence
	1 Hour	0.18 ppm (339 µg/m³)		—		
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence	0.030 ppm (80 µg/m³)	—	Spectrophotometry (Pararosaniline Method)
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (365 µg/m³)	—	
	3 Hour	—		—	0.5 ppm (1300 µg/m³)	
	1 Hour	0.25 ppm (655 µg/m³)		—	—	—
Lead[8]	30 Day Average	1.5 µg/m³	Atomic Absorption	—	—	—
	Calendar Quarter	—		1.5 µg/m³	Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Rolling 3-Month Average[9]	—		0.15 µg/m³		
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer — visibility of ten miles or more (0.07 — 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride[8]	24 Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			

See footnotes on next page ...

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (11/17/08)

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter—PM10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calender year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.

8. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

9. National lead standard, rolling 3-month average: final rule signed October 15, 2008.

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (11/17/08)

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Area Designations for the State Ambient Air Quality Standards

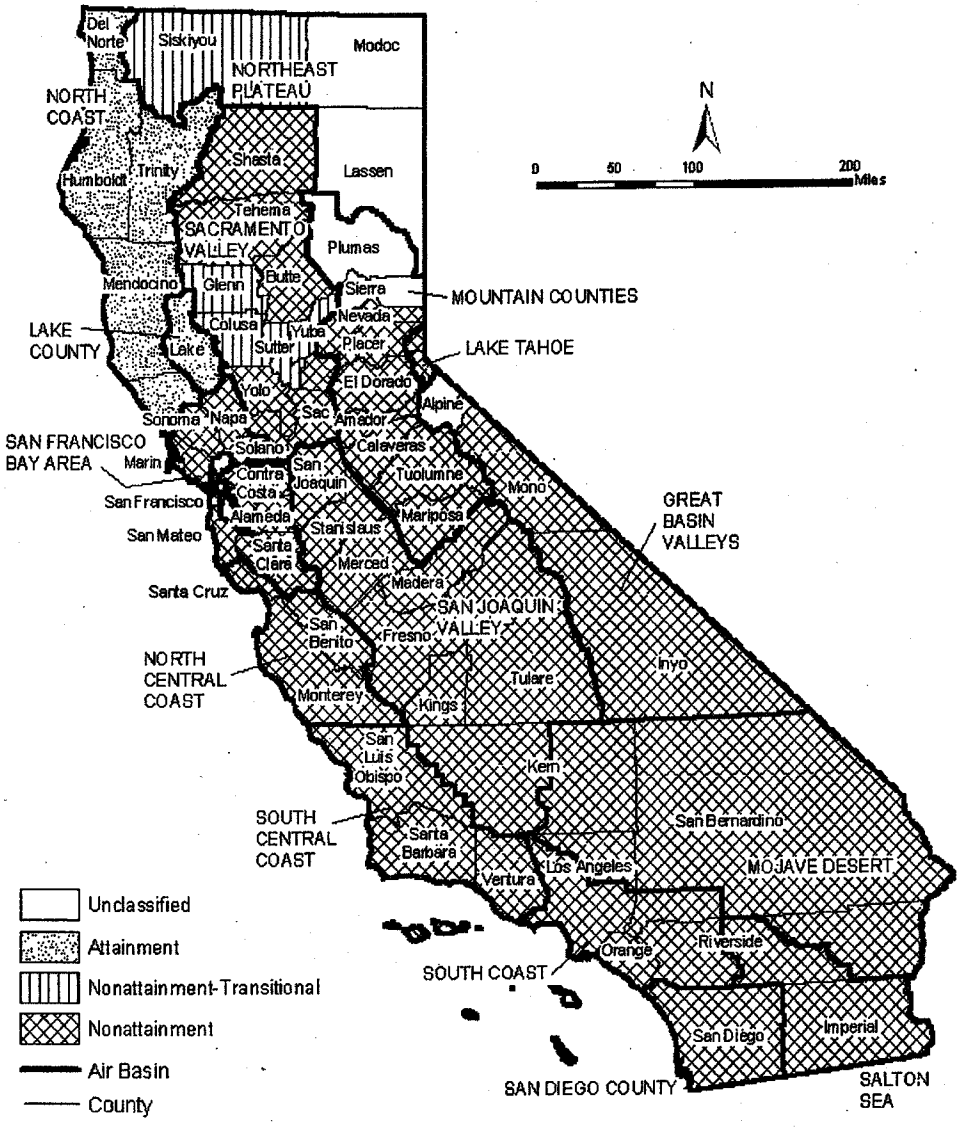
The area designations for each pollutant with a State standard set forth in the California Code of Regulations, title 17, section 60200 are presented in the following maps and tables. Each area is identified as attainment, nonattainment, nonattainment-transitional, or unclassified for each pollutant, as shown below:

Attainment	**A**
Nonattainment	**N**
Nonattainment-Transitional	**NT**
Unclassified	**U**

In general, the Board designates areas by air basin for pollutants with a regional impact and by county for pollutants with a more local impact. However, when there are areas within an air basin or county with distinctly different air quality deriving from sources and conditions not affecting the entire air basin or county, the Board may designate a smaller area. Generally, when boundaries of the designated area differ from the air basin or county boundaries, the description of the specific area is referenced at the bottom of the summary table.

FIGURE 1

2010
Area Designations for State Ambient Air Quality Standards
OZONE



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 1

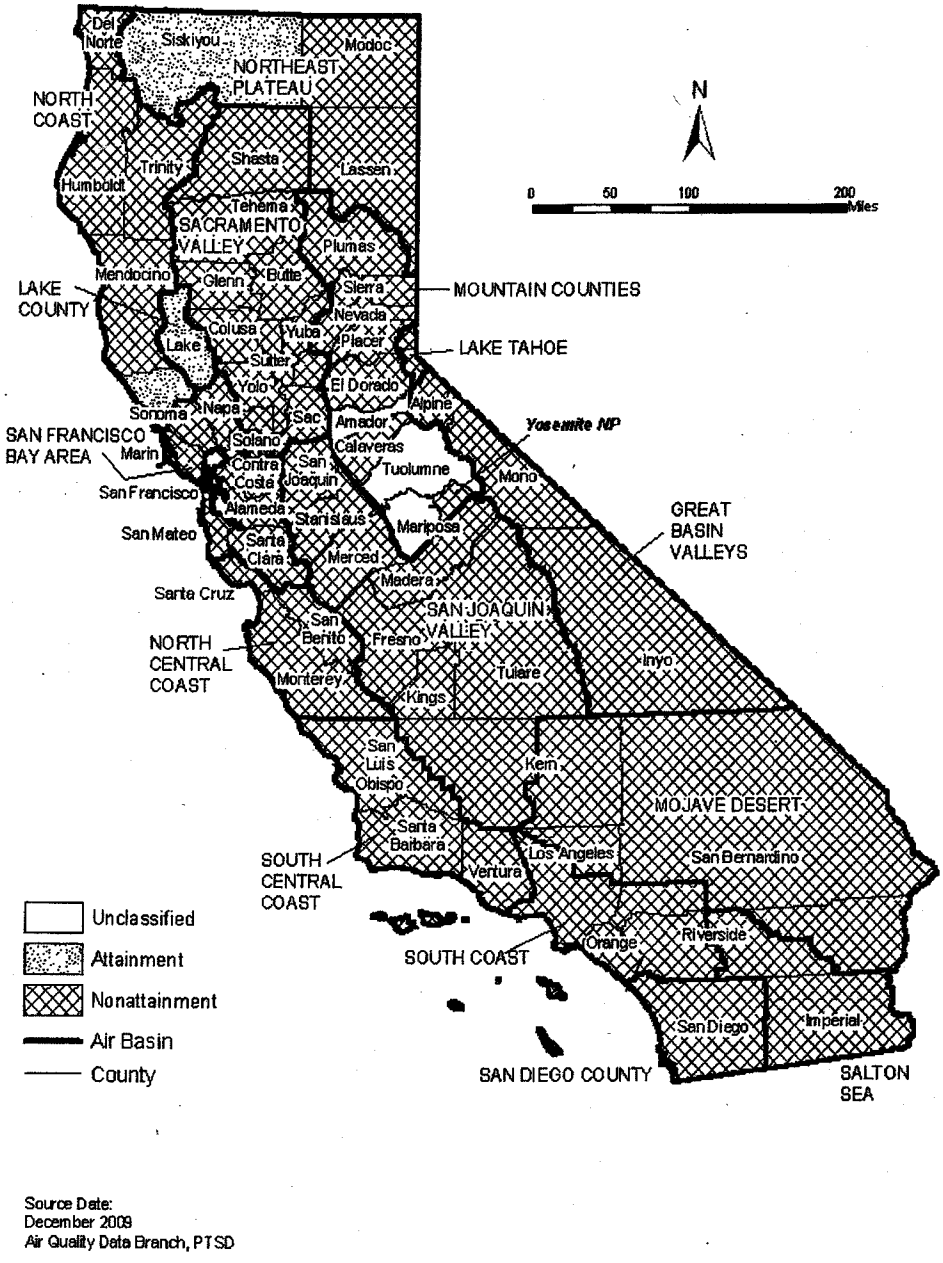
California Ambient Air Quality Standards
Area Designations for Ozone [1]

	N	NT	U	A		N	NT	U	A
GREAT BASIN VALLEYS AIR BASIN					NORTH COAST AIR BASIN				X
Alpine County			X		NORTHEAST PLATEAU AIR BASIN				
Inyo County	X				Siskiyou County		X		
Mono County	X				Remainder of Air Basin			X	
LAKE COUNTY AIR BASIN				X	SACRAMENTO VALLEY AIR BASIN				
LAKE TAHOE AIR BASIN	X				Colusa County		X		
MOJAVE DESERT AIR BASIN	X				Glenn County		X		
MOUNTAIN COUNTIES AIR BASIN					Sutter and Yuba Counties		X		
Amador County	X				Remainder of Air Basin	X			
Calaveras County	X				SALTON SEA AIR BASIN	X			
El Dorado County (portion)	X				SAN DIEGO AIR BASIN	X			
Mariposa County	X				SAN FRANCISCO BAY AREA AIR BASIN	X			
Nevada County	X				SAN JOAQUIN VALLEY AIR BASIN	X			
Placer County (portion)	X				SOUTH CENTRAL COAST AIR BASIN	X			
Plumas County			X		SOUTH COAST AIR BASIN	X			
Sierra County			X						
Tuolumne County	X								
NORTH CENTRAL COAST AIR BASIN	X								

(1) AB 3048 (Olberg) and AB 2525 (Miller) signed into law in 1996, made changes to Health and Safety Code, section 40925.5. One of the changes allows nonattainment districts to become nonattainment-transitional for ozone by operation of law. Similarly, nonattainment-transitional districts revert back to nonattainment by operation of law.

FIGURE 2

2010
Area Designations for State Ambient Air Quality Standards
PM10



Source Date:
December 2009
Air Quality Data Branch, PTSD

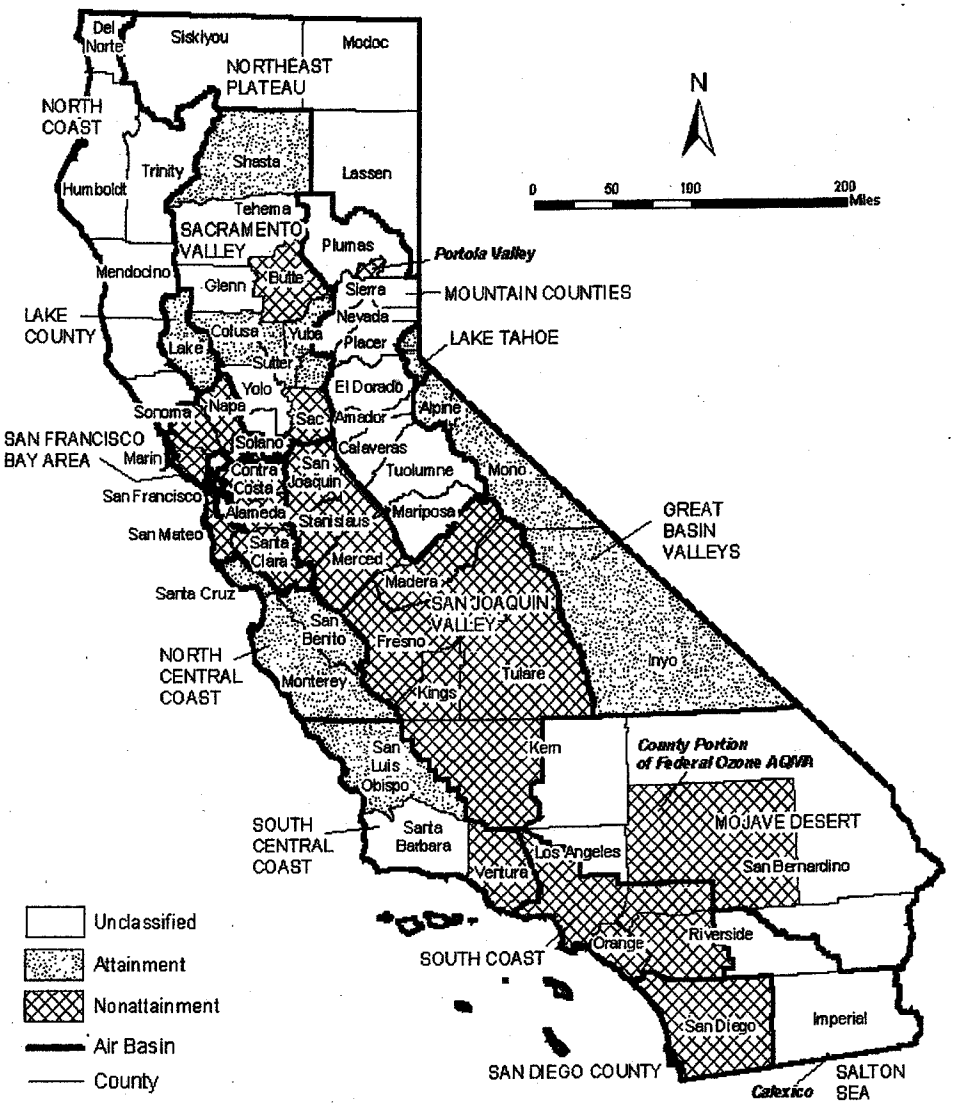
TABLE 2

California Ambient Air Quality Standards
Area Designation for Suspended Particulate Matter (PM10)

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN	X			NORTH CENTRAL COAST AIR BASIN	X		
LAKE COUNTY AIR BASIN			X	NORTH COAST AIR BASIN			
LAKE TAHOE AIR BASIN	X			Sonoma County (portion)			X
MOJAVE DESERT AIR BASIN	X			Remainder of Air Basin	X		
MOUNTAIN COUNTIES AIR BASIN				NORTHEAST PLATEAU AIR BASIN			
Amador County		X		Siskiyou County			X
Calaveras County	X			Remainder of Air Basin	X		
El Dorado County (portion)	X			SACRAMENTO VALLEY AIR BASIN	X		
Mariposa County				SALTON SEA AIR BASIN	X		
- Yosemite National Park	X			SAN DIEGO AIR BASIN	X		
- Remainder of County		X		SAN FRANCISCO BAY AREA AIR BASIN	X		
Nevada County	X			SAN JOAQUIN VALLEY AIR BASIN	X		
Placer County (portion)	X			SOUTH CENTRAL COAST AIR BASIN	X		
Plumas County	X			SOUTH COAST AIR BASIN	X		
Sierra County	X						
Tuolumne County		X					

FIGURE 3

2010
Area Designations for State Ambient Air Quality Standards
PM2.5



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 3

California Ambient Air Quality Standards
Area Designations for Fine Particulate Matter (PM2.5)

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN			X	SALTON SEA AIR BASIN			
LAKE COUNTY AIR BASIN			X	Imperial County			
LAKE TAHOE AIR BASIN			X	- City of Calexico (3)	X		
MOJAVE DESERT AIR BASIN				Remainder of Air Basin		X	
San Bernardino County				SAN DIEGO AIR BASIN	X		
- County portion of federal Southeast Desert Modified AQMA for Ozone (1)	X			SAN FRANCISCO BAY AREA AIR BASIN	X		
				SAN JOAQUIN VALLEY AIR BASIN	X		
Remainder of Air Basin		X		SOUTH CENTRAL COAST AIR BASIN			
MOUNTAIN COUNTIES AIR BASIN				San Luis Obispo County			X
Plumas County				Santa Barbara County		X	
- Portola Valley (2)	X			Ventura County	X		
Remainder of Air Basin		X		SOUTH COAST AIR BASIN	X		
NORTH CENTRAL COAST AIR BASIN			X				
NORTH COAST AIR BASIN		X					
NORTHEAST PLATEAU AIR BASIN		X					
SACRAMENTO VALLEY AIR BASIN							
Butte County	X						
Colusa County			X				
Placer County (portion)			X				
Sacramento County	X						
Shasta County			X				
Sutter and Yuba Counties			X				
Remainder of Air Basin		X					

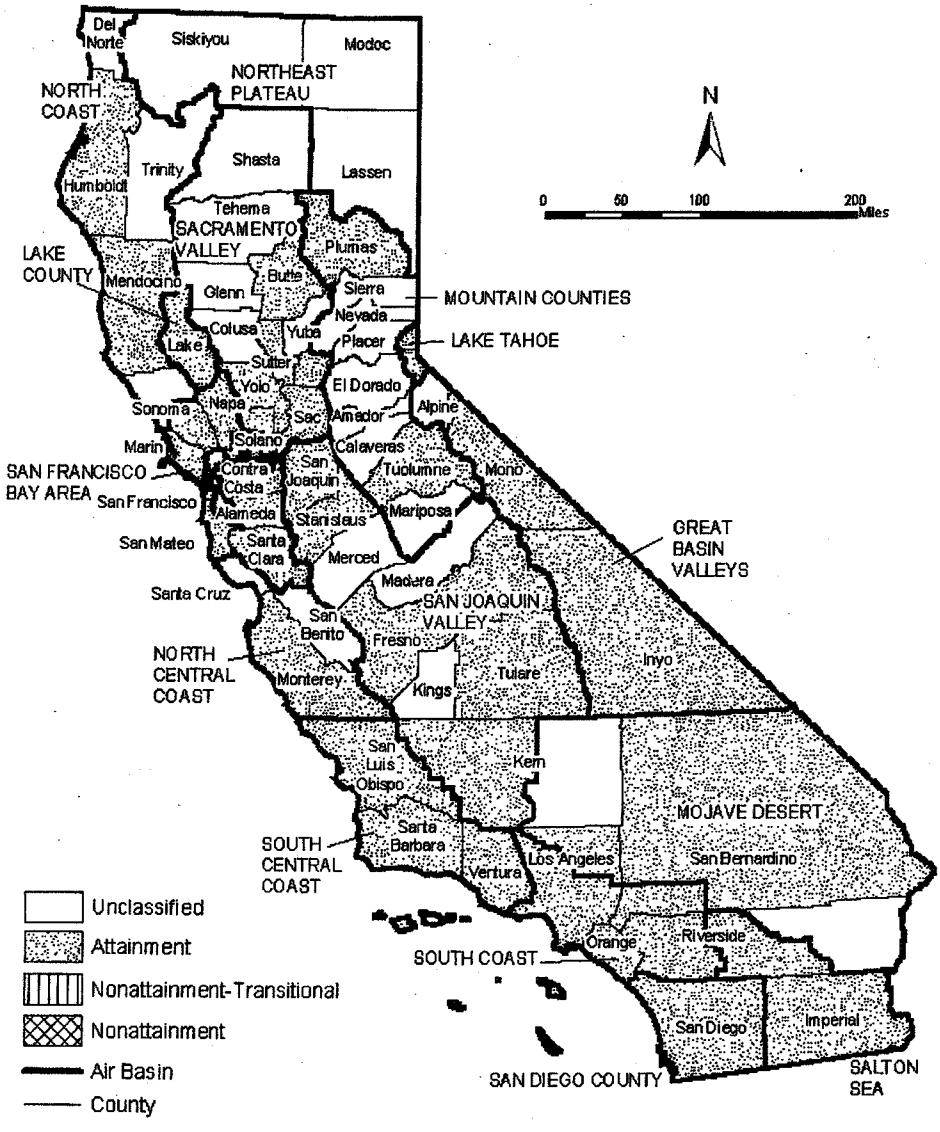
(1) California Code of Regulations, title 17, section 60200(b)

(2) California Code of Regulations, title 17, section 60200(c)

(3) California Code of Regulations, title 17, section 60200(a)

FIGURE 4

2010
Area Designations for State Ambient Air Quality Standards
CARBON MONOXIDE



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 4

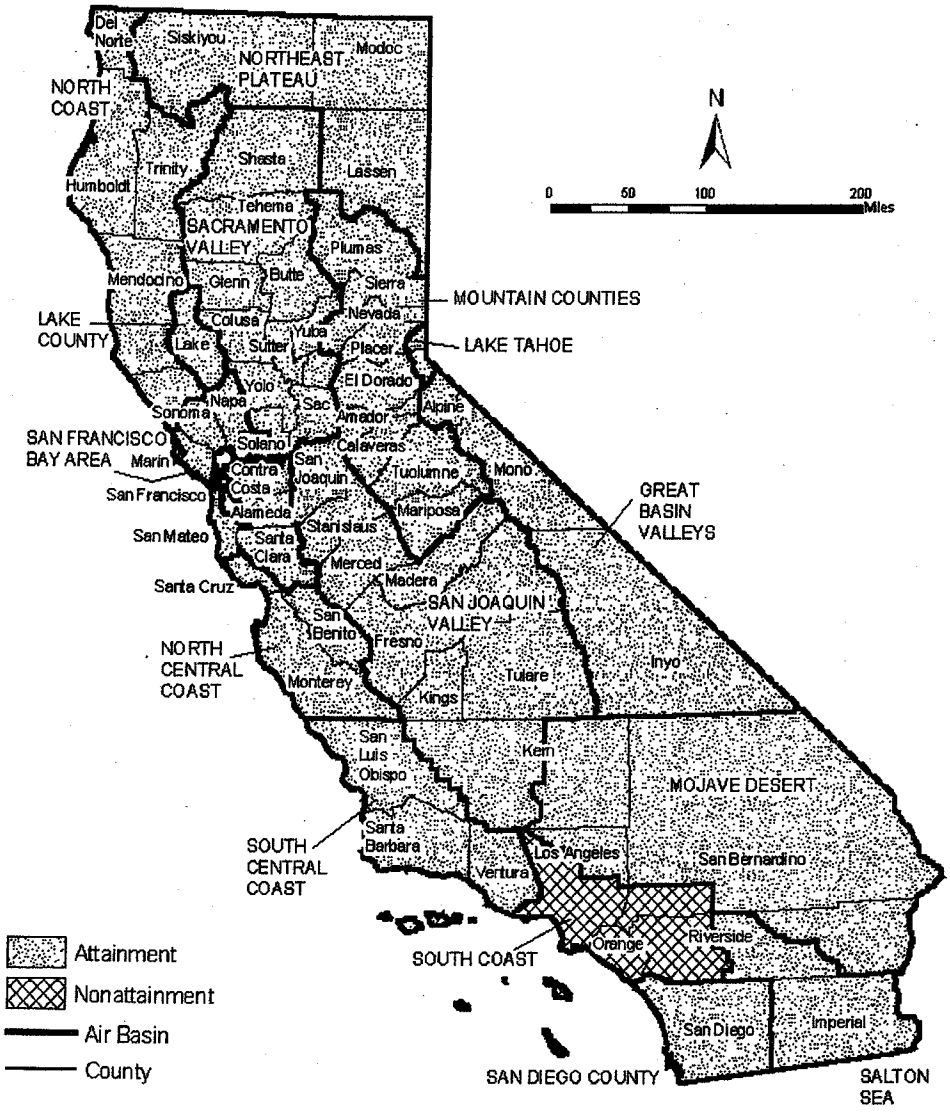
California Ambient Air Quality Standards
Area Designation for Carbon Monoxide*

	N	NT	U	A		N	NT	U	A
GREAT BASIN VALLEYS AIR BASIN					SACRAMENTO VALLEY AIR BASIN				
Alpine County			X		Butte County				X
Inyo County				X	Colusa County			X	
Mono County				X	Glenn County			X	
LAKE COUNTY AIR BASIN				X	Placer County (portion)				X
LAKE TAHOE AIR BASIN				X	Sacramento County				X
MOJAVE DESERT AIR BASIN					Shasta County			X	
Kern County (portion)			X		Solano County (portion)				X
Los Angeles County (portion)				X	Sutter County				X
Riverside County (portion)			X		Tehama County			X	
San Bernardino County (portion)				X	Yolo County				X
MOUNTAIN COUNTIES AIR BASIN					Yuba County			X	
Amador County			X		SALTON SEA AIR BASIN				
Calaveras County			X		Imperial County				X
El Dorado County (portion)			X		Riverside County (portion)				X
Mariposa County			X		SAN DIEGO AIR BASIN				X
Nevada County			X		SAN FRANCISCO BAY AREA AIR BASIN				X
Placer County (portion)			X		SAN JOAQUIN VALLEY AIR BASIN				
Plumas County				X	Fresno County				X
Sierra County			X		Kern County (portion)				X
Tuolumne County				X	Kings County			X	
NORTH CENTRAL COAST AIR BASIN					Madera County			X	
Monterey County				X	Merced County			X	
San Benito County			X		San Joaquin County				X
Santa Cruz County			X		Stanislaus County				X
NORTH COAST AIR BASIN					Tulare County				X
Del Norte County			X		SOUTH CENTRAL COAST AIR BASIN				X
Humboldt County				X	SOUTH COAST AIR BASIN				
Mendocino County				X	Los Angeles County (portion)				X
Sonoma County (portion)			X		Orange County				X
Trinity County			X		Riverside County (portion)				X
NORTHEAST PLATEAU AIR BASIN			X		San Bernardino County (portion)				X

* The area designated for carbon monoxide is a county or portion of a county

FIGURE 5

2010
Area Designations for State Ambient Air Quality Standards
NITROGEN DIOXIDE



Source Date:
December 2009
Air Quality Data Branch, PTSD

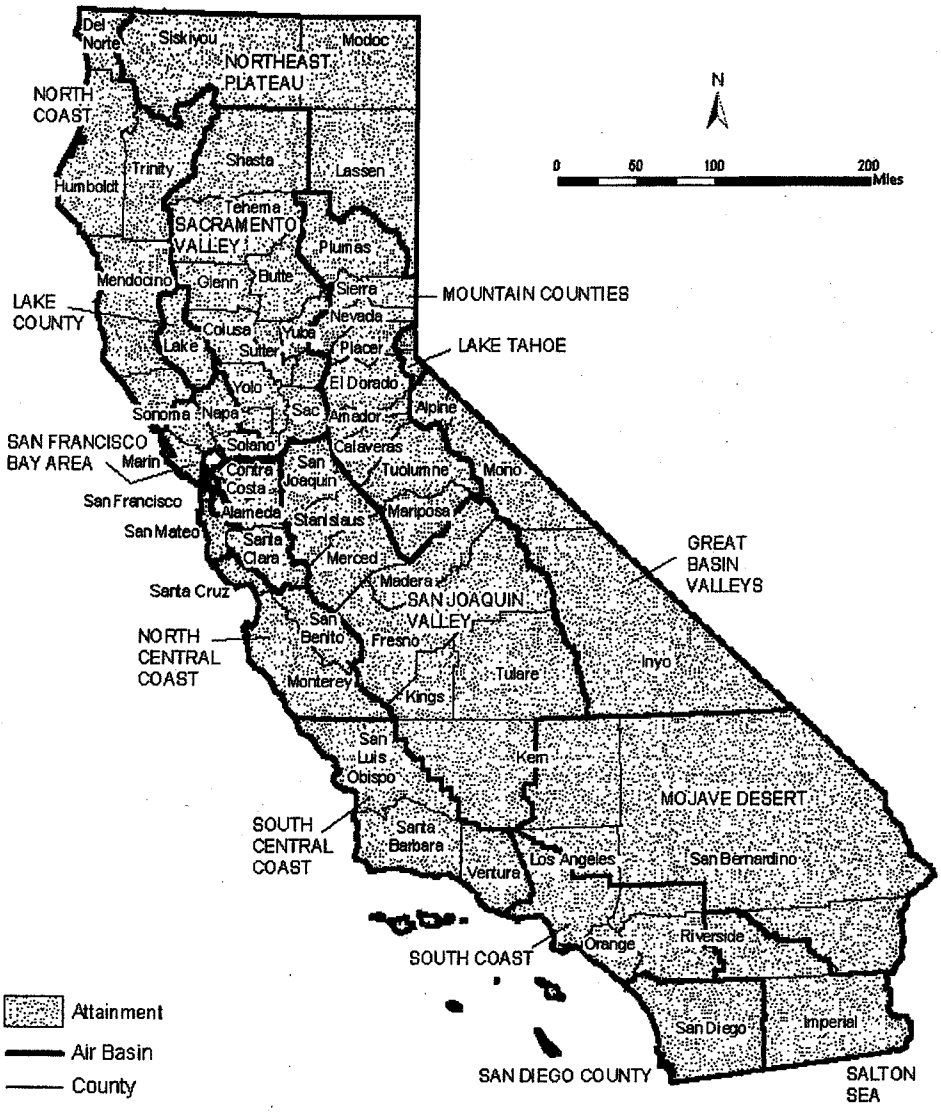
TABLE 5

California Ambient Air Quality Standards
Area Designation for Nitrogen Dioxide

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN			X	SACRAMENTO VALLEY AIR BASIN			X
LAKE COUNTY AIR BASIN			X	SALTON SEA AIR BASIN			X
LAKE TAHOE AIR BASIN			X	SAN DIEGO AIR BASIN			X
MOJAVE DESERT AIR BASIN			X	SAN FRANCISCO BAY AREA AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X	SAN JOAQUIN VALLEY AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X	SOUTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X	SOUTH COAST AIR BASIN	X		
NORTHEAST PLATEAU AIR BASIN			X				

FIGURE 6

2010
Area Designations for State Ambient Air Quality Standards
SULFUR DIOXIDE



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 6

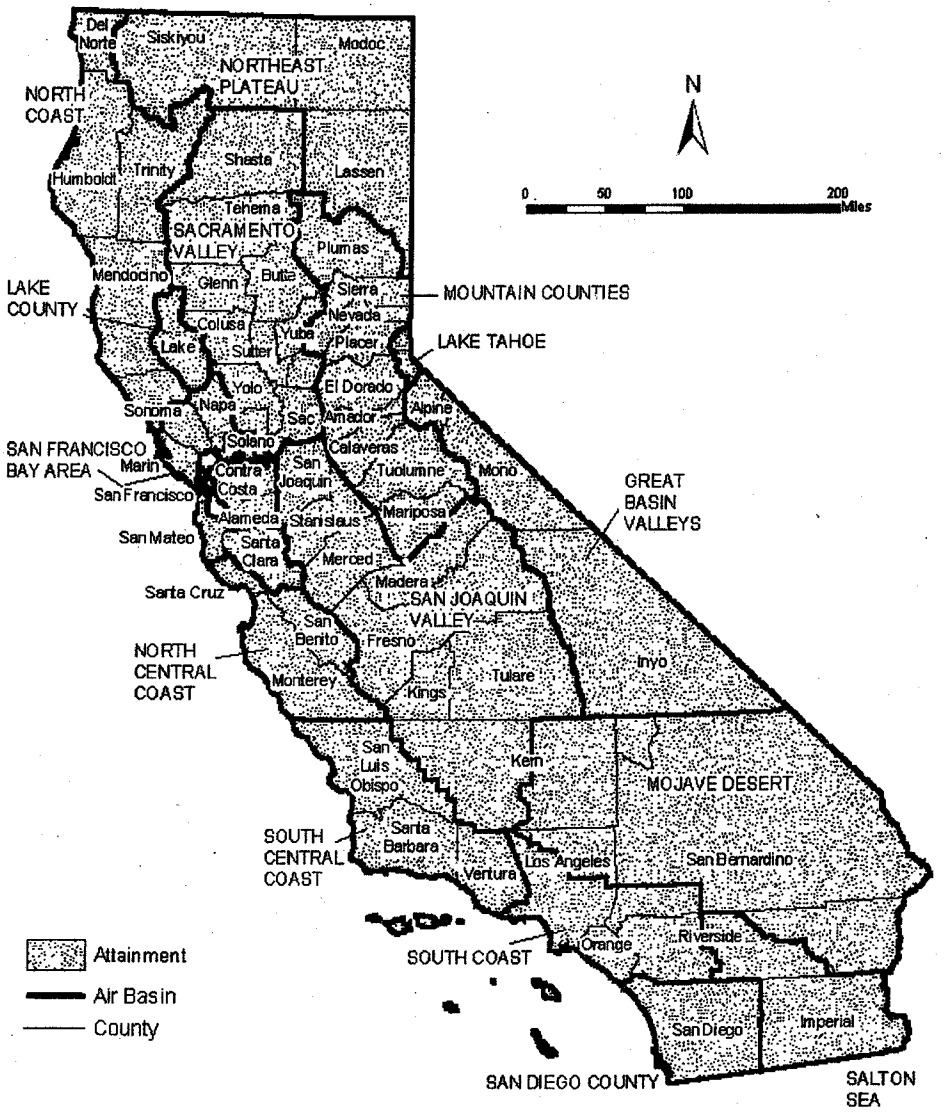
California Ambient Air Quality Standards
Area Designation for Sulfur Dioxide*

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN			X	SACRAMENTO VALLEY AIR BASIN			X
LAKE COUNTY AIR BASIN			X	SALTON SEA AIR BASIN			X
LAKE TAHOE AIR BASIN			X	SAN DIEGO AIR BASIN			X
MOJAVE DESERT AIR BASIN			X	SAN FRANCISCO BAY AREA AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X	SAN JOAQUIN VALLEY AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X	SOUTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X	SOUTH COAST AIR BASIN			X
NORTHEAST PLATEAU AIR BASIN			X				

* The area designated for sulfur dioxide is a county or portion of a county

FIGURE 7

2010
Area Designations for State Ambient Air Quality Standards
SULFATES



Source Date:
December 2009
Air Quality Data Branch, PTSD

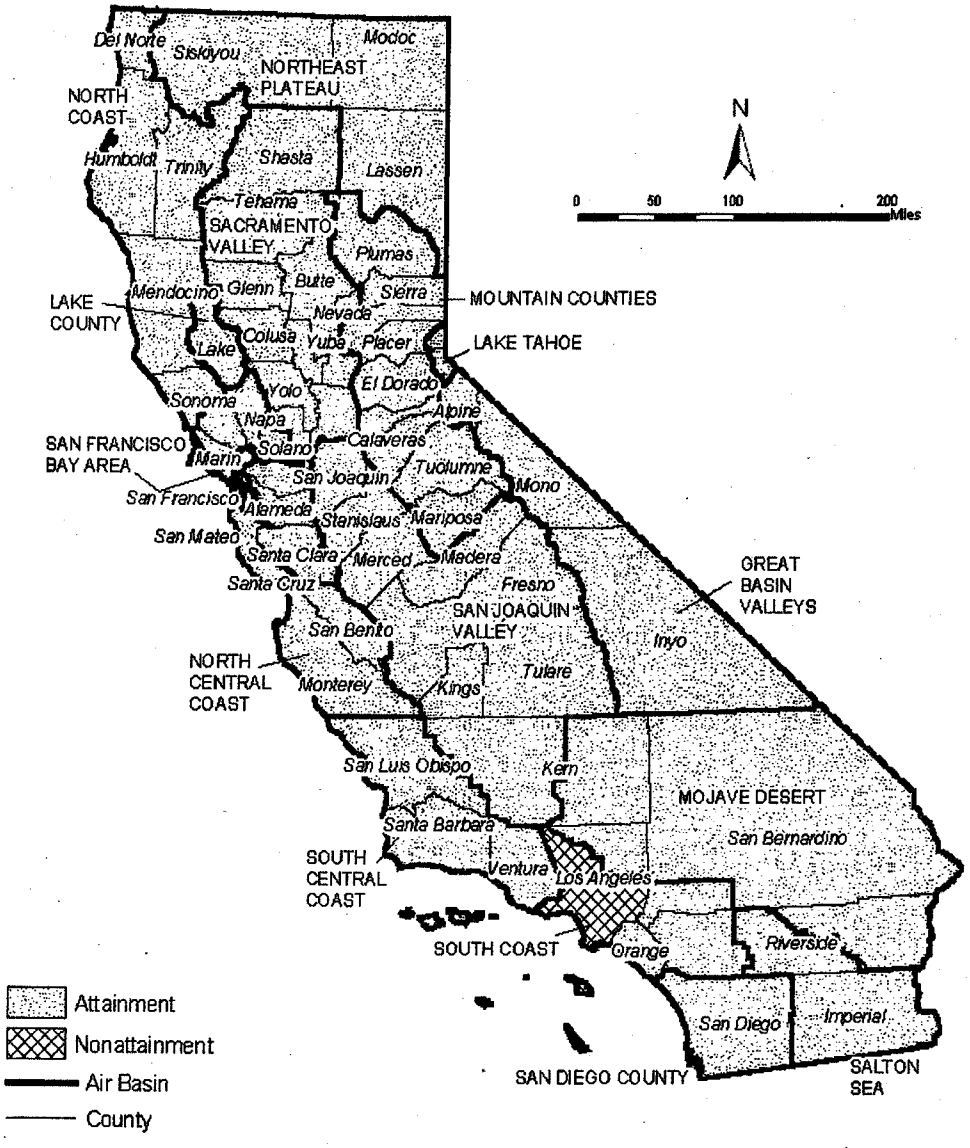
TABLE 7

California Ambient Air Quality Standards
Area Designation for Sulfates

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN			X	SACRAMENTO VALLEY AIR BASIN			X
LAKE COUNTY AIR BASIN			X	SALTON SEA AIR BASIN			X
LAKE TAHOE AIR BASIN			X	SAN DIEGO AIR BASIN			X
MOJAVE DESERT AIR BASIN			X	SAN FRANCISCO BAY AREA AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X	SAN JOAQUIN VALLEY AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X	SOUTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X	SOUTH COAST AIR BASIN			X
NORTHEAST PLATEAU AIR BASIN			X				

FIGURE 8

2010
Area Designations for State Ambient Air Quality Standards
LEAD



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 8

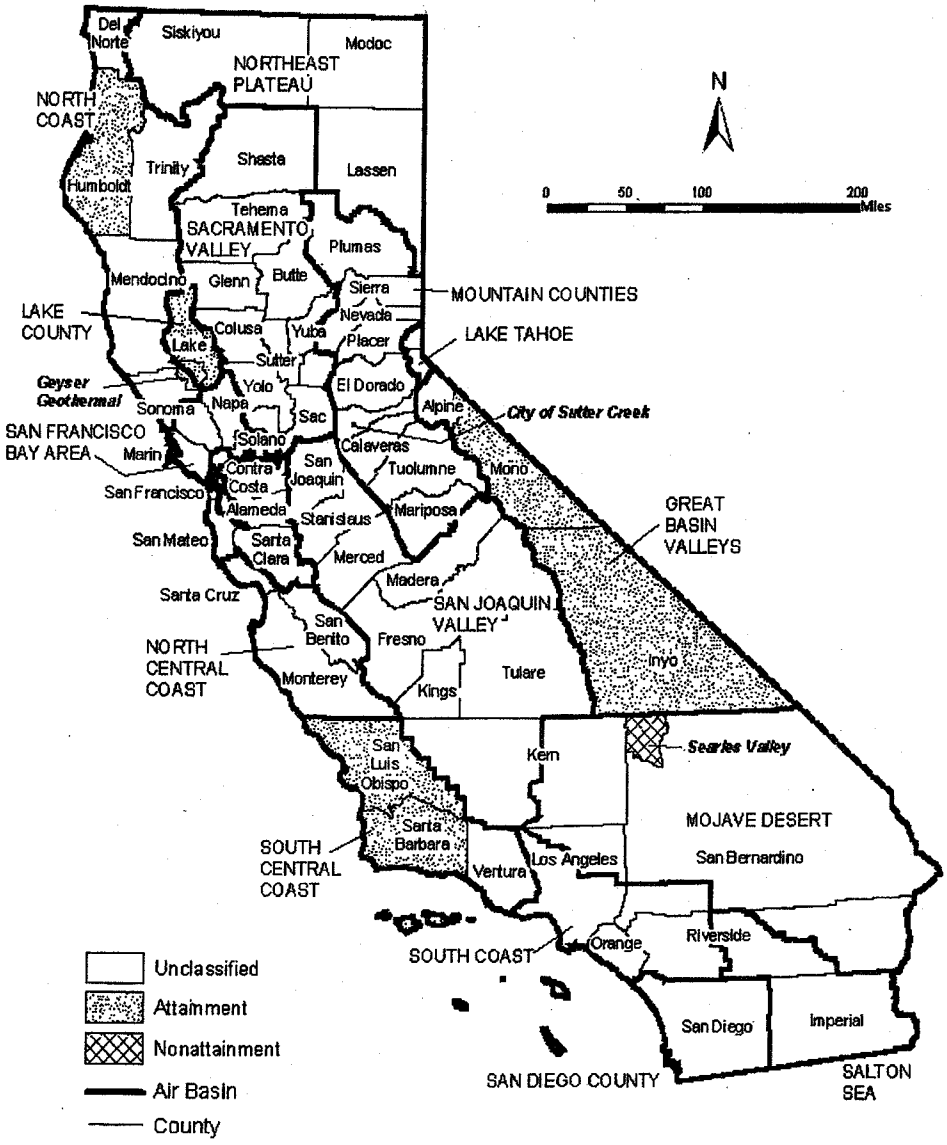
California Ambient Air Quality Standards
Area Designations for Lead (particulate)*

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN			X	SALTON SEA AIR BASIN			X
LAKE COUNTY AIR BASIN			X	SAN DIEGO AIR BASIN			X
LAKE TAHOE AIR BASIN			X	SAN FRANCISCO BAY AREA AIR BASIN			X
MOJAVE DESERT AIR BASIN			X	SAN JOAQUIN VALLEY AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X	SOUTH CENTRAL COAST AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X	SOUTH COAST AIR BASIN			
NORTH COAST AIR BASIN			X	Los Angeles County	X		
NORTHEAST PLATEAU AIR BASIN			X	Remainder of Air Basin			X
SACRAMENTO VALLEY AIR BASIN			X				

* The area designated for lead is a county or portion of a county

FIGURE 9

2010
Area Designations for State Ambient Air Quality Standards
HYDROGEN SULFIDE



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 9

California Ambient Air Quality Standards
Area Designation for Hydrogen Sulfide*

	N	NT	U	A		N	NT	U	A
GREAT BASIN VALLEYS AIR BASIN					NORTH CENTRAL COAST AIR BASIN			X	
Alpine County			X		NORTH COAST AIR BASIN				
Inyo County				X	Del Norte County			X	
Mono County				X	Humboldt County				X
LAKE COUNTY AIR BASIN				X	Mendocino County			X	
LAKE TAHOE AIR BASIN			X		Sonoma County (portion)				
MOJAVE DESERT AIR BASIN					- Geyser Geothermal Area (2)				X
Kern County (portion)			X		- Remainder of County			X	
Los Angeles County (portion)			X		Trinity County			X	
Riverside County (portion)			X		NORTHEAST PLATEAU AIR BASIN			X	
San Bernardino County (portion)					SACRAMENTO VALLEY AIR BASIN			X	
- Searles Valley Planning Area (1)	X				SALTON SEA AIR BASIN			X	
- Remainder of County			X		SAN DIEGO AIR BASIN			X	
MOUNTAIN COUNTIES AIR BASIN					SAN FRANCISCO BAY AREA AIR BASIN			X	
Amador County					SAN JOAQUIN VALLEY AIR BASIN			X	
- City of Sutter Creek	X				SOUTH CENTRAL COAST AIR BASIN				
- Remainder of County			X		San Luis Obispo County				X
Calaveras County			X		Santa Barbara County				X
El Dorado County (portion)			X		Ventura County			X	
Mariposa County			X		SOUTH COAST AIR BASIN			X	
Nevada County			X						
Placer County (portion)			X						
Plumas County			X						
Sierra County			X						
Tuolumne County			X						

* The area designated for hydrogen sulfide is a county or portion of a county

(1) 52 Federal Register 29384 (August 7, 1987)

(2) California Code of Regulations, title 17, section 60200(d)

FIGURE 10

2010
Area Designations for State Ambient Air Quality Standards
VISIBILITY REDUCING PARTICLES

Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 10

California Ambient Air Quality Standards
Area Designation for Visibility Reducing Particles

	N	NT	U	A		N	NT	U	A
GREAT BASIN VALLEYS AIR BASIN			X		SACRAMENTO VALLEY AIR BASIN			X	
LAKE COUNTY AIR BASIN				X	SALTON SEA AIR BASIN			X	
LAKE TAHOE AIR BASIN			X		SAN DIEGO AIR BASIN			X	
MOJAVE DESERT AIR BASIN			X		SAN FRANCISCO BAY AREA AIR BASIN			X	
MOUNTAIN COUNTIES AIR BASIN			X		SAN JOAQUIN VALLEY AIR BASIN			X	
NORTH CENTRAL COAST AIR BASIN			X		SOUTH CENTRAL COAST AIR BASIN			X	
NORTH COAST AIR BASIN			X		SOUTH COAST AIR BASIN			X	
NORTHEAST PLATEAU AIR BASIN			X						

Area Designations for the National Ambient Air Quality Standards

This section contains a description of the area designations for each pollutant for which there is a national ambient air quality standard, except lead. The national lead standard was promulgated after the federal Clean Air Act was amended in 1977, and in promulgating the national lead standard, the U.S. EPA did not require areas to be designated in a manner similar to other pollutants. The area designations for each pollutant are presented in the form of a map and a summary table.

From time to time, the boundaries of the California air basins have been changed to facilitate the planning process. The Board generally initiates these changes, and they are not always reflected in the U.S. EPA's area designations for California. For purposes of consistency, all maps in this attachment reflect area designation boundaries and nomenclature as promulgated by the U.S. EPA. In some cases, these may not be the same as those adopted by the Board. For example, the national area designations reflect the former Southeast Desert Air Basin. In accordance with Health and Safety Code section 39606.1, the Board redefined this area in 1996 to be the Mojave Desert Air Basin and Salton Sea Air Basin. The definitions and boundaries for all areas designated for the national standards can be found in Title 40, Code of Federal Regulations (CFR), Chapter I, Part 81.305. They are available on the web at:

http://www.access.gpo.gov/nara/cfr/waisidx_05/40cfr81_05.html

Once at this website, scroll down to Part 81.305 to view the California area designations.

Designation Categories

Nitrogen dioxide. The U.S. EPA uses two categories to designate areas with respect to nitrogen dioxide. These designation categories are:

- Does not meet primary standards, and
- Cannot be classified or better than national standards.

Areas that do not meet the primary national standards for these pollutants are indicated on the following maps and summary tables as "N" for nonattainment. Areas that cannot be classified or are better than the national standards are indicated as "U/A" for unclassified/attainment.

Sulfur dioxide. The U.S. EPA uses four categories to designate areas with respect to sulfur dioxide. These designation categories are:

- Does not meet the primary standards,
- Does not meet the secondary standards,
- Cannot be classified, and
- Better than the national standards.

In California, the first two designation categories listed above are not applicable because all areas of California either meet the primary and secondary standards or are unclassifiable. The map and summary table for sulfur dioxide show areas that cannot be classified as "U" for unclassifiable and areas that are better than the national standards as "A" for attainment.

Carbon monoxide and fine suspended particulate matter (PM2.5). Two categories are used to designate areas with respect to carbon monoxide and PM2.5. These designation categories are:

- Nonattainment, and
- Unclassifiable/Attainment.

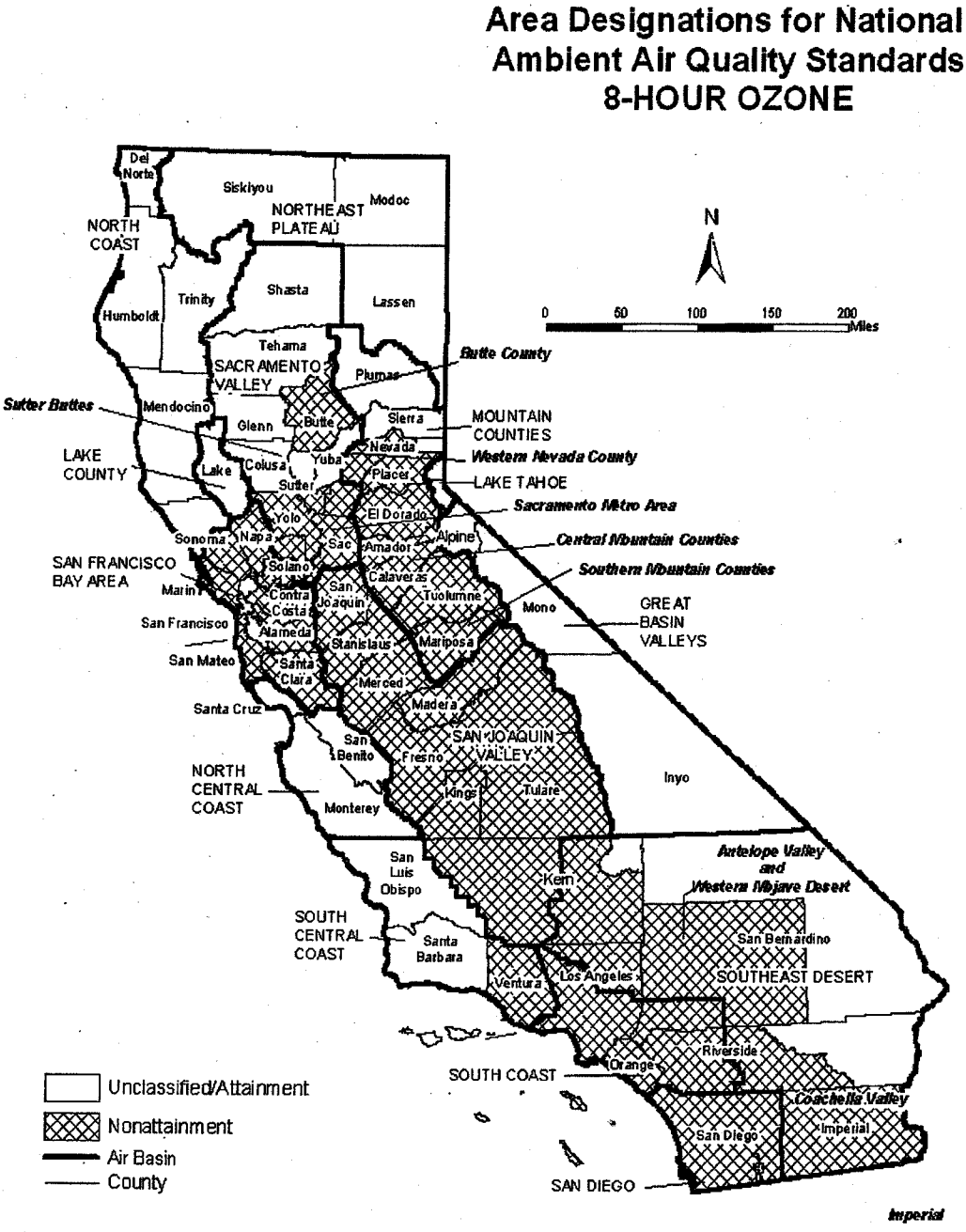
New national designation areas for PM2.5 became effective December 14, 2009. These areas reflect both the annual average standard of 15 $\mu g/m^3$ and the recently revised (December 2006) 24-hour standard of 35 $\mu g/m^3$.

Ozone and suspended particulate matter (PM10). Finally, the U.S. EPA uses three categories to designate areas with respect to ozone and PM10. These designation categories are:

- Attainment,
- Nonattainment, and
- Unclassifiable.

The National 1-hour ozone standard was revoked effective June 15, 2005; the National 8-hour ozone standard is still in effect.

FIGURE 11



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 11

National Ambient Air Quality Standards
Area Designations for 8-Hour Ozone*

	N	U/A		N	U/A
GREAT BASIN VALLEYS AIR BASIN		X	SACRAMENTO VALLEY AIR BASIN (cont.)		
LAKE COUNTY AIR BASIN		X	Sutter County		
LAKE TAHOE AIR BASIN		X	- Sutter County (Sutter Buttes)	X	
MOUNTAIN COUNTIES AIR BASIN			- Remainder of North Sutter County		X
Central Mountain Counties			Tehama County		X
- Amador County	X		Yolo County	X	
- Calaveras County	X		Yuba County		X
Southern Mountain Counties			SAN DIEGO COUNTY	X	
- Mariposa County	X		SAN FRANCISCO BAY AREA AIR BASIN	X	
- Tuolumne County	X		SAN JOAQUIN VALLEY AIR BASIN	X	
El Dorado County (portion) (2)	X		SOUTH CENTRAL COAST AIR BASIN		
Nevada County			San Luis Obispo County		X
- Western Nevada County	X		Santa Barbara County		X
- Remainder of County		X	Ventura County		
Placer County (portion) (2)	X		Area excluding Anacapa and San Nicolas Islands	X	
Plumas County		X	Channel Islands (1)		X
Sierra County		X	SOUTH COAST AIR BASIN (1)	X	
NORTH CENTRAL COAST AIR BASIN		X	SOUTHEAST DESERT AIR BASIN		
NORTH COAST AIR BASIN		X	Kern County (portion)	X	
NORTHEAST PLATEAU AIR BASIN		X	Imperial County (3)	X	
SACRAMENTO VALLEY AIR BASIN			Los Angeles County (portion)	X	
Butte County	X		Riverside County (portion)		
Colusa County		X	- Coachella Valley	X	
Glenn County		X	- Non-AQMA portion		X
Sacramento Metro Area (2)	X		San Bernardino County		
Shasta County		X	- Western portion (AQMA)	X	
			- Eastern portion (non-AQMA)		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

(1) South Central Coast Air Basin Channel Islands:

Santa Barbara County includes Santa Cruz, San Miguel, Santa Rosa, and Santa Barbara Islands.

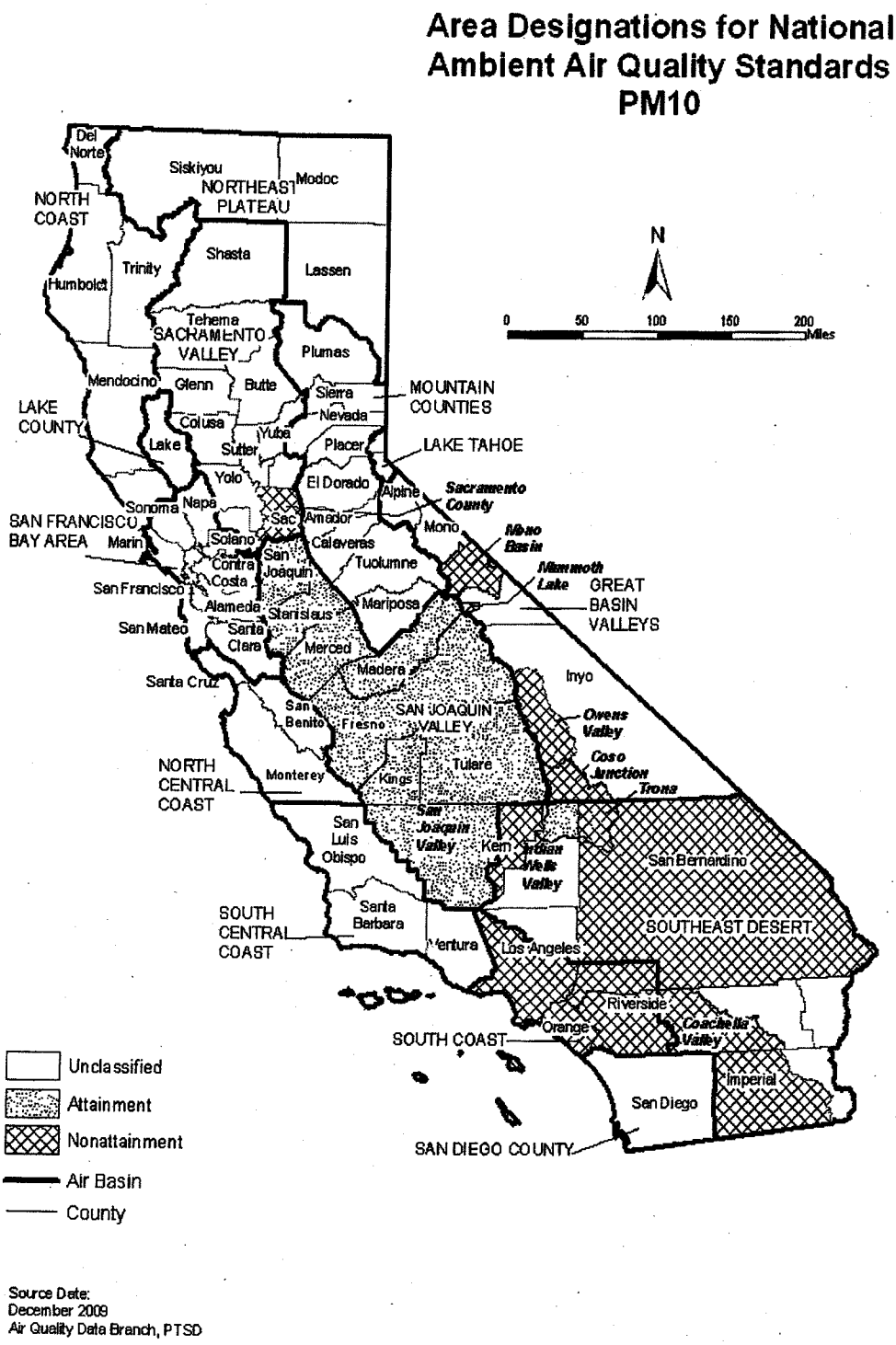
Ventura County includes Anacapa and San Nicolas Islands.

Note that the San Clemente and Santa Catalina Islands are considered part of Los Angeles County, and therefore, are included as part of the South Coast Air Basin.

(2) For this purpose, the Sacramento Metro Area comprises all of Sacramento and Yolo Counties, the Sacramento Valley Air Basin portion of Solano County, the southern portion of Sutter County, and the Sacramento Valley and Mountain Counties Air Basins portions of Placer and El Dorado counties.

(3) This area has air quality that meets the national ozone standard of 0.08 ppm.

FIGURE 12



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 12

National Ambient Air Quality Standards
Area Designations for Suspended Particulate Matter (PM10)*

	N	U	A		N	U	A
GREAT BASIN VALLEYS AIR BASIN				SAN DIEGO COUNTY		X	
Alpine County		X		SAN FRANCISCO BAY AREA AIR BASIN		X	
Inyo County				SAN JOAQUIN VALLEY AIR BASIN			X
- Owens Valley Planning Area	X			SOUTH CENTRAL COAST AIR BASIN		X	
- Coso Junction	X			SOUTH COAST AIR BASIN	X		
- Remainder of County		X		SOUTHEAST DESERT AIR BASIN			
Mono County				Eastern Kern County			
- Mammoth Lake Planning Area	X			- Indian Wells Valley			X
- Mono Lake Basin	X			- Portion within San Joaquin Valley Planning Area	X		
- Remainder of County		X		- Remainder of County		X	
LAKE COUNTY AIR BASIN		X		Imperial County			
LAKE TAHOE AIR BASIN		X		- Imperial Valley Planning Area	X		
MOUNTAIN COUNTIES AIR BASIN				- Remainder of County		X	
Placer County (portion) (2)		X		Los Angeles County (portion)		X	
Remainder of Air Basin		X		Riverside County (portion)			
NORTH CENTRAL COAST AIR BASIN		X		- Coachella Valley	X		
NORTH COAST AIR BASIN		X		- Non-AQMA portion		X	
NORTHEAST PLATEAU AIR BASIN		X		San Bernardino County			
SACRAMENTO VALLEY AIR BASIN				- Trona	X		
Butte County		X		- Remainder of County	X		
Colusa County		X					
Glenn County		X					
Placer County (portion) (2)		X					
Sacramento County (1)	X						
Shasta County		X					
Solano County (portion)		X					
Sutter County		X					
Tehama County		X					
Yolo County		X					
Yuba County		X					

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

(1) Sacramento's air quality meets the federal PM10 standards. U.S. EPA is preparing a finding of attainment.

(2) U.S. EPA designation puts the Sacramento Valley Air Basin portion of Placer County in the Mountain Counties Air Basin.

FIGURE 13

Area Designations for National Ambient Air Quality Standards PM2.5
NORTH COAST
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
Humboldt
Trinity
Shasta
Lassen
SACRAMENTO VALLEY
Tehama
Plumas
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Mendocino
LAKE COUNTY
Colusa
Nevada
Lake
Placer
LAKE TAHOE
Sutter
Yuba
El Dorado
Sonoma
Napa
Alpine
Amador
Calaveras
GREAT BASIN VALLEYS
Tuolumne
Mono
SAN FRANCISCO BAY AREA
Mariposa
Madera
Fresno
NORTH CENTRAL COAST
San Benito
SAN JOAQUIN VALLEY
Inyo
Monterey
Kings
Tulare
San Luis Obispo
Kern
San Bernardino
SOUTH CENTRAL COAST
Santa Barbara
SOUTHEAST DESERT
Ventura
Los Angeles
Riverside
SOUTH COAST
Orange
San Diego
Imperial
SAN DIEGO COUNTY
N
0 40 80 120 160 Miles
Unclassifiable/Attainment
Nonattainment
AIR BASIN
County
Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 13

National Ambient Air Quality Standards
Area Designation for Fine Particulate Matter (PM2.5)*

	N	U/A		N	U/A
GREAT BASIN VALLEYS AIR BASIN		X	SAN DIEGO COUNTY		X
LAKE COUNTY AIR BASIN		X	SAN FRANCISCO BAY AREA AIR BASIN	X	
LAKE TAHOE AIR BASIN		X	SAN JOAQUIN VALLEY AIR BASIN	X	
MOUNTAIN COUNTIES AIR BASIN		X	SOUTH CENTRAL COAST AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X	SOUTH COAST AIR BASIN (4)	X	
NORTH COAST AIR BASIN		X	SOUTHEAST DESERT AIR BASIN		
NORTHEAST PLATEAU AIR BASIN		X	Imperial County (portion) (5)	X	
SACRAMENTO VALLEY AIR BASIN			Remainder of Air Basin		X
Butte County (portion) (1)	X				
Sacramento Metro Area (2)	X				
Sutter County (3)	X				
Yuba County (portion) (3)	X				
Remainder of Air Basin		X			

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

(1) City of Chico and surrounding areas

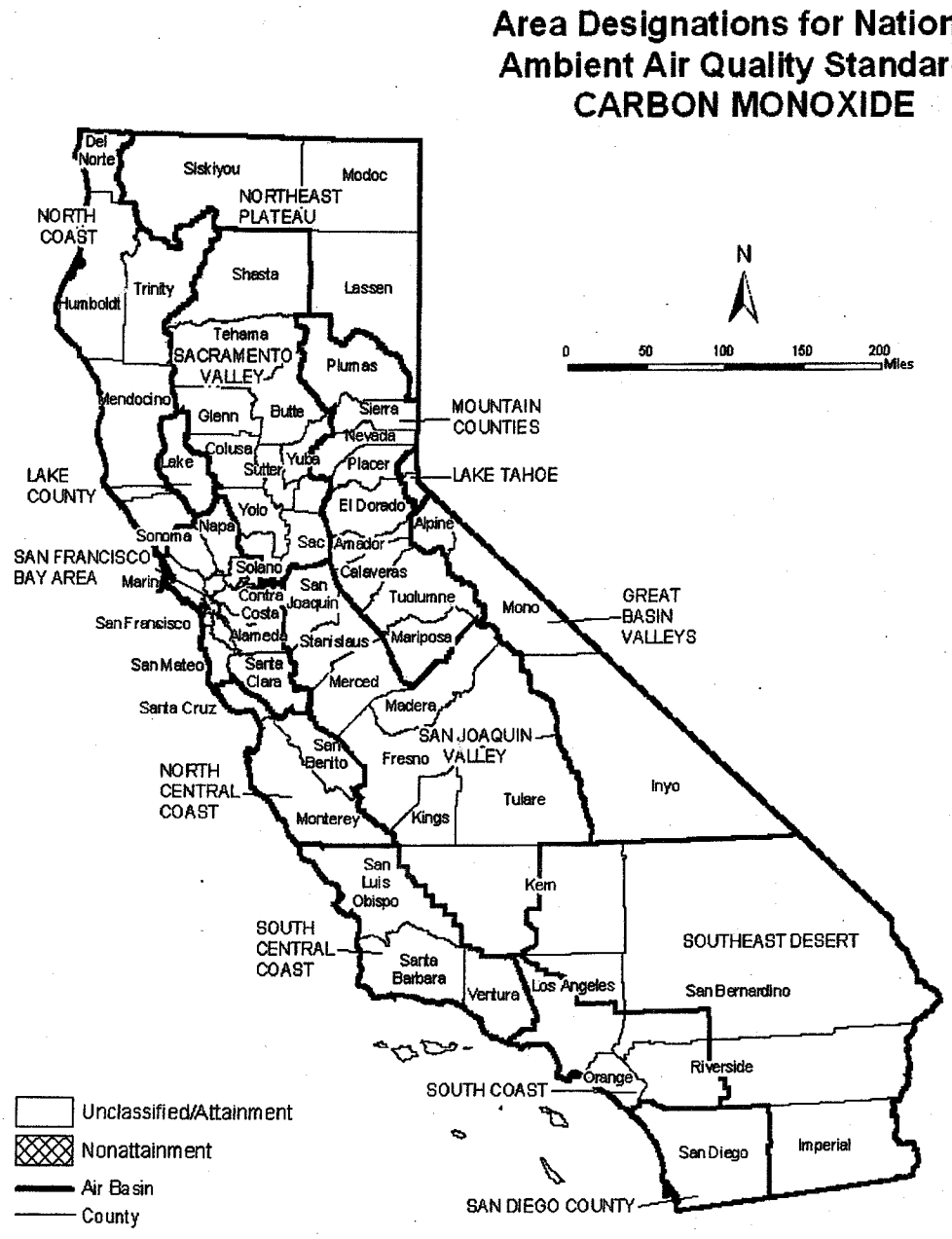
(2) For this purpose, Sacramento Metro Area comprises all of Sacramento and portions of El Dorado, Placer, Solano, and Yolo Counties.

(3) Comprises all of Sutter and western portion of Yuba County.

(4) Those lands of the Santa Rosa Band of Cahulla Mission Indians in Riverside County are designated Unclassifiable/Attainment.

(5) That portion of Imperial County encompassing the urban and surrounding areas of Brawley, Calexico, El Centro, Heber, Holtville, Imperial, Seeley, and Westmorland.

FIGURE 14



Source Date:
December 2009
Air Quality Data Branch, PTSD

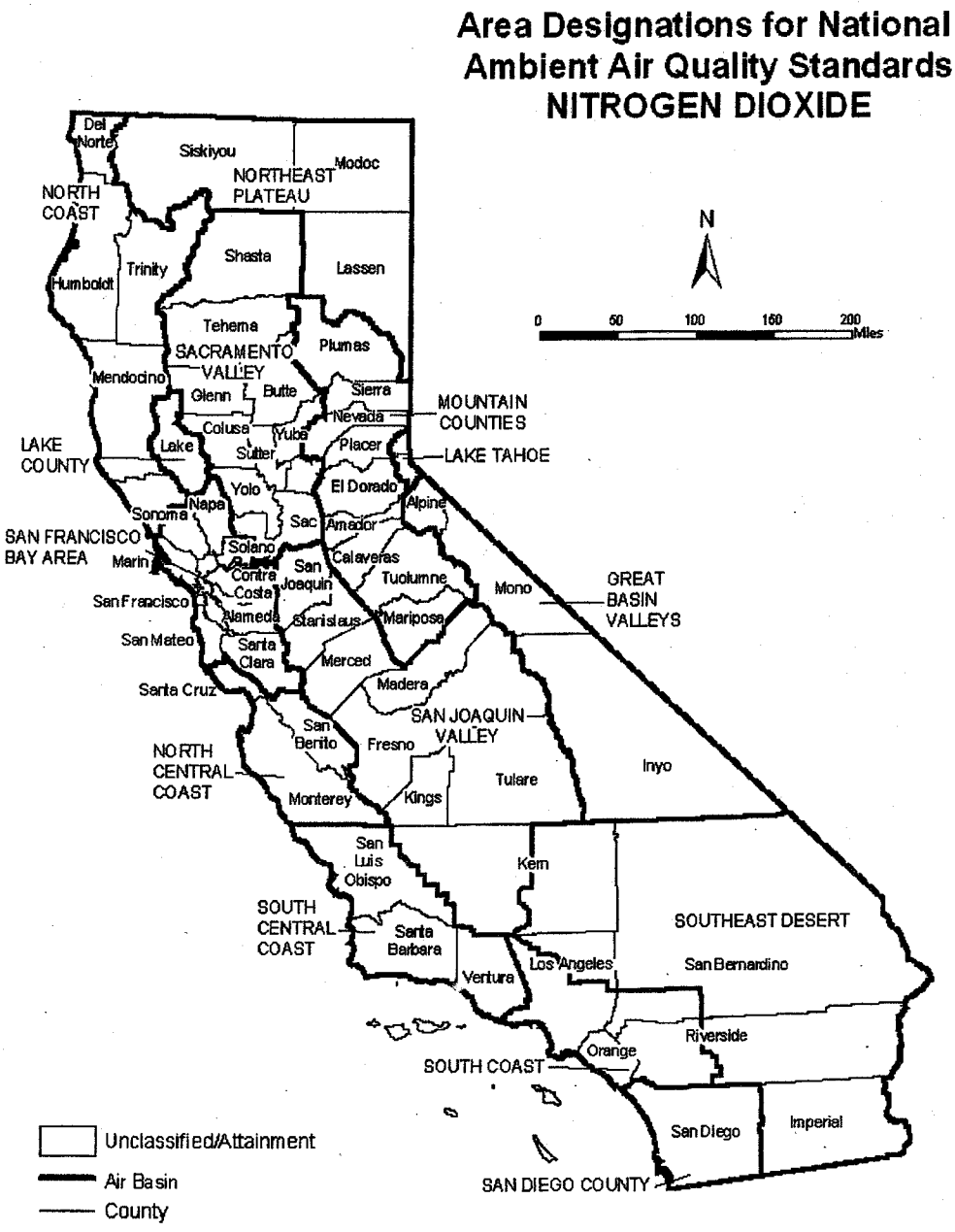
TABLE 14

National Ambient Air Quality Standards
Area Designations for Carbon Monoxide*

	N	U/A		N	U/A
GREAT BASIN VALLEYS AIR BASIN		X	SACRAMENTO VALLEY AIR BASIN		X
LAKE COUNTY AIR BASIN		X	SAN DIEGO COUNTY		X
LAKE TAHOE AIR BASIN		X	SAN FRANCISCO BAY AREA AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X	SAN JOAQUIN VALLEY AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X	SOUTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X	SOUTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X	SOUTHEAST DESERT AIR BASIN		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

FIGURE 15



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 15

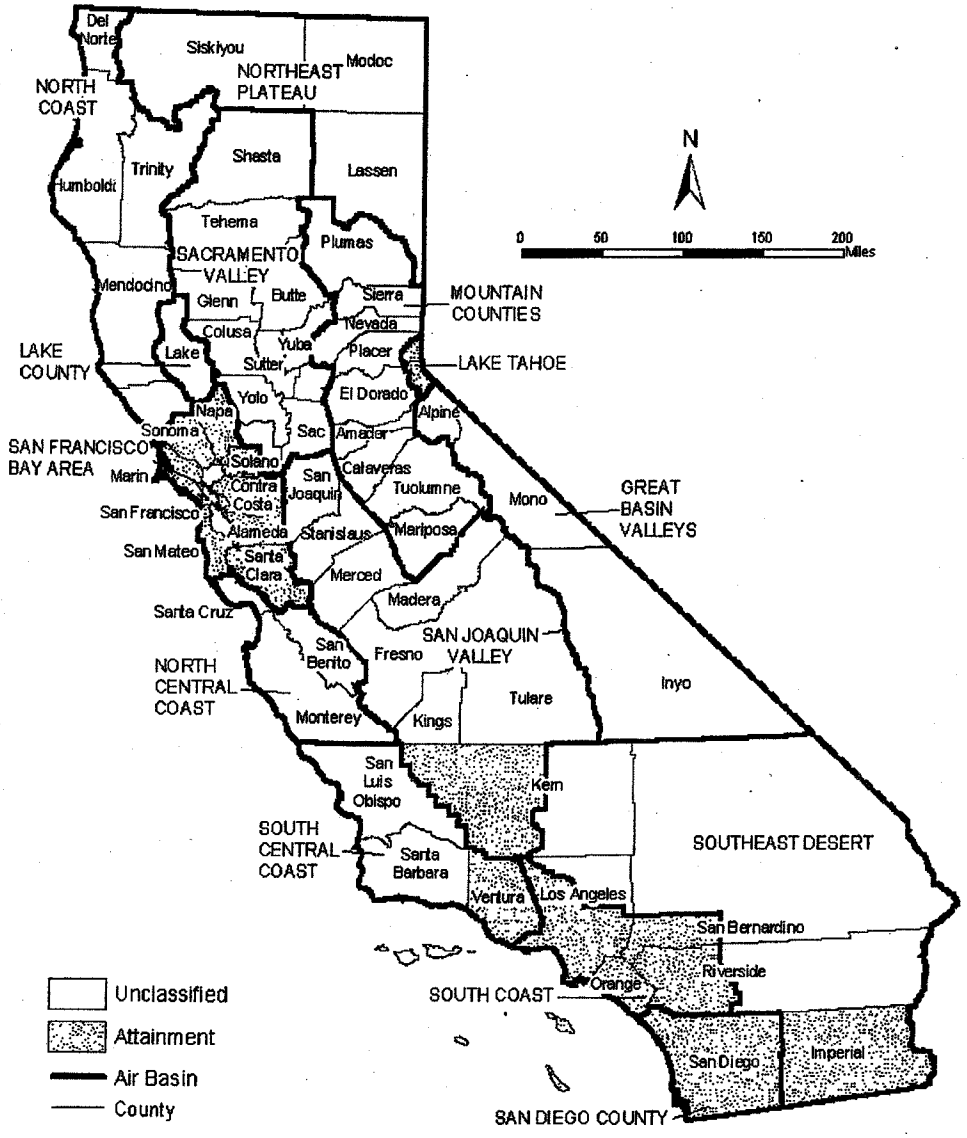
National Ambient Air Quality Standards
Area Designations for Nitrogen Dioxide*

	N	U/A		N	U/A
GREAT BASIN VALLEYS AIR BASIN		X	SACRAMENTO VALLEY AIR BASIN		X
LAKE COUNTY AIR BASIN		X	SAN DIEGO COUNTY		X
LAKE TAHOE AIR BASIN		X	SAN FRANCISCO BAY AREA AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X	SAN JOAQUIN VALLEY AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X	SOUTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X	SOUTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X	SOUTHEAST DESERT AIR BASIN		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

FIGURE 16

Area Designations for National Ambient Air Quality Standards SULFUR DIOXIDE



Source Date:
December 2009
Air Quality Data Branch, PTSD

TABLE 16

National Ambient Air Quality Standards
Area Designations for Sulfur Dioxide*

	A	U		A	U
GREAT BASIN VALLEYS AIR BASIN		X	SOUTH CENTRAL COAST AIR BASIN		
LAKE COUNTY AIR BASIN		X	San Luis Obispo County		X
LAKE TAHOE AIR BASIN	X		Santa Barbara County		X
MOUNTAIN COUNTIES AIR BASIN		X	Ventura County	X	
NORTH CENTRAL COAST AIR BASIN		X	Channel Islands (1)		X
NORTH COAST AIR BASIN		X	SOUTH COAST AIR BASIN	X	
NORTHEAST PLATEAU AIR BASIN		X	SOUTHEAST DESERT AIR BASIN		
SACRAMENTO VALLEY AIR BASIN		X	Imperial County	X	
SAN DIEGO COUNTY	X		Remainder of Air Basin		X
SAN FRANCISCO BAY AREA AIR BASIN	X				
SAN JOAQUIN VALLEY AIR BASIN					
Fresno County		X			
Kern County (portion)	X				
Kings County		X			
Madera County		X			
Merced County		X			
San Joaquin County		X			
Stanislaus County		X			
Tulare County		X			

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

(1) South Central Coast Air Basin Channel Islands:

Santa Barbara County includes Santa Cruz, San Miguel, Santa Rosa, and Santa Barbara Islands.

Ventura County includes Anacapa and San Nicolas Islands.

Note that the San Clemente and Santa Catalina Islands are considered part of Los Angeles County, and therefore, are included as part of the South Coast Air Basin.

ATTACHMENT D

CONVENTION FOR ROUNDING AMBIENT AIR QUALITY DATA

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ATTACHMENT D

CONVENTION FOR ROUNDING AMBIENT AIR QUALITY DATA

Before ambient air quality measurements are used in designating areas for State standards, they are rounded to the precision of the applicable State standard. In addition, the Expected Peak Day Concentration or EPDC is also rounded to the precision of the State standard before it is used to identify and exclude measurements affected by highly irregular or infrequent events. As described below, the same rounding convention is generally used in all cases.

All raw air quality data are stored in the Board's Aerometric Data Analysis and Management (ADAM) database, as they are reported. However, the reported values and the stored values can and do differ very slightly, because ADAM stores numbers in a floating-point format. For example, a number reported as 1.23 might actually be stored as 1.229999998 or as 1.2300000001. Nonetheless, great care is taken to ensure that these "slight" differences have no impact on calculated values used for area designations.

The precision or given number of decimal places varies for each State standard and depends on how the level of the standard is specified. The given number of decimal places for each State standard and averaging time are summarized in Table E-1.

TABLE E-1
Level and Precision of State Standards

Pollutant	*Averaging Time*	*Level of Standard*	*Given Number of Decimal Places*
Ozone	1-hour	0.09 ppm	2
	8-hour	0.070 ppm	3
Carbon Monoxide	1-hour	20 ppm	0
	8-hour (Lake Tahoe)	6 ppm	0
	8-hour (Rest of State)	9.0 ppm	1
PM10	24-hour	50 $\mu g/m^3$	0
	Annual	20 $\mu g/m^3$	0
PM2.5	Annual	12 $\mu g/m^3$	0
Nitrogen Dioxide	1-hour	0.25 ppm	2
	Annual	0.030 ppm	3
Sulfur Dioxide	1-hour	0.25 ppm	2
	24-hour	0.04 ppm	2
Lead	30-day	1.5 $\mu g/m^3$	1
Sulfates	24-hour	25 $\mu g/m^3$	0
Hydrogen Sulfide	1-hour	0.03 ppm	2

Individual air quality measurements and statistics (air quality values) are generally rounded up or down using the digit just beyond the given number of decimal places and according to standard rounding conventions. Air quality values that are below 5 round down, while those that are equal to or greater than 5 round up. For example, if the given number of decimal places is 1, an air quality value of 2.34567 rounds to 2.3 because 0.04567 is less than 0.05. An air quality value of 2.35012 rounds to 2.4 because 0.05012 is greater than 0.05. Similarly, an air quality value of 2.35000 rounds to 2.4 because 0.05000 exactly equals 0.05.

The method used for determining area designation values is generally consistent across all pollutants. First, if there is a valid EPDC, the EPDC is rounded to the given number of decimal places (refer to Table E-1) for the applicable State standard (*note: an EPDC is calculated and used in the area designation process only if the averaging time of the standard is less than or equal to 24 hours*). Next, all air quality values for the three-year period used in area designations are rounded to the given number of decimal places. All rounded air quality values that are higher than the rounded EPDC are excluded as extreme concentration events and therefore, not considered in the area designation process. The air quality value used to designate an area (the designation value) is the highest rounded value for the previous three-year period that is less than or equal to the rounded EPDC. However, if this air quality value is identified as affected by an exceptional event or unusual concentration event, it is excluded from the area designation process, and the next highest air quality value becomes the designation value.

ATTACHMENT E

DESIGNATION VALUES

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ATTACHMENT E

DESIGNATION VALUES

TABLE E-1

STATE OZONE STANDARD[1]

Air Basin / County	8-Hour Designation Site	State Ozone Designation Value for 8-Hour Standard (ppm)	State Ozone Designation Based on 8-Hour Standard
State Standard		**0.070**	
Great Basin Valleys			
Alpine County[2]	No Monitoring Data Available		U
Inyo County	Death Valley NM	0.091	N
Mono County[3]	Mammoth Lakes	0.095	N
Lake County	Lakeport	0.070	A
Lake Tahoe	South Lake Tahoe - Airport	0.077	N
Mojave Desert	Joshua Tree NM	0.110	N
Mountain Counties			
Amador County	Jackson	0.101	N
Calaveras County	San Andreas	0.103	N
El Dorado County (MCAB)	Cool	0.114	N
Mariposa County	Yosemite NP-Turtleback	0.102	N
Nevada County	White Cloud	0.100	N
Placer County	Colfax	0.102	N
Plumas County[2]	Quincy	0.074	U
Sierra County[2]	No Monitoring Data Available		U
Tuolumne County	Sonora	0.098	N
North Central Coast	Pinnacles NM	0.089	N
North Coast			
Sonoma County	Healdsburg	0.065	A
Remainder of NCAB	Ukiah	0.069	A
Northeast Plateau			
Lassen County[2]	No Monitoring Data Available		U
Modoc County[2]	No Monitoring Data Available		U
Siskiyou County	Yreka	0.076	NA-T
Sacramento Valley			
Butte County	Paradise	0.089	N
Colusa County	Colusa	0.077	NA-T
Glenn County	Willows	0.078	NA-T
Shasta County	Anderson	0.091	N

TABLE E-1

STATE OZONE STANDARD[1]

		State Ozone Designation Value for 8-Hour Standard	
Solano County (SVAB)	Vacaville	0.088	N
Sutter/Yuba Counties	Yuba City	0.082	NA-T
Tehama County	Tuscan Butte	0.092	N
Yolo County	Woodland	0.091	N
Remainder of SVAB	Folsom	0.116	N
Salton Sea	Palm Springs	0.105	N
San Diego	Alpine	0.103	N
San Francisco Bay Area	Livermore	0.093	N
San Joaquin Valley	Corcoran	0.124	N
South Central Coast			
San Luis Obispo County	Red Hills	0.097	N
Santa Barbara	Paradise	0.083	N
Ventura	Simi Valley	0.097	N
South Coast	Crestline/Redlands/Upland	0.131	N

(1) Based on ambient ozone data collected during 2006, 2007, and 2008.
DV = Designation Value, A = Attainment, N = Nonattainment, NA-T = Nonattainment-Transitional, and U = Unclassified.

There are 2 standards for ozone, a 1-hour standard and an 8-hour standard. Because the 8-hour standard is the more stringent of the two, the 8-hour designation value generally determines an area's designation status.

(2) There is no monitoring site located in the county.

(3) The Mammoth Lakes monitoring site closed in 2002, and the designation values reflect 2000-2002 data. The County will continue to be designated as nonattainment until an equivalent site is established.

TABLE E-2

STATE NITROGEN DIOXIDE STANDARD [1]

Air Basin	Annual Average Designation Site	Annual Average DV (ppm)	Designation Based on Annual Average	1-Hour Designation Site	1-Hour DV (ppm)	Designation Based on 1-Hour Standard	Proposed Designation Status
State Standard		**0.030**			**0.18**		
Mojave Desert	Barstow	0.022	A	Barstow	0.09	A	**A**
Mountain Counties	Grass Valley	0.003	A	Grass Valley	0.04	A	**A**
North Central Coast	Salinas-#3	0.007	A	Salinas-#3	0.05	A	**A**
North Coast	Willits	0.009	A	Willits	0.04	A	**A**
Sacramento Valley	Sacramento-T St	0.016	A	North Highlands	0.13	A	**A**
Salton Sea	Calexico-Ethel	0.014	A	Calexico-Ethel	0.10	A	**A**
San Diego	Otay Mesa	0.024	A	Otay Mesa	0.11	A	**A**
San Francisco Bay Area	San Jose	0.018	A	San Jose	0.07	A	**A**
San Joaquin Valley	Bakersfield-Golden	0.021	A	Shafter	0.09	A	**A**
South Central Coast	Simi Valley	0.013	A	Santa Barbara	0.06	A	**A**
South Coast	Lynwood/ Pomona/Upland	0.031	N	Los Angeles-North Main	0.12	A	**N**

(1) Based on ambient Nitrogen Dioxide data collected during 2006, 2007 and 2008. Areas without monitoring data are not included in the table

DV = Designation Value, A = Attainment, and N = Nonattainment.

TABLE E-3

STATE LEAD DESIGNATION [1]

Air Basin	County	Designation Site	Designation Value (ug/m3)	Proposed Designation Status
State Standard			**1.5**	
Salton Sea	Imperial	Calexico-Ethel Street	Less than 0.1	A
South Coast	Los Angeles	Exide-Rehrig Pacific	2.9	N
	Riverside	Riverside-Rubidoux	Less than 0.1	A
	San Bernardino[2]	San Bernardino-4th St	Less than 0.1	A

(1) Based on data collected durng 2006, 2007 and 2008. Areas without monitoring data are not included in the table.

(2) Data are complete for 2006 and 2007. 2008 data are incomplete for December, but are not needed for designation per Attachment A Appendix 3.

TABLE E-4

STATE PM2.5 DESIGNATION [1]

Air Basin	Area Included	High Site	Designation Value (ug/m3)	Notes	Proposed Designation Status
State Standard			**12**		
Great Basin Valleys	Entire Air Basin	Keeler	7		A
Lake County	Entire Air Basin	Lakeport	7		A
Mojave Desert	Central San Bernardino	Victorville	10	incomplete data	N
	Remainder of Air Basin	Lancaster	8	incomplete data	U
Mountain Counties	Portola Valley	Portola	11	incomplete data	N
	Remainder of Air Basin	Yosemite Village	14	incomplete data	U
North Central Coast	Entire Air Basin	Salinas	7		A
North Coast	Entire Air Basin	Ukiah	8	incomplete data	U
Northeast Plateau	Entire Air Basin	Yreka	*	incomplete data	U
Sacramento Valley	Butte County	Chico	18		N
	Colusa County	Colusa	10	Impacted by 2008 Exceptional Event	A
	Placer County (portion)	Roseville	12	Impacted by 2008 Exceptional Event	A
	Sacramento County	Sacramento-Del Paso	19		N
	Shasta County	Redding	9	Impacted by 2008 Exceptional Event	A
	Sutter and Yuba Counties	Yuba City	11	Impacted by 2008 Exceptional Event	A
	Remainder of Air Basin	Willows	11*	incomplete data	U
Salton Sea	City of Calexico	Calexico-Ethel	23		N
	Remainder of Air Basin	Brawley	8	incomplete data	U

TABLE E-4

STATE PM2.5 DESIGNATION [1]

Air Basin	Area Included	High Site	Designation Value (ug/m3)	Notes	Proposed Designation Status
San Diego	Entire Air Basin	El Cajon	15		N
San Francisco Bay	Entire Air Basin	Napa	14		N
San Joaquin Valley	Entire Air Basin	Bakersfield-Golden	25		N
South Central Coast	San Luis Obispo County	Atascadero	8		A
	Santa Barbara County	Santa Barbara	10	incomplete data	U
	Ventura County	Simi Valley	13		N
South Coast	Entire Air Basin	Riverside-Rubidoux	20	incomplete data	N

* Also impacted by 2008 Exceptional Events. Because this site is not a Federal Equivalent Method (FEM) monitoring site, it was not included in the 2008 Northern California Wildfire Exceptional Event document submitted to the U.S. EPA in September 2009. However, data that exceeded the national 24-hour PM2.5 standard of 35 ug/m3 during this time (June 20 to August 16, 2008) were not used for State area designation purposes

(1) Based on data collected during 2006, 2007 and 2008. Data as of 8/27/09. Areas without monitoring data are not included in this table.

A = Attainment; N = Nonattainment; U = Unclassified

ATTACHMENT F

REFERENCES

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ATTACHMENT F

REFERENCES

The following is a list of documents, websites, and other resources used in developing the changes to the designation criteria and area designations for State standards documented in this staff report:

- California Air Resources Board
  - Air Quality Data
    - Air Quality and Meterological Information System (AQMIS2)
      Current and historical air quality and meteorology data
      www.arb.ca.gov/aqmis2/aqinfo.php
      Data last accessed as of December 8, 2009
    - iADAM Air Quality Data Statistics
      Historical air quality data, trends, statistics
      www.arb.ca.gov/adam/welcome.html.
      Data last accessed as of December 8, 2009
    - Air Quality Data Available on DVD-ROM
      www.arb.ca.gov/aqd/aqdcd/aqdcd.htm
  - Area Designations
    - www.arb.ca.gov/desig/desig.htm
      Page last reviewed December 17, 2009
      - 1989 Staff Report
      - 1990 Staff Report
      - 1991 Staff Report
      - 1992 Staff Report
      - 1993 Staff Report
      - 1994 Staff Report
      - 1995 Staff Report
      - 1996 Staff Report
      - 1997 Staff Report
      - 1998 Staff Report
      - 1999 Staff Report
      - 2000 Staff Report
      - 2001 Staff Report

- 2002 Staff Report
- 2003 Staff Report
- 2004 Staff Report
- 2006 Staff Report
- 2007 Changes by Operation of Law

- Emissions Inventory Data

  - Search engines by source categories, regions, facilities
    www.arb.ca.gov/ei/emissiondata.htm
    Data last accessed as of November 19, 2009

  - CEPAM: 2009 Almanac - Population and Vehicle Trends Tool
    www.arb.ca.gov/app/emsinv/trends/ems_trends.php
    Data last accessed as of November 19, 2009

- Exceptional Events

  - www.arb.ca.gov/desig/excevents/2008wildfires.htm
    - 2008 Northern California Wildfires
      Page last reviewed September 24, 2009

- Expected Peak Day Concentrations (EPDC)
  - Guidance for Using Air Quality-Related Indicators in Reporting Progress in Attaining the State Ambient Air Quality Standards
    http://www.arb.ca.gov/research/abstracts/93-49.htm
    Report dated July 8, 1993

- Monitoring Site Information

  - Quality Assurance – Air Monitoring Site Information
    www.arb.ca.gov/qaweb/site.php
    Data last accessed as of October 20, 2009

  - State and Local Air Monitoring Network Plans
    www.arb.ca.gov/aqd/netrpt/netrpt.htm
    Data last accessed as of October 20, 2009

- U.S. Environmental Protection Agency
  - Exceptional Events
    - Treatment of Data Influenced by Exceptional Events (Exceptional Events Rule) – March 22, 2007
      www.epa.gov/region09/air/quality/events.html
      Page last reviewed December 21, 2009
      www.epa.gov/fedrgstr/EPA-AIR/2007/March/Day-22/a5156.htm
      Page last reviewed October 29, 2009
  - Nonattainment Areas
    - The Green Book Nonattainment Areas for Criteria Pollutants
      www.epa.gov/air/oaqps/greenbk/index.html
      Data last accessed as of December 15, 2009

- South Coast Air Quality Management District
  - Air Quality Data
    - Lead Data
      www.aqmd.gov/exide/exideairmonitoringdata.pdf
      Data last accessed as of December 17, 2009

PROPOSED

State of California
AIR RESOURCES BOARD

Resolution 10-17

March 25, 2010

Agenda Item No.: 10-3-2

WHEREAS, Health and Safety Code sections 39600 and 39601 authorize Air Resources Board (ARB 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 Legislature enacted the California Clean Air Act of 1988 (the Act; Stats. 1988, ch. 1568) declaring that it is necessary that the State ambient air quality standards (State standards) be attained by the earliest practicable date to protect public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain the State standards, the Act mandates a comprehensive program of emission reduction measures and planning requirements for the State and the local air pollution control and air quality management districts (districts) in areas where the State standards are not attained;

WHEREAS, Health and Safety Code section 39607(e) requires the Board to establish and periodically review criteria for designating an air basin as nonattainment or attainment for any State standard set forth in title 17, California Code of Regulations, section 70200 (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter or PM10, fine particulate matter or PM2.5, sulfates, lead, hydrogen sulfide, and visibility reducing particles);

WHEREAS, on June 8, 1989, the Board adopted title 17, California Code of Regulations, sections 70300 through 70306, and Appendices 1 through 4 thereof, establishing designation criteria consistent with the requirements of the Act; these regulations were amended on June 15, 1990, May 15, 1992, December 10, 1992, November 18, 1993, November 16, 1995, September 24, 1998, and January 20, 2004;

WHEREAS, Health and Safety Code section 39608(a) requires the Board, in consultation with the districts, to identify and classify each air basin in California as nonattainment, attainment, or unclassified on a pollutant-by-pollutant basis pursuant to the designation criteria established by the Board under Health and Safety Code section 39607(e);

WHEREAS, Health and Safety Code section 39608(c) also requires the Board to review the area designations annually and update them as new information becomes available;

WHEREAS, in consultation with the districts and considering comments received from public agencies, industry representatives, and interested persons, ARB staff is proposing amendments to the designation criteria set forth in title 17, California Code of Regulations, sections 70300 through 70306, and Appendices 1 through 4 thereof;

WHEREAS, the proposed amendments to the designation criteria would clarify existing provisions of the designation criteria and provide for consistency among the various provisions of the designation criteria, as set forth in Attachment A hereto;

WHEREAS, ARB staff is proposing that the Board delegate to the Executive Officer the responsibility of annually reviewing the area designations and updating them as new information becomes available, thereby streamlining the area designation process;

WHEREAS, title 17, California Code of Regulations, section 70304(c) states that areas with limited or no air quality data for nitrogen dioxide, sulfur dioxide, sulfates, and lead, shall remain in attainment based on the "Screening Procedure for Determining Attainment Designations for Areas with Incomplete Air Quality Data" set forth in Appendix 4 to title 17, California Code of Regulations, sections 70300 through 70306;

WHERAS, the current screening criteria as set forth in section 70304(c) and Appendix 4 to title 17, California Code of Regulations, sections 70300 through 70306, are based on area population estimates and emission threshold criteria, and are outmoded and inefficient;

WHEREAS, ARB staff is proposing amendments to section 70304(c) regarding screening procedures for nitrogen dioxide, sulfur dioxide, sulfates, and lead, allowing areas to remain in attainment with limited or no air quality data as long as emissions have not substantially increased;

WHEREAS, the proposed amendments to section 70304(c) would eliminate the need for Appendix 4 to title 17, California Code of Regulations, sections 70300 through 70306;

WHEREAS, references are made in the designation criteria to specific, dated federal regulations and guidelines that do not accurately reflect the most up-to-date federal requirements;

WHEREAS, ARB staff is proposing amendments to the designation criteria to update these federal references;

WHEREAS, on June 9, 1989, the Board approved the initial area designations currently contained in title 17, California Code of Regulations, sections 60200 through 60210,

and has reviewed them annually and updated them as warranted based on a review of new air quality data;

WHEREAS, Health and Safety Code section 40925.5(a), specifies that districts with a nonattainment designation for the State ozone standard are designated as "nonattainment-transitional" by operation of law if, during a single calendar year, the State standard is not exceeded more than three times at any monitoring location within the district;

WHEREAS, based on a review of 2006 through 2008 calendar year air quality data:

- Those portions of Sutter and Yuba counties in the Sacramento Valley Air Basin qualify as nonattainment-transitional of the State ozone standards by operation of law;
- The Sonoma County portion of the North Coast Air Basin has demonstrated attainment of the State ozone standards;
- The Lake Tahoe Air Basin qualifies as nonattainment of the State ozone standards;
- The South Coast Air Basin qualifies as nonattainment of the State nitrogen dioxide standards;
- The Los Angeles County portion of the South Coast Air Basin area qualifies as nonattainment of the State lead standards; and
- The Great Basin Valleys Air Basin, and those portions of Colusa, Placer, Shasta, Sutter, and Yuba counties in the Sacramento Valley Air Basin have demonstrated attainment of the State PM2.5 standard;

WHEREAS, ARB staff has provided opportunities for public comment, including a public workshop held on December 17, 2009, has consulted with districts, and has considered all comments before proposing amendments to the area designations and the process for updating the designations;

WHEREAS, ARB staff is proposing amendments to the Table of Area Designations for Ozone in title 17, California Code of Regulations, section 60201, for the Lake Tahoe Air Basin, the Sonoma County portion of the North Coast Air Basin, and those portions of Sutter and Yuba counties in the Sacramento Valley Air Basin, as set forth in Attachment B hereto;

WHEREAS, ARB staff is proposing amendments to the Table of Area Designations for Nitrogen Dioxide in title 17, California Code of Regulations, section 60203, for the South Coast Air Basin, as set forth in Attachment B;

WHEREAS, ARB staff is proposing amendments to the Table of Area Designations for Lead (particulate) in title 17, California Code of Regulations, section 60207, for the Los Angeles County portion of the South Coast Air Basin, as set forth in Attachment B;

WHEREAS, ARB staff is proposing amendments to the Table of Area Designations for Fine Particulate Matter (PM2.5) in title 17, California Code of Regulations, section 60210, for the Great Basin Valleys Air Basin, and those portions of Colusa,

Placer, Shasta, Sutter, and Yuba counties in the Sacramento Valley Air Basin, as set forth in Attachment B;

WHEREAS, the proposed amendments to the area designations are consistent with the requirements of Health and Safety Code section 39608;

WHEREAS, the California Environmental Quality Act and Board regulations require 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; and

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of chapter 3.5 (commencing with section 11340), part 1, division 3, title 2 of the Government Code, and the Board has considered the testimony presented by interested persons and the Board staff.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that:

1. The proposed amendments to the designation criteria comply with the requirements of Health and Safety Code section 39607(e) and will increase efficiency in the designation process;

2. The proposed amendments to the tables of area designations comply with the requirements of Health and Safety Code section 39608;

3. The proposed amendments to the area designations set forth in title 17, California Code of Regulations, sections 60201, 60203, 60207, and 60210, are consistent with the designation criteria contained in title 17, California Code of Regulations, sections 70300 through 70306, and Appendices 1 through 4, thereof;

4. This regulatory action will not have any significant adverse environmental impacts on the environment because it does not direct or require any specific activity or response that could result in an environmental impact but serves only to identify as attainment those areas that meet State standards, and as nonattainment those areas with air quality that does not meet State standards. Such identification involves the nonattainment areas in the planning process whereby rules and regulations may be implemented, after appropriate environmental review, to reduce emissions and improve air quality, ultimately resulting in environmental benefits because they are aimed at attaining and maintaining the State standards, as well as protecting public health; and

5. No reasonable alternative considered or that has otherwise been identified and brought to the attention of ARB would be more effective in carrying out the purpose of the proposed action or would be as effective as and less burdensome to affected private persons and businesses than the proposed action.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to determine if additional conforming modifications to the regulation are appropriate. If no additional modifications are appropriate, the Executive Officer shall take final action to adopt the regulation, as set forth in Attachments A and B hereto. If the Executive Officer determines that additional conforming modifications are appropriate, the Executive Officer shall adopt the modified regulation after making the modified regulatory language and any additional supporting documents and information available to the public for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such further modifications as may be appropriate in light of the comments received, and shall present the regulation to the Board for further consideration if he determines that this is warranted.

Resolution 10-17

March 25, 2010

Identification of Attachments to the Resolution

Attachment A: Text of the Proposed Amendments to the Area Designation Criteria, title 17, California Code of Regulations, sections 70300 through 70306, and Appendices 1 through 4 thereof, as set forth in the Initial Statement of Reasons, released February 4, 2010.

Attachment B: Text of the Proposed Amendments to the Area Designations, title 17, California Code of Regulations, sections 60200 through 60210, as included in the Initial Statement of Reasons, released February 4, 2010.

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO CONSIDER APPROVAL OF THE SOUTH COAST AIR BASIN PM10 REDESIGNATION REQUEST, MAINTENANCE PLAN , AND TRANSPORTATION CONFORMITY BUDGETS

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 South Coast Air Basin (South Coast) prepared by the South Coast Air Quality Management 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: March 25, 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., March 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 by someone in the audience who would like to speak on that item.

BACKGROUND

The federal Clean Air Act (the Act) establishes planning requirements for those areas that routinely exceed the health-based National Ambient 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 South Coast in 1991. The plan focused on fugitive dust control strategies for attaining the national 24-hour PM10 standard. In various plan revisions, the District adopted increasingly stringent dust measures. The 2003 plan revision added control measures to reduce emissions of particulate matter precursors. The concerted adoption of District controls resulted in the South Coast attaining the PM10 standard by the 2006 attainment date.

On January 8, 2010, the District adopted the PM10 Redesignation Request and Maintenance Plan for the South Coast. The plan officially requests that the South Coast be redesignated to attainment for the federal PM10 standard and charts the course for continued maintenance of the standard.

Shortly before plan adoption, the District developed revised transportation conformity budgets (budgets) for the Maintenance Plan based on U.S. EPA comments that the budgets only include emission reductions from adopted control measures. Because transportation conformity budgets are subject to a 30-day public notice requirement, ARB staff has posted the revised budgets to provide for the required public review period. ARB staff proposes adoption of the updated budgets for the South Coast.

PROPOSED ACTION

ARB staff has reviewed the District's Maintenance Plan for the South Coast and has concluded that it meets applicable federal 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 transportation conformity budgets, 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 the South Coast be redesignated from nonattainment to attainment for the national PM10 standard.

AVAILABILITY OF DOCUMENTS

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

SUBMITTAL OF COMMENTS

Interested members of the public may also present comments orally or in writing at the meeting, and written comments may be submitted by postal mail or by electronic 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, March 24, 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

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.

The Board requests, but does not require 20 copies of any written submission. Also, ARB requests 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. 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 Dr. Patricia Velasco, Staff Air Pollution Specialist, Planning and Technical Support Division at (916) 323-7560.

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: Feb 17, 2010

State of California

California Environmental Protection Agency
AIR RESOURCES BOARD

Staff Report

Analysis of the South Coast Air Basin PM10 Redesignation Request, Maintenance Plan, and Conformity Budgets

Release Date: February 22, 2010
Scheduled for Consideration: March 25, 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.

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EXECUTIVE SUMMARY

Background

The South Coast Air Basin (South Coast) is currently designated as a serious nonattainment area for the 24-hour national ambient air quality standard (NAAQS or standard) for particulate matter of 10 microns in diameter or smaller (PM10). The South Coast Air Quality Management District (District) adopted the first PM10 attainment plan for the South Coast in 1991. The plan focused on fugitive dust as the primary control strategy for attaining the national 24-hour and the annual PM10 standards. The 1997 plan revision requested extension of the attainment date to 2006. This revision was approved by the United States Environmental Protection Agency (U.S. EPA). In various plan revisions, the District adopted increasingly stringent dust measures. The 2003 plan revision added control measures to reduce emissions of particulate matter precursors. Adoption of District controls in the South Coast resulted in this area attaining the 24-hour PM10 standard by the 2006 attainment date.

On January 8, 2010, the District adopted the PM10 Redesignation Request and Maintenance Plan for the South Coast (South Coast PM10 Maintenance Plan). The plan officially requests this area be redesignated to attainment for the PM10 standard and charts the course for continued maintenance of the standard.

Shortly before plan adoption, the District developed revised transportation conformity budgets (budgets) for the Maintenance Plan based on U.S. EPA comments that the budgets only include emission reductions from adopted control measures. Because transportation conformity budgets are subject to a 30-day public notice requirement, ARB staff has posted the revised budgets to provide for the required public review period. ARB staff proposes adoption of the updated budgets for the South Coast.

Maintenance Plans Address Act Requirements

The South Coast PM10 Maintenance Plan includes the following components:

- Attainment emission inventories for directly emitted PM10 and for particulate matter precursor gases (NOx, SOx, and ROG);
- Demonstration that PM10 attainment concentrations at federal reference monitoring stations will be maintained for ten years after redesignation;
- Commitment to ongoing monitoring network operation for continued verification of attainment; and
- Contingency provisions to address any future violations.

In addition, eight years after the area is redesignated as attainment, the District will submit a revised South Coast PM10 Maintenance Plan providing for continued attainment for an additional ten years.

Staff Recommendation

Air Resources Board (ARB) staff concurs with the District's PM10 Redesignation Request and Maintenance Plan for the South Coast Air Basin. ARB staff recommends that the Board approve the District's South Coast PM10 Maintenance Plan, including the updated conformity budgets, as a revision to the California State Implementation Plan for submittal to U.S. EPA. In addition, ARB staff recommends that the Board approve the District's request that the South Coast Air Basin be redesignated from nonattainment to attainment for the national PM10 standard.

I. BACKGROUND

The South Coast Air Basin (South Coast) is designated as a serious nonattainment area for the 24-hour PM10 national ambient air quality standard (NAAQS or standard). The area is under the jurisdiction of the South Coast Air Quality Management District (District). In 1987, the United States Environmental Protection Agency (U.S. EPA) adopted the PM10 NAAQS consisting of a 24-hour PM10 standard of 150 micrograms per cubic meter ($\mu g/m^3$) and an annual standard of 50 $\mu g/m^3$. Effective December 18, 2006, U.S. EPA revoked the annual portion of the PM10 standard.

PM10 is a complex mixture of primary or directly emitted particles (dust and soot), and secondary particles or aerosol droplets formed in the atmosphere from precursor gases (NOx, SOx, ROG, and ammonia). PM10 includes the subsets of fine particles with a diameter of 2.5 microns or less (PM2.5) and of coarse particles with a diameter between 2.5 and 10 microns. Secondary particles are found mostly in the PM2.5 portion of PM10.

In the South Coast, currently, the fine fraction contributes approximately 56 percent and the coarse fraction 44 percent of the average peak PM10 concentrations. Dust is the main component of the coarse fraction in this area.

The District adopted the first PM10 Plan for the South Coast in 1991. This plan focused on a fugitive dust control strategy for attaining the national 24-hour and annual PM10 standards. Control measures were adopted to address fugitive dust emissions from paved and unpaved roads, agricultural activities, construction and demolition activities, and open area wind erosion. The District subsequently adopted Plan revisions in 1994, 1997, and 2003 providing dust control enhancements. The 2002 plan revision requested an extension of the PM10 attainment date to 2006. In addition to including control measures for directly emitted PM10, the 2003 Plan revision included controls for gaseous precursors of PM10. The 2007 revisions to the District's Air Quality Management Plan (AQMP) included an attainment demonstration showing continuous attainment of the standard through 2020.

On January 8, 2010, the District adopted the PM10 Redesignation Request and Maintenance Plan for the South Coast. The plan officially requests that the South Coast be redesignated to attainment for the PM10 standard and charts the course for continued maintenance of the standard through 2030.

Shortly before plan adoption, the District developed revised transportation conformity budgets (budgets) for the Maintenance Plan based on U.S. EPA comments that the budgets only include emission reductions from adopted control measures. Because transportation conformity budgets are subject to a 30-day public notice requirement, ARB staff has posted the revised budgets to provide for the required public review period. ARB staff proposes adoption of the updated budgets for the South Coast.

II. REDESIGNATION REQUIREMENTS

ARB staff reviewed the South Coast PM10 Maintenance Plan within the context of the Clean Air Act (Act), which identifies the following requirements each area must meet to be redesignated to attainment:

A. Th e PM10 standard has been attained;
B. Th e 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[1]. 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;
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 NAAQS that occurs after the area has been redesignated.

III. EVALUATION OF THE SOUTH COAST AIR BASIN PLAN

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

A. The South Coast Air Basin Attains the 24-Hour PM10 Standard

In the South Coast, PM10 concentrations are measured at nineteen federal reference monitors (FRMs) that collect PM10 samples on a 24-hour basis and ten real-time monitors that collect PM10 samples on an hourly basis (Figure 1). Table 1 lists air quality data for the three-year period of 2005-2007 for the FRMs demonstrating that the South Coast attains the 24-hour PM10 standard. The 24-hour standard is met when the estimated number of exceedances measured over a three year period averages one or less per year.

[1] 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

Figure 1. PM10 Monitoring Stations in the South Coast Air Basin

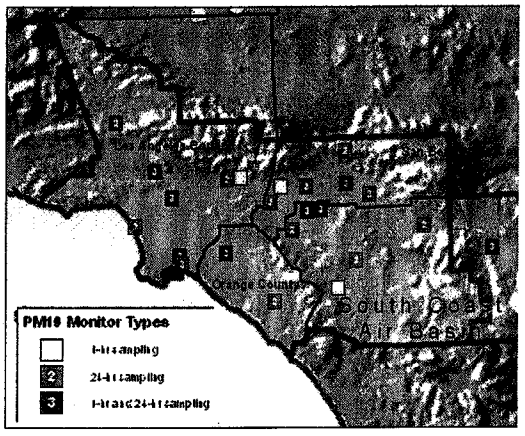


Table 1. South Coast Air Basin FRM PM10 Data from 2005 to 2007

Monitoring Station Name	Observed Maximum 24-hour Concentration[a] (μg/m³)			Three-year Total Number of Days Exceeding the Standard
	2005	2006	2007	2005-2007
Los Angeles County				
Los Angeles-North Main	70	59	78	0
Los Angeles-Westchester	44	45	128	0
North Long Beach	66	78	75	0
South Long Beach	131	117	123	0
Burbank	92	71	109	0
Azusa	76	81	82	0
Santa Clarita	55	53	131	0
Orange County				
Anaheim	65	104	75	0
Mission Viejo	41	57	74	0
Riverside County				
Norco	79	74	93	0
Riverside-Rubidoux	123	109	118	0
Mira Loma	--	124	142	N/A[b]
Perris	80	125	120	0
Banning Airport	76	75	78	0
San Bernardino County				
Ontario	74	78	115	0
Fontana	108	142	111	0
San Bernardino	72	92	136	0
Redlands	61	103	97	0
Crestline	49	63	89	0

a. Data do not include PM10 concentrations caused by natural/exceptional events which are excluded from regulatory consideration.
b. Monitoring since 2006.

On three days over the 2005 to 2007 period, the 24-hour standard was exceeded due to high wind events or fireworks on a national holiday. These exceedances can be excluded under the federal rule for exceptional events since they are not reasonably preventable or controllable. Documentation for these three events has been submitted to U.S. EPA for concurrence as exceptional events.

B. U.S. EPA Approved the South Coast Air Basin PM10 SIP and the State Has Met Applicable Act Requirements

On April 18, 2003, U.S. EPA approved the PM10 elements of the 1997 South Coast AQMP and the 2002 plan update with a December 31, 2006 attainment deadline for the South Coast. In addition, ARB and the District have met all of the Act requirements applicable for a serious PM10 nonattainment area to be considered for redesignation.

C. Improvement in the South Coast Air Basin PM10 Air Quality is Due to Permanent and Enforceable Reductions in Emissions

The District has adopted the tighter dust control rules committed to in the Basin's 2003 PM10 attainment plan revision. In addition, the District has adopted rules controlling emissions of particulate matter precursors (NOx, SOx, and ROG). These measures have provided for continuous attainment of the 24-hour PM10 standard (excluding exceptional or natural events) in the region since 2004, despite regional growth. Adopted measures are fully enforceable.

Based on analyses of long-term meteorological variables, including rainfall, wind speeds, and stagnation, the District found that meteorological conditions during the 2005-2007 period were not unusually favorable to lower PM10 levels. Therefore, air quality improvements leading to PM10 attainment in the Basin are due to emission reductions from adopted, fully enforceable control measures.

D. Maintenance Plan

The South Coast PM10 Maintenance Plan includes the following components: attainment emission inventory; maintenance demonstration; commitment to continue monitoring network operation; commitment for verification of continued attainment; and contingency plan. In addition, transportation conformity budgets have been updated.

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 South Coast PM10 Maintenance Plan presents the updated 2007 AQMP baseline emission inventories for PM10, NOx, ROG, and SOx for 2002, 2006, and 2008, plus projected emissions for 2010 through 2012 (providing a bracket for the start of the maintenance period depending upon plan approval by U.S. EPA), 2014, 2020, and 2023 (bracketing the expected 10-year maintenance period), and 2030. 2007 AQMP inventory updates include the latest point and area source emission information; ARB EMFAC 2007 mobile source emission outputs; and planning assumptions in the Southern California Association of Government's (SCAG) Interim 2007 Regional Transportation Plan (2007 RTP).

2. Maintenance Demonstration

The 2003 PM10 attainment plan used linear rollback to demonstrate attainment of the 24-hour PM10 standard. Linear rollback assumes that future PM10 levels above background concentrations will decrease in proportion to projected emission reductions. The linear rollback technique was based on PM10 chemical components. For the five sites where PM10 component species were sampled, the components were matched to the appropriate emission inventory categories in the rollback analysis.

The South Coast PM10 Maintenance Plan demonstrates maintenance of the 24-hour PM10 standard by estimating the PM2.5 and the coarse portions of PM10 concentrations using two separate methodologies: 1) the PM2.5 portion using regional photochemical modeling, 2) the coarse portion using linear rollback simulations. This analysis employed baseline emission inventories for 2005 and 2010 through 2030. The projected PM2.5 and coarse fractions were added to estimate future-year maximum 24-hour PM10 concentrations. Table 2 lists the 2010 through 2012, 2014, 2020, 2023, and 2030 projected maximum 24-hour PM10 values per county, which demonstrate continued attainment of the 24-hour NAAQS throughout the Basin.

Table 2. Projected Maintenance of 24-hour PM10 NAAQS in the South Coast Air Basin

Year	Predicted County Maximum 24-hour PM10 Concentration ($\mu g/m^3$)			
	Los Angeles	Orange	Riverside	San Bernardino
2010	102	79	120	126
2011	101	79	119	125
2012	101	78	118	125
2014	102	79	117	126
2020	102	80	117	126
2023	103	81	118	128
2030	109	86	125	**136**

The South Coast is projected to maintain attainment with the PM10 standard due to ARB, District, and other local control measures already in place. In addition, future emissions in PM10 precursors are projected to decrease even further as a result of the implementation of controls in the 2007 AQMP for PM2.5 and ozone in the Basin.

3. PM10 Monitoring Network

The District commits to continue PM10 monitoring to verify sustained attainment of the PM10 standard in the South Coast. The existing PM10 monitoring network in the South Coast includes nineteen FRM and ten real-time PM10 monitors (Figure 1). Federal regulations require daily sampling at the site reporting peak PM10 concentrations. The real-time PM10 monitors will be used to meet the daily monitoring requirement.

4. Verification of Continued Attainment

To verify continued attainment of the PM10 standards, the District commits to reevaluate the South Coast PM10 Maintenance Plan as part of the AQMP revision currently scheduled for 2011. Eight years after the South Coast has been redesignated to attainment, the District will submit to U.S. EPA the required revision to the Plan demonstrating maintenance of the standard for the following ten year period. On a regular basis, the District will continue to analyze PM10 data from FRM and continuous monitors and compare daily PM10 values to the level of the 24-hour standard.

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.

Implementation of the 2007 AQMP serves as an on-going contingency measure for maintaining the PM10 standard in the South Coast, since emission reductions from control measures designed to attain the PM2.5 and ozone standards will effectively reduce PM10 concentrations. If nonetheless the 24-hour PM10 standard is exceeded, and data evaluation shows the violation is not due to a natural or exceptional event, the District will evaluate further enhancements to key existing PM10 measures to achieve necessary emission reductions as expeditiously as possible.

6. Transportation Conformity Budgets

Under section 176(c) of the Act, transportation plans, programs, and projects that receive federal funding or require federal approval must be found to be fully consistent

with the SIP. The federal transportation conformity regulation[2] found in 40 CFR parts 51 and 93 requires SIPs to specify on-road motor vehicle emission budgets (budgets) that are consistent with attainment and maintenance of NAAQS. The conformity regulation requires metropolitan planning organizations to demonstrate that emissions from regional transportation plans and programs do not exceed these "emission budgets."

The District updated the South Coast transportation conformity budgets using ARB's latest on-road mobile source emission factor model EMFAC2007 and transportation activity data from the 2008 RTP, Amendment 1 as adopted by SCAG in December 2008. The budgets U.S. EPA previously approved as part the 2003 PM10 Attainment Plan were based on EMFAC 2002 and SCAG's 2001 RTP.

The District conducted an attainment modeling sensitivity analysis to evaluate the impact of increased motor vehicle emissions from potential growth on ambient PM10 concentrations. Even if PM10 baseline emissions from motor vehicles were to increase by up to 20 tons per day (tpd), the South Coast would continue to show attainment through 2030 (Table 3).

Table 3. Projected 24-hour PM10 Concentrations Assuming a 20 tpd Increase in the South Coast Air Basin Baseline PM10 Emissions

Year	Predicted County Maximum 24-hour PM10 Concentration ($\mu g/m^3$)			
	Los Angeles	Orange	Riverside	San Bernardino
2010	105	81	124	131
2011	105	82	123	131
2012	105	81	122	130
2014	105	82	121	131
2020	106	83	121	132
2023	107	84	123	133
2030	113	89	129	**141**

Prior to the District's Board hearing, the District revised the transportation conformity budgets in the South Coast PM10 Maintenance Plan, to reflect U.S. EPA's comment that the budgets only include emission reductions from already adopted control measures. Table 4 lists the revised on-road motor vehicle emission budgets for transportation conformity established for the years 2010, 2020, and 2030. After consultation with the District and SCAG, 5 tpd of PM10 were added to the conformity budget for 2030 and 7 tpd, 4 tpd, and 3 tpd of ROG to the budgets for 2010, 2020, and 2030, respectively. Appendix C of the ARB Staff Report for the 2007 South Coast

[2] U.S. EPA maintains online information on its transportation conformity program, including access to relevant rulemakings, policy guidance, and reports at: http://www.epa.gov/otaq/stateresources/transconf/index.htm

PM2.5 SIP presented the relative emissions contribution to the South Coast PM2.5 formation from precursor gases, including ROG. Based on the established ratios, the additional ROG emissions translate to adding 1 tpd of PM10 emissions (rounding to whole tpd) for 2010, 2020, and 2030, respectively. Total additions for the 2030 budget are therefore the equivalent of 6 tpd of PM10. The additional 6 tpd of PM10 represents only 30 percent of the 20 tpd PM10 included in the District's attainment modeling sensitivity analysis. The 6 tpd of PM10 facilitates anticipated growth while setting an emissions budget that ensures continued maintenance of the standard. ARB staff posted the revised budgets on ARB's website to provide for the required 30-day public review. The revised emission budgets fulfill the requirements of the Act and U.S. EPA regulations to ensure that transportation activities support continued maintenance of the PM10 standard.

Table 4. Transportation Conformity Emissions Budgets for PM10 in the South Coast Air Basin
(Annual average)

Emission Budget (tons per day)	**2010**	**2020**	**2030**
PM10	159	164	175
NOx	372	180	116
ROG	182	110	81

IV. STAFF RECOMMENDATION

ARB staff has reviewed the PM10 Redesignation Request and Maintenance Plan for the South Coast Air Basin and consulted with the District staff during this review. ARB staff finds that the South Coast Air Basin 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 the South Coast. Therefore, we recommend that the Board adopt the South Coast PM10 Maintenance Plans and the updated transportation conformity budgets for the South Coast, 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 the South Coast Air Basin be redesignated from nonattainment to attainment for the national PM10 standard.

PROPOSED

State of California
AIR RESOURCES BOARD

Resolution 10-21

March 25, 2010

Agenda Item No.: 10-3-6

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

WHEREAS, 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 the responsibility for ensuring that the districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, and 41650-41652 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 duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, the local air districts have primary responsibility for controlling 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, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, the South Coast Air Basin (South Coast) includes Orange County and portions of the counties of Los Angeles, San Bernardino, and Riverside, as described in title 17, California Code of Regulations, section 60104;

WHEREAS, the South Coast Air Quality Management District (District) is the local air district with jurisdiction over the South Coast pursuant to section 40410 et seq. of the Health and Safety Code;

WHEREAS, the Southern California Association of Governments 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 sections 40460(b) and 40465 of the Health and Safety Code;

WHEREAS, the South Coast is designated a nonattainment area with a classification of "serious" for the inhalable particulate matter (PM10) 24-hour NAAQS with an attainment date of December 31, 2006;

WHEREAS, the District adopted South Coast PM10 plans in 1991 and 1994 that focused on controlling dust sources;

WHEREAS, on November 8, 1996, the District adopted the 1997 Air Quality Management Plan (1997 AQMP) which included the attainment demonstration for PM10 for the South Coast;

WHEREAS, the 1997 AQMP revised the emission inventory, modeling and local control commitments in the attainment demonstration, and did not revise the State SIP commitments adopted in the 1994 SIP;

WHEREAS, the Board approved the 1997 AQMP on January 23, 1997, and submitted it to the United States Environmental Protection Agency (U.S. EPA) as a SIP revision on February 5, 1997;

WHEREAS, on June 7, 2002, the District adopted an updated implementation schedule and updated transportation conformity emission budgets for the PM10 elements of the 1997 AQMP (1997 PM10 Plan Update);

WHEREAS, on April 18, 2003, U.S. EPA approved the PM10 elements of the 1997 AQMP and the 1997 PM10 Plan Update with a December 31, 2006 attainment deadline;

WHEREAS, on August 1, 2003, the District amended the South Coast PM10 Plan to update transportation conformity budgets and strengthen control measures;

WHEREAS, on November 14, 2005, U.S. EPA approved the 2003 revision to the South Coast PM10 Plan strengthening control measures and updating transportation conformity budgets for PM10;

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)(i) of the Act, the District has demonstrated attainment with no violations of the PM10 NAAQS in the 2005-2007

period for South Coast based on quality-assured federal reference method monitoring data from the State and local monitoring network;

WHEREAS, consistent with section 107(d)(3)(E)(ii) of the Act, ARB has met all applicable requirements and the condition that the South Coast has an approved PM10 SIP pursuant section 110(k) of the Act;

WHEREAS, consistent with section 107(d)(3)(E)(iii) of the Act, the District has demonstrated in the PM10 Maintenance Plan and Request for Redesignation for the South Coast Air Basin (South Coast PM10 Maintenance Plan) that the improvement in air quality is due to permanent and enforceable emission control measures;

WHEREAS, consistent with section 107(d)(3)(E)(iv) of the Act, the District has prepared a maintenance plan for the South Coast meeting the requirements of section 175A of the Act;

WHEREAS, consistent with section 107(d)(3)(E)(v) of the Act, the ARB and the District have met all applicable requirements under section 110 and part D of the Act for the South Coast;

WHEREAS, consistent with section 175A of the Act, the South Coast PM10 Maintenance Plan provides for maintenance of the PM10 NAAQS for at least ten years after redesignation and contains contingency provisions to assure prompt correction of any PM10 violation which occurs after the redesignation of the area to attainment;

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 the U.S. EPA of any SIP revision;

WHEREAS, as required by federal law, the District made the South Coast PM10 Maintenance Plan available for public review at least 30 days before the public hearing date;

WHEREAS, prior to plan adoption, the District developed revised transportation conformity budgets based on U.S. EPA comments that the budgets only include emission reductions from adopted measures;

WHEREAS, since the transportation conformity emission budgets are subject to a 30-day public notice requirement, ARB agreed to post the budgets and the District removed them from the South Coast PM10 Maintenance Plan;

WHEREAS, following a public hearing on January 8, 2010, the Governing Board of the District voted to:

1. Adopt the South Coast PM10 Maintenance Plan to fulfill the applicable requirements of the Act for a serious PM10 nonattainment area to be redesignated to attainment;

2. Request a redesignation for the South Coast to attainment for the PM10 standard;

3. Request that ARB provide the 30-day public notice for the South Coast transportation conformity budgets and take appropriate action;

WHEREAS, the District submitted the South Coast PM10 Maintenance Plan to ARB as a SIP revision on January 15, 2010, along with proof of public notice publication and environmental documents in accordance with State and federal law;

WHERAS, as requested by the District, ARB posted the South Coast transportation conformity budgets for a 30-day public comment period, and has held a public hearing on the South Coast PM10 Maintenance Plan and conformity budgets in accordance with State and federal law;

WHEREAS, the California Environmental Protection 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 with outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the South Coast PM10 Maintenance Plan contains already adopted regulations and rules that have undergone environmental review at the time of their adoption, and any measure that may be triggered as part of the contingency provision will undergo environmental review at the time of adoption;

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 South Coast;

2. The South Coast PM10 Maintenance Plan is necessary for U.S. EPA to redesignate the South Coast to attainment for the PM10 NAAQS;

3. The District's South Coast PM10 Maintenance Plan complies with the requirements of section 107(d)(3)(E) of the Act;

4. The South Coast PM10 Maintenance Plan provides for maintenance of the PM10 NAAQS through 2023;

5. Consistent with U.S. EPA guidance, the South Coast PM10 Maintenance Plan includes an attainment emission inventory, commitments by the District to continue operating the particulate matter monitoring network, and a process to verify continued PM10 attainment;

6. The South Coast PM10 Maintenance Plan includes contingency provisions to ensure prompt correction of any post-redesignation violation of the PM10 NAAQS;

7. The South Coast 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;

8. The Board has reviewed and considered the South Coast PM10 Maintenance Plan along with the comments presented by interested parties, and finds that the plan meets the requirements of the Act and CEQA; and

9. The South Coast PM10 Maintenance Plan has identified NOx, VOC, and PM10 emission budgets for transportation conformity for 2010, 2020, and 2030 based on current emissions and activity data, and the budgets are adequate to ensure continued maintenance of the PM10 NAAQS.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the South Coast PM10 Maintenance Plan, including the updated transportation conformity budgets, as a revision to the California SIP.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to submit the South Coast PM10 Maintenance Plan and Redesignation Request, 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 hereby certifies pursuant to 40 CFR section 51.102 that the District's South Coast PM10 Maintenance Plan and transportation conformity budgets were adopted after notice and public hearing as required by 40 CFR section 51.102.

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO CONSIDER UPDATES TO THE PROPOSITION 1B: GOODS MOVEMENT EMISSION REDUCTION PROGRAM GUIDELINES

The Air Resources Board (ARB or Board) will conduct a public meeting at the time and place noted below to consider adoption of updates to the Proposition 1B: Goods Movement Emission Reduction Program Guidelines (Program Guidelines).

DATE: March 25, 2010

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
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., March 25, 2010, and may continue at 8:30 a.m., on March 26, 2010. This item may not be considered until March 26, 2010. Please consult the agenda for the meeting, which will be available at least 10 days before March 25, 2010, to determine the day on which this item will be considered.

Background

The movement of freight (goods movement) throughout California results in emissions of diesel particulate matter (diesel PM), oxides of nitrogen (NOx), and other pollutants. Goods movement involves the use of a variety of mobile emission sources, such as heavy duty trucks, diesel locomotives, ocean-going cargo ships, harbor craft, and cargo handling equipment. ARB has identified diesel PM as a toxic air contaminant, and NOx contributes to regional ozone and PM levels that exceed State and federal air quality standards. The emissions from these mobile sources result in significant human health risks and adverse environmental effects, particularly when such sources release emissions near already heavily-impacted communities located in California's trade corridors where these sources operate.

Proposition 1B: Goods Movement Emission Reduction Program (Program), approved by voters in 2006, authorizes $1 billion in bond funding to the ARB to cut freight emissions in four priority trade corridors. The State budgets for FY2007-08, 2008-09 and 2009-10 appropriated nearly $750 million total to ARB for the Program. The major sources eligible for bond funding include heavy-duty diesel trucks, freight locomotives, cargo ships at docks, commercial harbor craft, cargo handling equipment, and

infrastructure for electrification of truck stops, distribution centers, and other places trucks congregate.

State law (Health and Safety code section 39625 et seq) directs ARB to administer the Program to maximize the emission reduction benefits while achieving the earliest possible health risk reduction in communities heavily impacted by goods movement. The Program supplements regulatory actions and other incentives to cut diesel emissions by funding projects "not otherwise required by law or regulation." The funds provide an incentive to equipment owners to upgrade to cleaner equipment and achieve early or extra emission reductions beyond those required by applicable regulations or enforceable agreements.

The Program is a partnership between ARB and local agencies (like air districts and ports) to quickly reduce air pollution emissions and health risk from freight movement along California's four priority trade corridors. ARB awards Program funding to local agencies; those agencies then use a competitive process to provide incentives to equipment owners to upgrade to cleaner technology. However, project starts are now contingent on the availability of bond funding.

Proposed Revisions

As required by State law, the Board adopted the Program Guidelines and Staff Report at a public hearing on February 28, 2008. The Program Guidelines define the responsibilities of ARB, local agencies, and equipment owners, as well as the technical specifications and funding amounts for eligible projects. The Guidelines also define the overall funding targets for each trade corridor and each source category. Per Resolution 08-12, following each appropriation of Program funds to ARB, ARB staff must develop, and the Board must consider adoption of, any appropriate updates to these Guidelines prior to issuing the Notice of Funding Availability for that funding cycle.

ARB staff is not proposing any fundamental changes to the structure or goals of the Program. For a complete discussion of this structure, the goals, and all of the requirements, please see the adopted Guidelines and Staff Report available on the Program's website at: http://www.arb.ca.gov/gmbond.

The proposed updates to the Guidelines will include administrative elements that apply to both FY2007-08 funds and future year funds, as well as revised project specifications that only apply to future year funds. The administrative elements reflect interim changes made to the Guidelines via subsequent Board Resolution or Executive Order, as well as proposals to streamline the implementation requirements for local agencies. The revised project specifications will include new project choices and modifications to existing project options based on new information. The emphasis is on trucks, especially lower cost options for smaller truck fleets and improved access to financing. For other categories, staff is proposing several new project options to convert diesel equipment to electric or zero-emission power, or use hybrid power systems, to cut fuel use, toxic and criteria pollutants, and greenhouse gases.

The administrative and project proposals incorporate the work done to simplify and align many truck incentive provisions of the Carl Moyer Program and the Prop. 1B Program, consistent with the Board's direction.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The Staff Report and the proposed Program Guidelines will be available on the ARB Internet site at: http://www.arb.ca.gov/gmbond in early March. Copies may also be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California 95814, or by calling (916) 322-2990.

SUBMITTAL OF COMMENTS

Interested members of the public may also present comments orally or in writing at the meeting and may be submitted by postal mail or by electronic submittal before the meeting. To be considered by the Board, written comments, not physically submitted at the meeting must be received **no later than 12:00 noon, March 24, 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

Please note that under the California Public Records Act (Gov. Code, § 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.

The Board requests, but does not require, that 20 copies of any written statement be submitted and that all written 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. Further inquiries regarding this matter should be directed to Sherrie Sala-Moore, Air Resources Engineer, at (916) 322-0343 or Barbara Van Gee, Manager, Goods Movement Program Section, at (916) 322-5350.

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

- An interpreter to be available at the meeting.
- 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 meeting. 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: 3-8-10

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.arb.ca.gov.

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO CONSIDER NEAR-TERM REVISIONS TO THE LOWER-EMISSION SCHOOL BUS PROGRAM GUIDELINES AND THE CARL MOYER INCENTIVE PROGRAM GUIDELINES

The California Air Resources Board (ARB or Board) will conduct a public meeting at the time and place noted below to consider near-term revisions to the Lower-Emission School Bus Program (LESBP) and Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program) Guidelines.

DATE: March 25, 2010

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium, 2nd 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., Thursday, March 25, 2010, and may continue at 8:30 a.m., Friday, March 26, 2010. This item may not be considered until March 26, 2010. Please consult the agenda for the meeting, which will be available at least 10 days before March 25, 2010, to determine the day on which this item will be considered.

Background:

Since 1998, the Carl Moyer Program has filled a critical niche in California's strategy to achieve clean air. The Carl Moyer Program provides grant funding for the incremental cost of cleaner-than-required engines, equipment, and emission reduction technologies. The Carl Moyer Program plays a complementary role to California's regulatory program by funding emission reductions that are surplus, i.e., early and/or in excess of what is required by regulation. Participation in the Carl Moyer Program is voluntary. The success and popularity of the Carl Moyer Program has paved the way for the creation of other incentive programs such as the Lower-Emission School Bus Program (LESBP). Since 2001, the LESBP has protected vulnerable populations, particularly California's school children, from the harmful effects of air pollution through the replacement of school buses and the installation of retrofit technology on existing buses. Since its inception, state funds totaling over $100 million have replaced 600 of the oldest, most polluting public school buses, and equipped about 3,800 other diesel buses with ARB-verified pollution control equipment that significantly reduces toxic particulate matter emissions. Over its first nine years, the Carl Moyer Program provided over $360 million to clean up approximately 19,600 engines throughout California. This achieved emission reductions of about 44 tons per day of oxides of nitrogen and 1.5 tons per day of toxic diesel particulate matter.

State law (Health & Safety Code §44287) authorizes ARB to revise the Carl Moyer Program Guidelines when necessary to improve the ability of the program to achieve its goals. This section of the Health & Safety Code also instructs ARB to work with the implementing air districts and hold at least one public meeting to consider public comments. The LESBP and Carl Moyer Program Guidelines were last updated in February and March of 2008, respectively. Increased regulatory activity and changes in the economy have had a noticeable impact on implementation of both the Carl Moyer Program and the LESBP. To respond to the changing climate and stakeholder feedback, ARB staff held five public workshops in October and December 2009 and in January 2010, to provide interested stakeholders an opportunity to share broad input on issues that staff should consider in guideline revisions. ARB staff also held seven work group meetings to solicit input and comment from air districts to develop changes to the Carl Moyer Program and LESBP. These workgroup meetings were held between September 2009 and January 2010. As a result of these collaborative work group meetings and public workshops, ARB staff is proposing revisions to both the LESBP Guidelines and Carl Moyer Program Guidelines.

Proposed Revisions:

The following sections highlight the major revisions proposed for the LESBP and Carl Moyer Program Guidelines.

LESBP

In response to the budgetary impacts on funding and feedback received from stakeholders, ARB staff proposes modifications to the 2008 LESBP Guidelines with near-term changes designed to provide additional funding opportunities. The proposed modifications include changes to the engine emission requirements, retrofit installation deadline, and revisions to the funding distribution process. Additionally, staff evaluated the cost cap for replacement school buses and determined that there is no need to raise the cost cap at this time.

Carl Moyer Program

On-Road Source Category

The Fleet Modernization program targets existing on-road heavy-duty trucks, replacing them with cleaner newer trucks. The Voucher Incentive Program (VIP) was launched in 2009 as an alternative to the Fleet Modernization program to provide a quicker, more streamlined funding option to assist small fleet owners of on-road heavy heavy-duty trucks throughout the State. Staff is proposing changes to expand current VIP eligibility to: a) include medium heavy-duty trucks (GVWR >19,501lbs), b) increase the maximum funding per truck to $45,000 from $35,000, c) include a matrix for varying funding options based on the applicant's usage with higher mileage/usage trucks eligible to receive higher funding amounts, and d) create a new option to fund ARB-verified retrofits up to an amount of $5,000 per retrofit. Staff also proposes to include model year engines 2002 and older in the VIP as well as the Carl Moyer Program Fleet Modernization program. Some additional minor changes to the VIP are being proposed to provide guidance and clarity. Staff expects these proposed changes to increase funding and participation in the current VIP.

Off-Road Source Category
In accordance with SBX2_3 (Florez), staff recommends the Carl Moyer Program Guidelines be revised to update the criteria for portable and mobile farm equipment allowing for a ten year project life and for projects to be funded up to any applicable regulatory compliance date.

Staff also proposes to update the Carl Moyer Program Guidelines to allow air districts the option to offer off-road diesel applicants the ability to opt-out, or decline, the required installation of a retrofit on their equipment. Staff proposes continuing this flexibility indefinitely solely for equipment not subject to an in-use regulation.

Additionally, staff proposes to expand the off-road equipment replacement program (ERP) to include Tier 1 or Tier 2 engines as eligible projects. The ERP is currently only eligible for equipment with uncontrolled, or Tier 0, engines. This proposal should increase participation in the program to replace older engines with newer engines or electric motors to help achieve cost-effective emission reductions and reduce exposure to diesel particulates.

Locomotive Projects
Staff proposes several technical changes to ensure that locomotive projects are evaluated appropriately. Staff proposes revising the locomotive fuel consumption rate factors and adding a new methodology for estimating fuel consumption. In addition, current Guidelines require locomotive project activity to be based on fuel consumption. Staff proposes to include the ability for air districts to propose an alternative project activity source, such as actual usage data logged electronically by one or more locomotives, for case-by-case approval.

Program Administration
Staff proposes numerous changes to the Carl Moyer Program administrative procedures to reflect ARB's and the local air districts' increasing experience with implementing the program. The proposed revisions clarify and simplify administrative requirements to the maximum extent possible, including reducing requirements specifically for small and rural air districts, while at the same time maintaining the program's core principles of achieving real, surplus, quantifiable and enforceable emission reductions that are creditable in the State Implementation Plan.

These near-term changes to the LESBP and Carl Moyer Program should provide immediate assistance to air districts implementing the programs with the intent of increasing program participation and project eligibility.

In past Guidelines revisions, the Board has directed the Executive Officer to develop technical amendments to the Guidelines (known as Program Advisories) as appropriate to ensure that the Guidelines remain up-to-date and reflect current ARB regulations. ARB staff proposes that the Board continue to delegate this authority to the Executive Officer or designee.

Availability of Documents:

The proposed revisions to the LESBP and Carl Moyer Program Guidelines will be presented by ARB staff at the Board meeting. Copies of the proposed revision may be obtained from the Board's Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California 95814, (916) 322-2990. The proposed revisions will also be available electronically on ARB's website at www.arb.ca.gov/msprog/moyer/moyer.htm

Submittal of Comments and Agency Contact Person:

Interested members of the public may present comments relating to this matter orally or in writing at the meeting and may also be submitted by postal mail or electronic submittal before the meeting. To be considered by the Board, written comments submissions not physically submitted at the meeting must be received **no later than 12:00 noon, March 24, 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

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.

The Board requests but does not require that 20 copies of any written statement be submitted and that all written and emailed 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. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed Guideline revisions. Further inquiries regarding this matter should be directed to David Salardino, Manager, Carl Moyer Off-Road Section, at (626) 575-6679.

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.

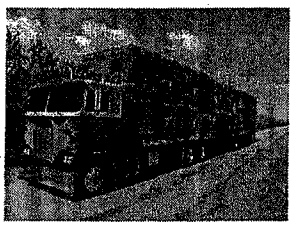
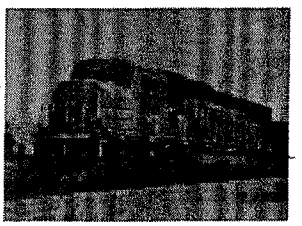
Por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de diez (10) días laborales antes del día programado para la audiencia. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos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

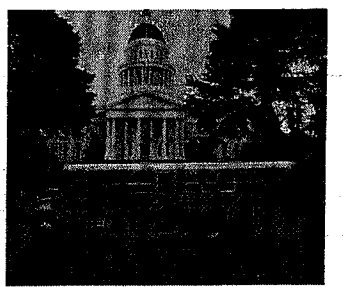
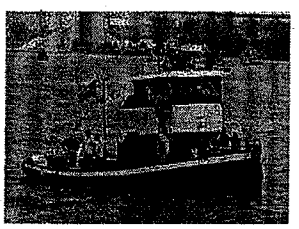
CALIFORNIA AIR RESOURCES BOARD

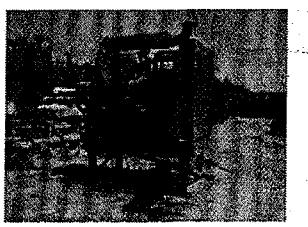
James N. Goldstene
Executive Officer

Date: February 8, 2010

Public Meeting to Consider Near-Term Revisions to the Lower-Emission School Bus Program Guidelines and the Carl Moyer Incentive Program Guidelines



Proposed Language Release Date: February 8, 2010
Board Hearing: March 25, 2010

Air Resources Board
California Environmental Protection Agency

In memory of Dr. Carl Moyer
(1937 - 1997)

The Carl Moyer Program is named in honor of the late Dr. Carl Moyer, whose extraordinary dedication, hard work, vision and leadership made this program possible. He created and masterminded this program, in a noble effort to unite business and government in the name of public interest to improve California's air quality.

This update was a collaborative effort and has benefited from the valuable contributions of the participating air districts. The ARB appreciates the considerable efforts of air district staff both in the development of these guidelines as well as the day-to-day implementation of the Lower Emission School Bus Program and the Carl Moyer Program.

Disclaimer

Publication does not signify that the content reflects the views and policies of the California Air Resources Board, nor does the mention of trade names or commercial products constitute endorsement or recommendation for their use.

EXECUTIVE SUMMARY

California's air pollution control program is one of the most effective in the world. Coordinated state, regional, and local efforts have steadily improved our air quality. As a result, the air is the cleanest in years. Despite these improvements, California continues to face the nation's greatest air quality challenge. Every year more than 90 percent of all Californians breathe unhealthy polluted air. This harms our health and the economy.

The California Air Resources Board (ARB), together with the 35 local air districts, is responsible for developing and implementing strategies to reduce air pollution and achieve health-based ambient air quality standards. Emission standards on new vehicles and engines help to reduce air pollution as older engines are retired and replaced by newer, cleaner vehicles and engines. However, regulations are only one strategy to reduce air pollution. Since 1998, the Carl Moyer Memorial Air Quality Standards Attainment Program (CMP) has filled a critical niche in California's strategy to achieve clean air, by providing financial incentives to reduce emissions. Similarly, the Lower-Emission School Bus Program (LESBP) has played a pivotal role reducing children's exposure to diesel exhaust.

In October and December 2009 and January 2010, five workshops were held to provide an opportunity for stakeholders to share broad input on issues that staff should consider in guideline revisions. As a result of feedback received from stakeholders, staff proposes changes to the CMP Guidelines and the LESBP Guidelines. The proposed changes include:

- Expanding the Voucher Incentive Program (VIP) to include Medium-Duty Vehicles and vehicles with lower mileage
- Expanding VIP to simplify the funding of on-road retrofits
- Extending project life for farm equipment
- Continuing flexibility for off-road retrofits
- Updating calculations for Locomotive projects
- Streamlining requirements for air districts, including reducing requirements for small and rural air districts implementing the program
- Raising the emissions requirement for replacement school buses
- Streamlining disbursement of LESBP funds
- Extending the deadline for retrofitting of school buses

These proposed near-term revisions to the current Guidelines are designed to increase program participation and increase funding eligibility across several categories including both on-road and off-road projects. Program administration updates are designed to be easily integrated into air districts' day-to-day operations and may be incorporated immediately.

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1. Introduction and Background

The Carl Moyer Program (CMP) encourages the voluntary purchase of cleaner-than-required engines, equipment, and emission reduction technologies and provides grant funding to the regulated community and interested stakeholders as an incentive. Emission reductions achieved through the CMP are an important component of the California State Implementation Plan, the State's federally-required plan aimed at meeting clean air goals. The CMP has proven to be very cost-effective in reducing emissions with the demand for grants, routinely surpassing the amount of available funding.

Over its first nine years, the CMP provided over $360 million to clean up approximately 17,700 engines throughout California. This achieved emission reductions of about 41 tons per day of oxides of nitrogen and 1.5 tons per day of toxic diesel particulate matter. While the legislative focus of the CMP has been on achieving reductions of criteria and toxic pollutants, recent funding provided to alternative fuels and electrification projects, such as pier-side shore power projects, have had a beneficial impact on greenhouse gas emissions as well.

The success and popularity of the CMP paved the way for the creation of other incentive programs such as the Lower-Emission School Bus Program (LESBP). Since 2001, the LESBP has protected vulnerable populations, particularly California's school children, from the harmful effects of air pollution. Similar to the CMP, the success of the LESBP is in part due to the collaborative efforts and strong partnership developed between the ARB and local air districts and school districts that implement the program. The LESBP provides incentive grants to reduce emissions from school buses through purchases of replacement buses and the installation of retrofit technologies on existing buses.

When the LESBP began in 2001, staff estimated that approximately 6,600 pre-1987 model year buses were operating within California's public school fleet. Of these, nearly 1,900 buses, or approximately 30 percent, pre-dated the minimum federal motor vehicle safety standards that went into effect in 1977. Today, staff estimates less than 2,800 pre-1987 model year buses remain in use and fewer than 100 are of the oldest vintages, a reduction of 95% of the pre-1977 model years.

Previous State funds, totaling over $100 million, replaced 600 of the oldest, most polluting public school buses, and equipped about 3,800 other diesel buses with ARB-verified pollution control equipment that significantly reduce toxic particulate matter emissions. An additional $200 million has been allocated to the LESBP through Proposition 1B, approved by voters in November 2006. Thus far, ARB has received 75 percent of those funds and will continue the mission of replacing old and dirty school buses and retrofitting middle aged buses in California's public school fleet.

2. Staff Proposal

As the Carl Moyer Program enters its twelfth year and the Lower-Emission School Bus program enters its ninth year since its inception, ARB staff seeks to improve all aspects of the Programs; updating technical data, streamlining administrative requirements, and enhancing customer service through increased transparency. ARB staff recognizes the need to update the current Program Guidelines to respond to a changing landscape as a result of increased regulatory activity, the recent changes in the economic environment and their impact on the eligibility and feasibility of projects, and feedback received from the regulated community and interested stakeholders.

In October and December 2009 and January 2010, five workshops were held to provide an opportunity for stakeholders to share broad input on issues that staff should consider in the guideline revisions. As a result of feedback received from stakeholders, staff proposes changes to the Carl Moyer Program Guidelines and the LESBP Guidelines, which are summarized below, with the specific proposed language contained in the Attachments.

a. Lower-Emission School Bus Program

In response to the legislative impacts on funding and feedback received from stakeholders, ARB staff proposes modifications to the 2008 LESBP Guidelines with near-term changes designed to provide additional funding opportunities. The proposed modifications include changes to the engine emission requirements, retrofit installation deadline changes, and revisions to the funding distribution process. Additionally, staff evaluated the cost cap for replacement school buses and determined that there is no need to raise the cost cap at this time.

1. Raise Emission Requirement for Replacement School Buses in 2010

Currently, the LESBP requires an emission standard of 0.2 g/bhp-hr NOx for 2010 MY replacement school buses funded through the program. Staff recommends changing the required NOx emission standard from 0.2 g/bhp-hr for 2010 model year buses to a standard of 0.50 g/bhp-hr FEL for any model year engine funded in the 2010 calendar year. This proposed change is due to the limited number of school buses that are being manufactured and certified at or below the 0.2 g/bhp-hr NOx emission levels, and would allow continued funding for the cleanest school buses available. The emission standard for LESBP funding will be evaluated and, if necessary, updated at the staff level by the end of the first quarter of each year.

2. Streamline Disbursement Process

When originally written, the 2008 LESBP guidelines required disbursements to be provided to the air districts in limited installment amounts in an effort to evenly supply the market with requests for new school buses and retrofits. Now, the economy has

slowed such that the bond sales intended to fund this program are not predictable. For these reasons, staff proposes to modify the disbursement process to allow air districts the opportunity to request funds as they become available as long as the currently required documentation has been provided by the local air district.

In addition, the 2008 LESBP guidelines specified that any liquidated damages will be administered through a withhold by the ARB of five percent of the total grant fund award to each air district until after April 1, 2011. Because of the slow release of bond funds and current contract requirements that safeguard school districts, staff proposes to eliminate this five percent withhold of air district funds.

3. Extend Retrofit Funding Deadline

Current Guidelines require that retrofit projects be expended by June 30, 2010. Due to the slow release of Proposition 1B funds in 2009 for the LESBP, many school districts and local air districts have expressed concerns about meeting the June 30, 2010 deadline. In response, ARB staff proposes adjusting the retrofit deadline to allow expenditure through June 30, 2012.

4. Retain Current Cost Caps

In response to requests from school bus manufacturers, staff considered increasing the current replacement school bus cost cap and CNG infrastructure cost cap. In 2007, the price for a basic diesel-fueled school bus was $115,000. Since then, the emissions standards have changed and inflation has led to an increase in cost. The price for a basic 2010 model year diesel-fueled school bus is approximately $140,000 before taxes and slightly below $165,000 with taxes. Because of this increase, staff considered an increase to the current $140,000 cost cap for replacement school buses as well as the CNG infrastructure cost cap. However, the impact of this change would be that fewer school buses and retrofits could be purchased with the school bus program funding, reducing the effectiveness of the emissions reduction program. Furthermore, the remaining 1977-1986 model year school buses require a $25,000 match, so the current $140,000 LESBP funding plus the $25,000 match is sufficient to purchase replacement school buses. Therefore, staff recommends retaining the current $140,000 cost cap as well as the CNG infrastructure cap.

b. Carl Moyer Program

In response to recent legislation as well as feedback received from stakeholders, staff proposes near-term changes to three source categories of the CMP: On-Road Vehicles, Off-Road Equipment, and Locomotives. In addition, staff proposes modifications to the Administrative requirements of the program.

1. On-Road Vehicles

The Voucher Incentive Program (VIP) was launched in 2009 to provide a quick and streamlined funding option for small fleet truck owners throughout the State. VIP funding is available throughout California, and complements the Fleet Modernization program that is available in several participating air districts. Staff has closely monitored the implementation of the new VIP program and received feedback from stakeholders on how it could be improved to increase participation among truck owners and create a more streamlined truck replacement program.

Staff's recommendations:

(1) Open VIP to Medium Heavy-Duty Vehicles (MHDV): Currently, the VIP allows only heavy heavy-duty vehicles (i.e. with a declared Gross/Combined Gross Vehicle Weight Rating greater than 60,000 pounds (lbs.)) to participate. This proposed change would also allow medium heavy-duty vehicles, with a gross vehicle weight rating of 19,501 lbs or greater, to participate at specified funding levels. Staff expects this change to increase participation because there is a large potential market of small fleets that operate medium heavy-duty vehicles.

(2) Expand available VIP funding options: The VIP currently allows trucks to qualify for funding if they meet minimum usage requirements of 30,000 miles per year or 4,700 gallons of diesel fuel per year. Staff is recommending new funding levels that have a range of usage thresholds (i.e. 15,000 miles, 20,000 miles, 30,000 miles, etc.). This would allow trucks with lower usage to have the opportunity to participate, and trucks with higher usage would qualify for higher funding amounts.

(3) Increase the maximum VIP funding available per truck to $45,000: Staff proposes to increase the maximum funding amounts from the current $35,000 per truck to $45,000 per truck. Actual funding amounts would depend on usage increments, weight class, and whether the replacement truck is new or used.

(4) Expand eligibility of old engines from 1993 and older to 2002 and older: The current VIP and CMP Fleet Modernization Programs require the old truck to have a 1993 or older engine. Staff recommends increasing eligibility up through model year 2002. This modification will help to increase participation in the program while also achieving additional emission reductions. In addition, this recommendation would help to streamline these programs for air districts and applicants by aligning these programs more closely with the Proposition 1B Goods Movement program.

(5) Expand VIP to fund retrofits: Staff proposes to add a new retrofit funding option that would complement the existing replacement grants available through VIP. Grants of up to $5,000 would be available for ARB-verified retrofit devices. Trucks with engine model year 2004 through 2006 in small fleets (1-3 vehicles) would be eligible for funding, consistent with existing CMP retrofit funding criteria. Staff expects this new funding option to help small fleets achieve emission reductions before regulatory

deadlines, while ensuring that retrofits are not installed on trucks destined for short term replacement.

(6) Make additional minor changes to the VIP: Based on feedback from air districts, dealerships, dismantlers, and truck owners during the launch of the program, staff recommends several minor changes to the VIP Guidelines that should help increase participation and add clarity for the participants.

2. Off-Road Equipment

(1) Update Off-Road Diesel Retrofit Waiver: Under the 2008 CMP Guidelines, air districts may allow off-road diesel applicants to opt-out of the default retrofit requirement. Applicants must sign a waiver acknowledging that due to existing or future regulations, they may be required to install a retrofit on the funded equipment at their own cost. Although this flexibility expired on March 27, 2009, ARB continued to allow air districts to offer the waiver after March 27, 2009.

Based on discussions with stakeholders, staff recommends continuing this flexibility indefinitely for equipment not subject to an in-use regulation. For equipment subject to an in-use regulation, the Board has determined that it is important to require retrofits for this equipment in order to protect the public's health.

For districts that previously offered the retrofit waiver to their applicants, staff proposes to allow a three month grace period for the processing of off-road applications. Applications received prior to the Board approval date may still be funded utilizing the retrofit waiver. However, to utilize the retrofit waiver, these projects must be committed to by the air district (as defined in the Guidelines, Section 15 of the Program Administration Chapter) no later than three months after Board approval of the proposed language. Off-road project applications received after the Board approval date would require retrofits as described in the revised language, Chapter 5, Section IV(b)(9) & (10) and Chapter 7, Section IV(c)(9) & (10) of the Guidelines.

(2) Modify Farm Equipment Project Life and Surplus Requirement: Under SBX2_3 (Florez), the Legislature required the CMP to be modified with regard to off-road farm equipment. The language directs that off-road farm equipment projects be allowed to have a minimum 10 year project life and that projects can be funded up until a regulatory compliance deadline. Off-road equipment includes portable and mobile equipment, but does not include stationary equipment. To implement SBX2_3 staff recommends revisions to the following CMP chapters: Off-Road Compression-Ignition Equipment, Off-Road Large Spark-Ignition Equipment, Off-Road Equipment Replacement, and Agricultural Sources. These chapters would be updated to allow for a maximum 10 year project life for mobile and portable farm equipment, and include a definition for farm equipment.

Project life affects the cost-effectiveness of a project, and many air districts rank and select projects for funding based on the cost-effectiveness of a project. As a result, the

project life for farm equipment would be capped at 10 years in order to reduce the ranking bias that would apply to farm equipment if a longer project life were to be allowed. Currently, the majority of non-farm projects have a five year project life for off-road compression-ignition and off-road large spark-ignition equipment, so allowing a project life greater than 10 years for farm equipment would further skew the ranking towards farm projects. Therefore, a 10 year cap for farm projects follows the direction of SBX2_3 while providing the most equity between allowable project life for farm equipment and other equipment eligible for CMP funding.

For off-road farm equipment which are subject to an in-use regulation, staff recommends the applicable chapters be revised to allow projects to be eligible for funding up to the compliance date. These include forklifts used for crop preparation, as well as portable equipment that falls under the definition of farm equipment.

(3) Expand Off-Road Equipment Replacement Program: The Off-Road Equipment Replacement Program was added to the 2008 CMP Guidelines. One of the basic requirements for the program was that equipment must have an uncontrolled (Tier 0) engine.

Staff recommends revising the Guidelines to allow equipment with Tier 1 or Tier 2 engines to participate in order to increase participation in the program. Replacement of these engines with newer engines or electric motors will achieve cost-effective emissions reductions and reduce exposure to Diesel particulates.

3. Locomotives

Staff proposes several technical changes to ensure that locomotive projects are evaluated appropriately.

(1) Update Locomotive Fuel Consumption Rate Factors (Table B-25): Staff is recommending the use of new factors consistent with the update released in April 2009 by the US Environmental Protection Agency (EPA) (EPA-420-F-09-025, *Emission Factors for Locomotives.*)

Table 1
Locomotive Fuel Consumption Factors

Old Fuel Consumption Rate Factor
Table B-25 (2008 CMP Guidelines)

Application	bhp-hr/gal
≥ 750 hp	20.8
< 750 hp	18.5

New Fuel Consumption Rate Factor
Table 3 (EPA-420-F-09-025)

Application	bhp-hr/gal
Line-Haul and Passenger (Class I/II)	20.8
Line-Haul and Passenger (Class III)	18.2
Switcher	15.2

(2) Correct Example Locomotive Emission Calculation (Example 2, Appendix E) and Add Supplemental Document, "Method for Estimating Fuel Consumption of New Locomotive": Staff has determined that the project activity is not consistent between the baseline locomotive and the locomotive using alternative switcher technology, and this is not correctly reflected in the current Guidelines example calculations. Since the new locomotive will move approximately the same number of freight cars the same distance, it is not appropriate that the calculations show less work performed by the new engine(s). Therefore, staff is recommending that the calculation of emissions for the replacement locomotive be made by assuming that the total work performed is the same for both locomotives. Detailed instructions for estimating the fuel consumption of the new locomotive for contract purposes is described in the proposed new supplemental document, "Method for Estimating Fuel Consumption of New Locomotive." Air districts may propose an alternate method of estimating the fuel consumption of a new locomotive for case-by-case approval.

(3) Accept Non-Fuel Based Project Activity: The 2008 CMP Guidelines currently require that locomotive project activity be based on fuel consumption (page VIII-5 (IV)(a)(4)). Staff proposes including the ability for air districts to propose an alternate project activity source, such as actual usage data logged electronically by one or more locomotives, for case-by-case approval.

4. Administrative Changes

Staff proposes a number of changes to the Guidelines regarding the ARB and air district administration of the program to better reflect the current economic situation and to streamline the process. These proposed changes include:

(1) Modify the Usage Requirement in Contracts: Under the 2008 CMP Guidelines, all project contracts must specify the amount an engine is required to operate within California, or the air district, each year based on hours, miles, or fuel usage. However,

with the unforeseen disruptions in typical activity experienced by many businesses, staff recommends that air districts be allowed to waive the usage requirement in existing projects where the grant recipient demonstrates to the satisfaction of the Air Pollution Control Officer that the equipment currently subject to the usage requirements was idled (or significantly underutilized) due to unforeseen conditions beyond the control of the participant.

To be considered for a waiver of the minimum annual usage requirement, the participant must provide a written request to the air district along with documentation that substantiates the unforeseen conditions leading to the lower usage rate. The participant must also demonstrate that the equipment for which a waiver is being requested is not being idled (or significantly underutilized) in favor of operating other, higher-polluting equipment.

Air districts would clearly define the types of acceptable documentation and incorporate it into their policies and procedures manuals, which would be subject to ARB approval at ARB's request. In granting a waiver of the minimum annual usage requirement, the air district shall specify the length of time for which the waiver is valid. The waiver will not excuse the participant from any contract requirement to provide annual usage reports.

In addition, staff recommends that future contracts need not include usage requirements, if robust historical documentation is provided by the applicant. The types of acceptable documentation for establishing historical annual usage will be clearly defined and incorporated into each air district's policies and procedures manual, and will be subject to ARB approval at ARB's request. The requirement that owners submit annual usage reports would be retained, to ensure that actual project usage would be tracked.

(2) Update Cost-Effectiveness Limit and Capital Recovery Factor: The CMP Guidelines currently include a cost-effectiveness limit of $16,000 per weighted ton of emissions reduced and capital recovery factors (CRFs) based on a discount rate of four percent. Health and Safety Code Section 44283(a) authorizes the Board to update cost-effectiveness criteria to reflect consumer price index adjustments. Staff recommends updating the cost-effectiveness limit from the current $16,000, to $16,400 based upon inflation reflected in the California Consumer Price Index (CA CPI). The $16,400 limit is based upon the annual CA CPI through the 2009 calendar year, adjusting for changes in inflation since the CMP Guidelines were approved. Staff also recommends updating the CRFs to account for a revised discount rate of two percent. Health and Safety Code Section 44283(d) requires that the cost-effectiveness of Carl Moyer Projects be annualized using a time value of public funds. As has been done in previous CMP guideline revisions, the proposed updated CRF is based upon the average annual yields for U.S. Treasury securities, averaged over 2009 calendar year, with a 3-year, 5-year, 7-year, and 10-year maturation. The methodology to determine the cost-effectiveness of CMP projects remains unchanged from the CMP Guidelines

(see Appendix C Cost-Effectiveness Calculation Methodology). Local air districts may continue to set lower cost effectiveness limits to maximize program effectiveness.

(3) Update Match Fund Formula: Participation in the CMP requires a $1 match for every $2 in program funds received with the current match fund formula designed to cap funds required of air districts at $12M statewide. Due to the manner and timing in which fees that contribute to CMP funds are collected, the total program allocation may change after the original allocation. The current match formula does not work well with changes to the allocation amount and can contribute to a delay in fund distribution. Staff proposes modifying the air district match fund commitment to equal 15 percent of each air district's grant allocation. Fifteen percent is based on previous average match requirements for air districts.

(4) Streamline Air District Applications: Staff recommends two modifications to streamline the air district application process. First, staff proposes removing the requirement that the air district submit a policies and procedures (P&P) manual each year for ARB approval as part of their application. Under the staff's proposal, air districts must submit a P&P manual for the current 2008 Guidelines and obtain approval from ARB before they can receive any fund disbursement under the 2008 Guidelines. However, once an air district has received ARB approval for the current Guidelines (i.e. 2008 CMP Guidelines), it would not be required to annually re-submit a P&P to receive subsequent years fund disbursements. In lieu of submitting the P&P manual, air districts would submit a statement by a district representative (e.g. program staff) that an updated P&P manual is maintained on-site at the air district.

Additionally, under H&SC Section 44299.2(a), air districts are entitled to a minimum allocation of $200,000 annually. Currently, air districts requesting only the minimum allocation can submit with their application a request that the match requirement be waived. Staff recommends that the match requirement automatically be waived for air districts taking only the minimum allocation of funding, thereby deleting the requirement to submit a waiver request.

(5) Streamline Fund Disbursements: As currently implemented, all air districts must submit disbursement requests a minimum of two times for full fund disbursements. Staff proposes to simplify this process to aid the air districts in efficiently implementing the program. Under the staff's proposal, all air districts would receive the entirety of administrative funds upfront in the initial disbursement. Additionally, air districts requesting the minimum allocation could receive the entirety of their project funds upfront in a single disbursement (i.e. $200,000 including administrative funding). Air districts requesting more than the minimum allocation could receive at least $200,000, and up to 10 percent of their project funds in their initial disbursement. Documentation of project commitment or of previous fiscal year expenditures would not be required to receive the initial disbursement.

For air districts to receive subsequent fund disbursements, the following criteria would have to be met: a) the most recent required yearly report must demonstrate on-time

expenditures consistent with H&SC Section 44287(k); b) program staff must submit documentation listing eligible projects and intent to fund, equal to the disbursement amount; c) air district program staff must certify that an executed contract will not be entered into prior to any project being approved by the Air Pollution Control Officer or Board approved designee (for those air districts not requiring Board action) or air district board (for those air districts requiring Board approval of projects) as consistent with their P&P manual.

(6) Simplify Earned Interest Reporting and Tracking: Air districts have expressed concerns regarding the lack of clarity and flexibility in the procedures outlined in the 2008 CMP Guidelines for tracking interest earned on CMP funds. In response to those concerns, staff proposes to simplify the procedures used for interest by aligning them with existing procedures used for the principle (i.e., CMP funds).

Under the staff's proposal, in the 2010 Yearly Report, air districts would report on all interest liquidated on projects and expended on program administration through June 30, 2010. Air districts would also report any unspent interest as of June 30, 2010, and would have the option of either returning such unspent interest to ARB, or retaining it and expending it on the same timetable (i.e., with the same contract execution and expenditure targets) as Year 13 CMP funds.

Beginning with the 2011 Yearly Report, the proposed revisions would require air districts to report annually regarding interest earnings and expenditures during the previous fiscal year. Air districts would have the option of returning unspent interest to ARB or adding it to the next year's CMP funds. Such interest funds would be treated the same as CMP funds, including having the same expenditure milestones.

The proposed revisions would retain the current Guideline provision that allows five or ten percent of interest (depending on the number of inhabitants in an air district) to be used on administrative expenses. A more restrictive and cumbersome calculation method for determining allowances for administrative expenses is proposed for deletion. That method is based on the amount of interest that accrues in a segregated administration fund account.

(7) Streamline Air District Reporting Requirements: Staff proposes Sections 17 and 19 be revised to reflect the changes as discussed in Mail-Out #MSC 09-05 which is already in effect. As discussed in the Mail-Out, the Status Report, Annual Report, and Final Report will be combined into one Yearly Report to help simplify air district reporting requirements. Section 17 outlined the requirements for air district submittal of the Annual Report. Section 19 outlined the requirements for air district submittal of the Final Report. Since these reports have been combined for simplicity into one document, the Yearly Report, those requirements outlined in Sections 17 and 19 are being combined into one section.

(8) Improve Tracking of Cumulative Progress: To assist with cumulative progress tracking, staff proposes that each air district submit to ARB the following pieces of information:

- Fiscal Year (FY) Grant amount (ARB provides)
- FY Disbursement amount (ARB provides)
- FY amount contracted
- FY amount expended

Staff proposes that the information be submitted in April and December to ARB by an air district program representative (e.g. program staff). The intent of this form is to ensure the overall progress of fund expenditure. In combination with the Yearly Report, the proposed form reporting dates are designed to get coverage of the required information throughout the year while minimizing overlap and extraneous reports. As an alternative, air district staff may contact ARB via e-mail or written response that the required information is updated in Clean Air Reporting Log (CARL) in which case ARB will generate the requested information.

(9) Reduce Requirements for Minimum Allocation and Rural Air Districts: Feedback received from several rural air districts stated it is overly cumbersome to require an application tracking system if the number of applications received is relatively small and easily manageable. Staff recommends deleting the requirement of an application tracking system for minimum allocation and rural air districts, as well as clarifying that, as an option, an air district may use CARL as the air districts application tracking system if all the CMP applications received by the air district are entered into CARL (i.e. whether the application is provided funding or not). Additionally, staff proposes to reduce the project pre-inspection requirement for minimum allocation and rural air districts. These air districts would need to pre-inspect only 25 percent of the total number of projects for that fiscal year's funding cycle, rather than 100 percent as currently required.

~~(10)~~ Codify additional miscellaneous modifications made to the program: Several modifications and clarifications were made and explained in the CMP Advisory 08-009, also known as Mail-Out #MSC 09-05. In some cases, a revision was explained but no new language (strikeout/underline) was given. For these instances, staff has included new language reflecting those changes. These changes pertain to sections 5, 8, and 17 of the Program Administration chapter.

3. Implementation

Staff proposes that these modifications become effective upon Board approval, applicable to contracts fully executed after the Board approval date.

4. Conclusion

The proposed near-term changes, intended to increase program participation and project eligibility, should provide immediate assistance to air districts implementing the LESBP and Carl Moyer Program. However, long-term changes are also needed to address stakeholder concerns and ensure the program's continued success in reducing emissions. Within the framework of Health & Safety Code requirements and statutory limitations, staff will continue to monitor and evaluate the Carl Moyer Program. Potential updates and revisions will be vetted through the public process, as necessary, in consideration of the most cost effective use of public funds.