



July 28, 2010

James Goldstene
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

Re: 2009 1997 8-Hour Ozone Modified Air Quality Management Plan (2009 Modified AQMP) and the 2009 Reasonably Available Control Technology State Implementation Plan (2009 RACT SIP)

Dear Mr. Goldstene:

The Imperial County Air Pollution Control District (Air District) is formally remitting to you the Final 2009 1997 8-Hour Ozone Modified Air Quality Management Plan (2009 Modified AQMP) and the Final 2009 Reasonably Available Control Technology State Implementation Plan (2009 RACT SIP) and associated findings for your review, comment and adoption. The Final 2009 Modified AQMP and the Final 2009 RACT SIP were adopted by the Imperial County Air Pollution Control District Board of Directors on July 13, 2010.

As a matter of background, the United States Environmental Protection Agency (US EPA) issued a final ruling on December 3, 2009 determining that the Imperial County "Moderate" 8-hour ozone non-attainment area attained the 1997 8-hour National Ambient Air Quality Standard (NAAQS). The determination by US EPA resulted in the suspension of the requirement of an attainment demonstration, a reasonable further progress plan, contingency measures and other planning requirements for as long as Imperial County continues to attain the 1997 8-hour ozone NAAQS. However, the determination did not constitute a re-designation to attainment under the Clean Air Act (CAA) section 107(d)(3) and as such the classification and designation status for Imperial County remains as "Moderate" non-attainment for the 1997 8-hour ozone NAAQS. Therefore, in response to the retained "Moderate" non-attainment status Imperial County prepared and is submitting for CARB approval and remittance to US EPA this 2009 Modified AQMP. The Final 2009 Modified AQMP includes the following CAA requirements:

1. A growth emissions inventory for Nitrogen Oxides (NOx) and Volatile Organic Compounds (VOC's) (CAA, sections 172(c)(3) and 182(a)(1))
2. New Source Review (CAA, sections 172 (c)(4) and (5); and 182(a)(2)(C))

3. Subpart 2 RACT for VOC's and NOx (CAA, sections 182(b)(2), 182(f))
4. Periodic Inventory (CAA, section 182(a)(3)(A))
5. Emissions Statement Rule (CAA, section 182(a)(3)(B))
6. Offset Ratio 1.15 to 1 (CAA, sections 182(a)(4) and 182(b)(5))
7. Stage 2 Gasoline Vapor Recovery (GVR), (CAA, section 182(b)(3))

The Final 2009 Modified AQMP fulfills the requirements as set forth in the CAA for those areas classified as a "Moderate" non-attainment for the 1997 ozone NAAQS.

Of the listed CAA requirements contained in the Final 2009 Modified AQMP the Subpart 2 RACT for VOC's and NOx has been included in this remittance as its own separate document for consideration and approval. The CAA requires that area classified as "Moderate" or above submit a demonstration that RACT is implemented for all sources subject to Control Technique Guideline (CTG) documents and for major sources of VOC and NOx that are not subject to a CTG. Therefore the Air District developed and adopted the Final 2009 RACT SIP for CARB approval and remittance to US EPA for consideration and approval. The Final 2009 RACT SIP is a new determination demonstrating that RACT is implemented on all sources subject to a CTG and major sources not subject to a CTG. The Final 2009 RACT SIP provides the following information as provided for by the US EPA in letters intended as guidance to air districts:

1. A description of how source categories within the district were identified as requiring RACT. The description identifies those under a CTG and those that are major non-CTG sources.
2. A section identifying where there are no facilities major or minor within the district subject to a CTG which clearly makes a negative declaration on those sources.
3. A list of state/local regulation that implements RACT for those categories needing RACT. Included in the list is the date EPA approved the regulations as fulfilling RACT.
4. Included is a description of the basis for reaching the conclusion that the current regulations fulfill RACT. Supporting documents such as CTGs, Alternative Control Technique guidance (ACTs), Maximum Achievable Control Technology (MACT) standards, New Source Performance Standards (NSPS), California Suggested Control Measures (SCM) and Best Available Retrofit Control Technology (BARCT) determinations, regulations adopted in other districts, and guidance and rules developed by other state and local agencies are identified for reference.

5. Although the Air District did not choose to use the California Air Pollution Control Officer's Association (CAPCOA's) Potential All Feasible Measures (AFM). EPA guidance indicated that a certification would be required which provided certification that the local regulations were equivalent to AFM as well as a justification that the assumption that the AFM fulfilled RACT when adopted in September of 2003.

Both documents, the Final 2009 Modified AQMP and the Final 2009 RACT SIP, were developed with the participation and cooperation of stakeholders. Stakeholders included health, environmental and community representatives, industry and transportation agencies. Both State and Federal agencies included the US EPA and the CARB.

Enclosed you will find a disc with the following information:

1. The Final 2009 1997 8-Hour Ozone Modified Air Quality Management Plan
2. The Final 2009 Reasonably Available Control Techniques State Implementation Plan
3. Staff Report.
4. Minute Order (Board Approval)

The Imperial County APCD greatly appreciates the cooperative working relationship that CARB staff has provided throughout this process. If you have any questions please do not hesitate to contact me at 760-482-4606.

Sincerely,



Brad Poiriez
Air Pollution Control Officer

CC: Lynn Terry, Deputy Executive Officer
Karen Magliano, Air Quality Data Branch Chief