

## **CALIFORNIA AIR RESOURCES BOARD**

### **NOTICE OF PUBLIC MEETING TO CONSIDER APPROVAL OF THE IMPERIAL COUNTY 2009 1997 8-HOUR OZONE MODIFIED AIR QUALITY MANAGEMENT PLAN AND 2009 REASONABLY AVAILABLE CONTROL TECHNOLOGY STATE IMPLEMENTATION PLAN**

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 Imperial County 2009 1997 8-Hour Ozone Modified Air Quality Management Plan (2009 Ozone Plan) and 2009 Reasonably Available Control Technology State Implementation Plan (2009 RACT SIP) for the Imperial County Nonattainment Area. If approved by the Board, ARB will submit the 2009 Ozone Plan and 2009 RACT SIP to the United States Environmental Protection Agency (U.S. EPA) for approval as a revision to the California State Implementation Plan (SIP).

DATE: November 18, 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 Board meeting, which will commence at 9:00 a.m., November 18, 2010, and may continue at 8:30 a.m., on November 19, 2010. This item may not be considered until November 19, 2010. Please consult the agenda for the meeting, which will be available at least ten days before November 18, 2010, to determine the day on which this item will be considered.

#### **Background**

The federal Clean Air Act (CAA) establishes planning requirements for areas that exceed the health-based National Ambient Air Quality Standards (NAAQS) and have been designated as nonattainment based on monitored exceedances of the NAAQS. Nonattainment areas must develop and implement SIPs that demonstrate how they will attain the NAAQS by specified dates.

In 2004 U.S. EPA identified Imperial County as a “marginal” nonattainment area for the 8-hour ozone NAAQS promulgated in 1997. On February 13, 2008, U.S. EPA found that Imperial County had not attained the 1997 8-hour ozone NAAQS by the marginal area attainment deadline of June 15, 2007, and reclassified it as a “moderate” nonattainment area. Under the CAA, this action requires California to submit as a SIP

revision a moderate area ozone plan for Imperial County, demonstrating attainment of the 8-hour ozone NAAQS by June 15, 2010.

On February 19, 2009, ARB submitted a clean data finding request for Imperial County to U.S. EPA. The request was based on certified air monitoring data recorded from 2006 through 2008 that indicated attainment of the 1997 8-hour ozone NAAQS. In response to ARB's request, on December 3, 2009, U.S. EPA published in the Federal Register its determination that Imperial County attained the 1997 8-hour ozone standard. This action suspended some CAA nonattainment area plan requirements. However, California is still required to submit revisions to the SIP to address remaining elements required for moderate ozone nonattainment areas, including rule review and adoption relative to the reasonably available control technology (RACT) requirements, emission inventories, and new source review requirements.

On July 30, 2010, the Imperial County Air Pollution Control District adopted the 2009 Ozone Plan and 2009 RACT SIP to address the CAA moderate area plan requirements.

### **Proposed Action**

ARB staff has reviewed the Imperial County 2009 Ozone Plan and 2009 RACT SIP, and consulted with District staff during its review. ARB staff finds that the Imperial County 2009 Ozone Plan and 2009 RACT SIP meet all applicable CAA requirements for a moderate nonattainment area. Staff recommends that the Board approve the Imperial County 2009 Ozone Plan and 2009 RACT SIP and direct the Executive Officer to submit them to U.S. EPA as revisions to the California SIP.

### **Availability of Documents**

Copies of staff's written report may be obtained from ARB's Public Information Office, 1001 I street, First Floor, Environmental Services Center, Sacramento, California, 95814, (916) 322-2990, beginning October 19, 2010. The report may also be obtained from ARB's website at <http://www.arb.ca.gov/planning/sip/sip.htm>.

### **Submittal of Comments**

Interested members of the public may 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 submissions not physically submitted at the meeting must be received **no later than 12:00 noon, November 17, 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 email statements be filed at least ten 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 Mr. Dmitri Smith, Air Pollution Specialist, at (916) 323-1537.

### **Special Accommodation Request**

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format (i.e., Braille, large print, etc.) or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, 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.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno (por decir, sistema Braille, o en impresión grande) u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD

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James N. Goldstene  
Executive Officer

Date: October 13, 2010