Resolution No.: 12-175
Meeting Date: 12/05/2012 (AP1)

RESOLUTION ADOPTING THE REDESIGNATION REQUEST AND MAINTENANCE PLAN FOR THE 1997 NATIONAL OZONE STANDARD FOR SAN DIEGO COUNTY

On motion of Member Horn, seconded by Member Slater-Price, the following Resolution is adopted:

WHEREAS, in 1997 the U.S. Environmental Protection Agency (EPA) promulgated a National Ambient Air Quality Standard (NAAQS or standard) for ozone of 0.08 parts per million averaged over eight hours; and

WHEREAS, EPA has designated San Diego County as a moderate nonattainment area for the 1997 ozone NAAQS, pursuant to the federal Clean Air Act (CAA), Section 107(d); and

WHEREAS, the 1997 ozone NAAQS has been attained in San Diego County based on certified air monitoring data for the period 2009-2011, consistent with EPA regulation at Code of Federal Regulations, Title 40, Part 50.10, and Appendix I to Part 50; and

WHEREAS, available preliminary air monitoring data for 2012 indicate that San Diego County continues to attain the 1997 ozone NAAQS; and

WHEREAS, CAA Section 107(d)(3)(D) provides that a state may request EPA to redesignate an area from nonattainment to attainment for a NAAQS, and further provides the EPA shall approve or deny such a request within 18 months of its receipt; and

WHEREAS, CAA Section 107(d)(3)(E) sets forth the requirements that must be met for EPA to redesignate an area from nonattainment to attainment; and

WHEREAS, the San Diego County Air Pollution Control District (District) has prepared a Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County addressing the requirements of CAA Section 107(d)(3)(E); and

WHEREAS, the District's ozone monitoring network is reviewed annually by the California Air Resources Board (ARB) and the EPA, and meets the requirements of the Code of Federal Regulations, Title 40, Part 58, and all applicable monitoring data are complete and quality-assured; and

WHEREAS, consistent with CAA Section 107(d)(3)(E)(iii), the area's improved air quality is due to permanent and enforceable emission reductions resulting from the implementation of District and State measures submitted into the Ozone State Implementation Plan and federal measures that control ozone-precursor emissions; and

WHEREAS consistent with CAA Section 107(d)(3)(E)(iv), the District has prepared a Maintenance Plan meeting the requirements of CAA Section 175A; and

WHEREAS, consistent with CAA Section 107(d)(3)(E)(v), District and ARB submittals of federal State Implement Plan revisions have met all the requirements in CAA Section 110, Part D, and other applicable CAA sections; and

WHEREAS, consistent with CAA Section 107(d)(3)(E)(ii), the federal State Implementation Plan for the San Diego area is fully approved pursuant to CAA Section 110(k); and

WHEREAS, District staff conducted interagency consultation on the proposed transportation conformity emissions budgets with the San Diego Region Conformity Working Group at its September 5, 2012, meeting, pursuant to the Code of Federal Regulations, Title 40, Part 93; and

WHEREAS, the Air Pollution Control Board has reviewed the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15002(k)(1) and has determined that the adoption of the Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County is exempt from the provisions of CEQA pursuant to California Code of Regulations Title 14, Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment, and pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment; and

WHEREAS, consistent with CAA Sections 110(a) and 110(l) and EPA regulation at Code of Federal Regulations, Title 40, Part 51, Section 102, notice of a public hearing and opportunity for public comment were published at least 30 days prior to the public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Air Pollution Control Board adopts the Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County and requests EPA to redesignate the San Diego Air Basin as an attainment area for the 1997 ozone NAAQS; and

BE IT FURTHER RESOLVED that the Air Pollution Control Board directs the Air Pollution Control Officer to submit this resolution and the accompanying Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County to the ARB for expeditious submittal to the EPA.

The foregoing Resolution was passed and adopted by the Air Pollution Control Board, County of San Diego, State of California, on this 5th day of December, 2012, by the following vote:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

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STATE OF CALIFORNIA)
County of San Diego)SS

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the San Diego County Air Pollution Control Board.

THOMAS J. PASTUSZKA
Clerk of the Air Pollution Control Board

By: _____
Elizabeth Miller, Deputy

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