UPDATED INFORMATIVE DIGEST

Amendments to the Criteria for Designating Areas of California as Nonattainment, Attainment, or Unclassified, Amendments to the Area Designations for the State Ambient Air Quality Standards, and Amendments to the San Joaquin Valley and Southeast Desert Air Basin Boundaries

Sections Affected: Amendments to California Code of Regulations (CCR), Title 17, sections 60107, 60109, 60200, 60201, 60202, 60203, 70303, 70303.5, 70304, and 70306 and Appendix 2 to CCR, Title 17, sections 70300 through 70306.

Background: On November 16, 1995, the California Air Resources Board (Board) adopted amendments to the affected sections of the CCR, Title 17, as initially proposed in the staff report entitled: "Proposed Amendments to the Designation Criteria and to the Area Designations for State Ambient Air Quality Standards, Proposed Amendments to the San Joaquin Valley and Southeast Desert Air Basin Boundaries, and Maps of Area Designations for the State and National Ambient Air Quality Standards," (September 1995). The adopted amendments are summarized in the sections, below.

Amendments to the Designation Criteria

(CCR, Title 17, sections 70303, 70303.5, 70304, 70306 and Appendix 2 to CCR, Title 17, sections 70300 through 70306)

Health and Safety Code (HSC) section 39607(e) requires the Board to adopt and periodically review designation criteria regulations. These designation criteria regulations provide the bases for the Board to evaluate the air quality in each area of the State and designate each area as nonattainment, attainment, or unclassified for the nine pollutants with State standards (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter (or PM10), sulfates, lead, hydrogen sulfide, and visibility reducing particles). Under HSC section 39607(e), the Board considered and adopted the initial designation criteria regulations at a public hearing in June 1989. The Board subsequently amended the designation criteria in June 1990, May 1992, December 1992, and November 1993.

The Board again considered and adopted amendments to the designation criteria regulations at its public hearing on November 16, 1995. The most significant of these amendments addresses concerns about spurious air quality measurements in areas designated as attainment or unclassified and affects Appendix 2 to the designation criteria regulations. Appendix 2 sets forth the Board's procedure for reviewing and excluding air quality data affected by a highly irregular or infrequent event. The Board amended Appendix 2 to include a third type of highly irregular or infrequent event called an **unusual concentration event.** Exceedances

affected by an unusual concentration event will be identified only for areas already designated as attainment or unclassified, and such exceedances will be excluded from the area designation process. To identify an exceedance as affected by an unusual concentration event, the Executive Officer must find, based on relevant information, that (1) the impact of the exceedance is limited to the local area, (2) the exceedance is not expected to recur, and (3) the data are not sufficient to support a nonattainment designation. An area could retain its attainment or unclassified designation, based on the exclusion of data affected by an unusual concentration event, for up to three consecutive years. If a possible unusual concentration event occurred at any site in the area during the fourth consecutive year, the Board would redesignate the area as nonattainment.

In addition to the amendments described above, the Board adopted several minor technical revisions to Appendix 2 and to sections 70303, 70303.5, 70304, and 70306 of the designation criteria regulations. These revisions do not change the application of the designation criteria. Rather, they provide clarification of current practices, make the language of the regulations internally consistent, delete obsolete or unnecessary language, and correct grammatical errors. These minor technical revisions are summarized, below:

- **Appendix 2:** Reorganize to make the procedures easier to follow, revise the current language to clarify the functions of the Executive Officer, and make grammatical corrections.

- **Section 70303(a)(1):** Revise to clarify that only the air quality measurement(s) used in making a nonattainment designation must be representative, not the entire body of data collected in the area.

- **Section 70303(b) and (c)(1):** Revise to reflect exceedances rather than violations when referring to data affected by highly irregular or infrequent events.

- **Section 70303(c):** Revise to delete the obsolete reference to July 15, 1990, as the first date to request a nonattainment-transitional designation for pollutants other than ozone and make grammatical corrections.

- **Section 70303(c)(1) and (2):** Revise to clarify that each site in an area is considered individually in determining whether the area qualifies for the nonattainment-transitional designation for pollutants other than ozone.

- **Section 70303.5:** Revise to make the language of the regulations internally consistent by referring to the State Board rather than the Board.

- **Section 70304(c):** Revise to delete the redundant reference to the State Board with respect to the Screening Procedure for Determining Attainment Designations for Areas with Incomplete Air Quality Data.

- **Section 70306(b):** Revise to delete the obsolete reference to May 1, 1990, as the first date to request a change in an area designation or submit information for consideration in the annual review of the area designations.

Finally, the Board is making additional minor grammatical changes that are without regulatory effect to text in sections 70301, 70303.5, 70305, 70306, and Appendices 1 and 4.

Amendments to the Area Designations

(CCR, Title 17, sections 60200, 60201, 60202, and 60203)

Based on the designation criteria, HSC section 39608 requires the Board to designate areas as attainment, nonattainment, or unclassified for each of the nine pollutants with State standards. The Board adopted the original area designations in June 1989. As required by HSC section 39608, the Board reviews the area designations annually and updates them as new information becomes available.

Based on this year's annual review, the Board adopted redesignations for three pollutants. In particular, the Board adopted ozone redesignations for Northern Sonoma County (unclassified to attainment) and Mono County (nonattainment-transitional to nonattainment); carbon monoxide redesignations for Sutter County (unclassified to attainment), Inyo County (unclassified to attainment), the Sacramento County Portion of the Census Bureau Urbanized Area (nonattainment to nonattainment-transitional), and the City of Calexico (unclassified to nonattainment); and a nitrogen dioxide redesignation for the South Coast Air Basin (nonattainment to attainment).

In addition, the Board is making minor grammatical changes that are without regulatory effect to text in sections 60202, 60204, and 60208.

Amendments to the San Joaquin Valley and Southeast Desert Air Basin Boundaries

(CCR, Title 17, sections 60107 and 60109)

HSC section 39606(a) requires the Board to divide the State into air basins, based on similar meteorological and geographic conditions. Whenever practicable, the air basin boundaries should consider political boundary lines.

The San Joaquin Valley and Southeast Desert Air Basins share a common boundary line which bisects Kern County. Currently, the far eastern area of the Kern County portion of the San Joaquin Valley Air Basin actually is more similar (in terms of air quality, meteorology, and topography) to areas in the Southeast Desert Air Basin. For this reason, the Board

adopted amendments to include this area within the Southeast Desert Air Basin. Specifically, the amendments remove the area which includes the Kern River Valley and the Cummings Valley from the San Joaquin Valley Air Basin and include this area in the Southeast Desert Air Basin. These amendments make the air basin boundaries the same as the district boundaries.