

## CALIFORNIA AIR RESOURCES BOARD

### **NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF THE PROPOSED STATE IMPLEMENTATION PLAN REVISION FOR FEDERAL NITROGEN DIOXIDE STANDARD INFRASTRUCTURE REQUIREMENTS**

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider the approval of proposed revisions to the California State Implementation Plan (SIP) for submittal to the United States Environmental Protection Agency (U.S. EPA). The proposed revisions document that California has the resources and programs in place to implement, maintain, and enforce the 2010 revised nitrogen dioxide (NO<sub>2</sub>) National Ambient Air Quality Standard (2010 federal NO<sub>2</sub> standard, or standard).

DATE: November 15, 2012

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., November 15, 2012, and may continue at 8:30 a.m., on November 16, 2012. 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 at the request of a Board member or if someone in the audience would like to speak on that item.

On January 22, 2010, U.S. EPA revised the federal NO<sub>2</sub> standard. Although U.S. EPA made no change to the existing annual standard of 53 parts per billion (ppb), which has been attained throughout California for many years, U.S. EPA adopted a new 1-hour NO<sub>2</sub> standard of 100 ppb. When U.S. EPA adopts a new standard, as is the case with the 1-hour NO<sub>2</sub> standard, one of the first steps in the planning process is a determination of whether the state has sufficient resources, programs, and authority to implement the standard. The federal Clean Air Act refers to these collectively, as the necessary "infrastructure." The formal documentation is set forth in an Infrastructure State Implementation Plan (SIP) and constitutes a revision to California's overall SIP. Specific Infrastructure SIP requirements are specified in Clean Air Act Section 110. Examples of infrastructure elements include programs to monitor air quality and authority to adopt, implement, and enforce regulations. The overarching framework or infrastructure for California's air quality programs is well established and has been

documented in previous Infrastructure SIP submittals. The proposed Infrastructure SIP for NO<sub>2</sub> is specific to the 2010 federal NO<sub>2</sub> standard and is due to U.S. EPA by January 22, 2013.

ARB staff prepared a Staff Report entitled *Proposed State Implementation Plan Revision for Federal Nitrogen Dioxide Standard Infrastructure Requirements*. The Staff Report documents State and district resources, programs, and authority to implement the basic requirements needed to ensure implementation, maintenance, and enforcement of the 2010 federal NO<sub>2</sub> standard. Among the items the Infrastructure SIP addresses are the ability to monitor and report emissions and air quality data, the authority to adopt and enforce regulations and programs designed to protect public health, and provisions to provide opportunity for input and review by affected entities and the public. These items provide the “infrastructure” needed to achieve and maintain healthful air quality.

Most of these Infrastructure SIP elements were addressed in California’s comprehensive Infrastructure SIP, submitted in response to the federal Clean Air Act of 1970 and approved by U.S. EPA in 1979 (40 Code of Federal Regulations Part 52.220). This submittal for the 2010 federal NO<sub>2</sub> standard continues to affirm ARB’s commitment to comply with the infrastructure requirements. In addition, the NO<sub>2</sub> Infrastructure SIP responds to new elements and commitments required by the new federal 1-hour NO<sub>2</sub> standard. Changes required for the 1-hour NO<sub>2</sub> standard are limited in scope and focus primarily on California’s ability to comply with new monitoring requirements. The proposed NO<sub>2</sub> Infrastructure SIP also contains a commitment to comply with any future SIP revisions required under the Clean Air Act.

Copies of the proposed NO<sub>2</sub> Infrastructure SIP will be available at ARB’s Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California, 95814, (916) 322-2990 beginning October 15, 2012. The document may also be accessed on ARB’s website at: <http://www.arb.ca.gov/planning/sip/sip.htm>.

Interested members of the public may present comments orally or in writing at the meeting and comments 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, November 14, 2012**, 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>

You can sign up online in advance to speak at the Board meeting when you submit an electronic board item comment. For more information go to:

<http://www.arb.ca.gov/board/online-signup.htm>.

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.

ARB requests that written and email statements on this item be filed at least 10 days prior to the meeting so that ARB staff and Board members have additional time to consider each comment. Further inquiries regarding this matter should be directed to Ms. Gayle Sweigert, Manager, Air Quality Analysis Section, at (916) 322-6923 or Ms. Marcella Nystrom, Staff Air Pollution Specialist, at (916) 323-8543.

### **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 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 o 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 15, 2012