

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE DESIGNATION CRITERIA
AND AMENDMENTS TO THE AREA DESIGNATIONS
FOR THE STATE AMBIENT AIR QUALITY STANDARDS

Public Hearing Date: September 24, 1998
Public Availability Date: February 11, 1999
Deadline for Public Comment: February 26, 1999

At its public hearing on September 24, 1998, the Air Resources Board (the "Board") approved the amendment of Title 17, California Code of Regulations (CCR), sections 70300 through 70306 and Appendices 1 through 4, thereof, which contain the criteria used for designating areas with respect to the state ambient air quality standards (state standards) and the amendment of Title 17, CCR, sections 60201 through 60209, which contain the area designations for state standards.

At the public hearing, the staff presented and the Board approved modifications to the amendments to the area designation regulations originally proposed in the Initial Statement of Reasons (Staff Report) released on August 7, 1998. These modifications were in response to air quality data collected during 1998 and to comments received since the Staff Report was published. The modifications to the proposed amendments to the area designation regulations are summarized below.

- Instead of being redesignated as nonattainment-transitional, the following districts will retain the designation of nonattainment for ozone:
 - Monterey Bay Unified Air Pollution Control District.
 - Placer County Air Pollution Control District
(Mountain Counties Air Basin portion).
 - San Luis Obispo County Air Pollution Control District.
 - Tehama County Air Pollution Control District.
 - Yolo-Solano Air Quality Management District.

Rationale: The approved amendments to section 70303.5 of the designation criteria provide for a review of data monitored during the current year in determining whether an area qualifies as nonattainment-transitional for ozone. If data for the current year show more than three exceedances at any monitoring location in the area, the area retains its nonattainment designation. At the time the Staff Report was released, monitoring data for the areas listed above did not show more than three exceedances of the state ozone standard. However, by the date of the public hearing these areas had experienced more than three

exceedances. As a result, the areas do not qualify as nonattainment-transitional for ozone.

- Instead of being redesignated as nonattainment, San Diego County will retain the designation of attainment for sulfates.

Rationale: During 1995 through 1997, there was one measured exceedance of the state sulfate standard in San Diego County. At the time the Staff Report was published, the staff had identified no justification for excluding the value as a highly irregular or infrequent event. The measured exceedance was below the Expected Peak Day Concentration (EPDC) and could not be excluded as an extreme concentration. There was no evidence to suggest that the exceedance was affected by an exceptional event. However, after further investigation, the staff determined that the data for 1995 through 1997 were not sufficiently complete to calculate a valid EPDC. Therefore, the exceedance was evaluated as affected by an unusual concentration event. Since the exceedance was likely caused by transport of sulfur dioxide emissions from a power plant in the Rosarito area of Mexico, and this plant is expected to be converted from fuel oil to natural gas, exceedances are not expected to recur. The staff also determined that the impact of the sulfate exceedance was limited to the local area and the data are not complete enough to support a nonattainment designation at this time. As a result, the Board approved excluding the exceedance as affected by an unusual concentration event, thereby allowing San Diego County to retain its attainment designation for sulfates.

In addition to the above modifications to the amendments to the area designation regulations, the Board approved several minor, nonsubstantive modifications to the originally proposed amendments to the designation criteria. These modifications affect section 70303.5, the requirements for designation as nonattainment-transitional for ozone. There are two general modifications to subsection (a) of the requirements. The first restates the requirements in the present tense rather than the future tense and restates one of the requirements more concretely. These changes make the requirements more straightforward and, therefore, easier to understand. The second modification is a grammatical change that corrects the placement of “and” in the list of requirements 1 through 5 of subsection (a).

Attached is a copy of Board Resolution 98-47 and its Attachments C and D (the modified amendments, as approved by the Board, to sections 70300 through 70306 and Appendices 1 through 4, thereof, and sections 60201 through 60209). These attachments, along with Attachments A and B (the amendments as originally proposed and published in the Staff Report on August 7, 1998), may be viewed by visiting ARB’s website for the 1998 area designations at <http://www.arb.ca.gov/regact/areades/area98/area98.htm>. If you wish to obtain a printed version of Attachments A and B, please contact Ms. Debora Popejoy, Manager of the Air Quality Analysis Section, at (916) 323-5123.

In accordance with the procedures set forth in sections 11346.4 - 11346.8 of the Government Code, the Board directed the Executive Officer to adopt the amendments to sections 70300 through 70306 and Appendices 1 through 4, thereof, and sections 60201 through 60209, Title 17, California Code of Regulations, as modified, after making them available to the public for comment for a period of at least 15 days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

Written comments on the modifications approved by the Board and shown in Attachments C and D must be submitted to the Clerk of the Board, Air Resources Board, P.O. Box 2815, Sacramento, California 95812, no later than February 26, 1999, for consideration by the Executive Officer prior to final action. Only comments relating to the above-described modifications to the originally proposed amendments to the regulations shall be considered by the Executive Officer.

Attachments