

## FINAL REGULATION ORDER

### TEXT OF ADOPTED REGULATION IDENTIFYING AREAS WHICH ARE IMPACTED BY TRANSPORTED AIR POLLUTANTS

Amend Subchapter 1.5, Article 5, section 70500, Title 17, California Code of Regulations to read as follows (items which have been added in previous rulemaking procedures but subsequently omitted from the California Code of Regulations are in italics) (additions are underlined and in italics, deletions are struck out)<sup>1</sup>:

#### **Article 5. Transported Air Pollutants**

##### **70500 Transport Identification**

- (a) Purpose: This regulation identifies the areas in which transported air pollutants from upwind areas cause or contribute to a violation of the state ambient air quality standard for ozone and the areas of origin of the transported pollutants. All areas identified in the table are the air basins except as otherwise specifically described and defined.
- (b) Definitions:
  - (1) “California Coastal Waters” includes the area between the California coastline and a line starting at the California-Oregon border at the Pacific Ocean; thence to 42.0 degrees North, 125.5 degrees West; thence to 41.0 degrees North, 125.5 degrees West; thence to 40.0 degrees North, 125.5 degrees West; thence to 39.0 degrees North, 125.0 degrees West; thence to 38.0 degrees North, 124.5 degrees West; thence to 37.0 degrees North, 123.5 degrees West; thence to 36.0 degrees North, 122.5 degrees West; thence to 35.0 degrees North, 121.5 degrees West; thence to 34.0 degrees North, 120.5 degrees West; thence to 33.0 degrees North, 119.5 degrees West; thence to 32.5 degrees North, 118.5 degrees West; and ending at the California-Mexican border at the Pacific Ocean.
  - (2) “Upper Sacramento Valley” includes the Colusa, Butte, Glenn, Tehama, and Shasta County Air Pollution Control Districts, and that area of the Feather River Air Quality Management District which is north of a line connecting the northern border of Yolo County to the southwestern tip of Yuba County and continuing along the southern Yuba County border to Placer County.
  - (3) “Broader Sacramento Area” includes the Sacramento Metropolitan Air Quality

Management District; Yolo-Solano Air Pollution Control District; the portions of the El Dorado County Air Pollution Control District included in 1990 U.S. Census Tracts 306.01, 307, 308.01, 308.02, 308.03, 308.04, 309.01, 309.02, 310, 311, 312, 315.01, and 315.02; and the portions of the Placer County Air Pollution Control District included in 1990 U.S. Census Tracts 203, 204, 205, 206.01, 206.02, 206.03, 207.01, 207.02, 207.03, 208, 209, 210.01, 210.02, 211.01, 211.02, 212, 213.01, 213.02, 214, 215.01, 215.02, 216, 218.01, and 218.02; and that area of the Feather River Air Quality Management District which is south of a line connecting the northern border of Yolo County to the southwestern tip of Yuba County, and continuing along the southern Yuba County border to Placer County.

(C) Transport Identification Table

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OZONE IMPACTED BY TRANSPORT:    AREAS OF ORIGIN OF TRANSPORT:

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1. North Central Coast	San Francisco Bay Area <u>San Joaquin Valley</u>
2. South Central Coast	South Coast California Coastal Waters San Joaquin Valley
3. South Coast	South Central Coast
4. San Diego	South Coast Mexico
5. Upper Sacramento Valley	Broader Sacramento Area
6. Broader Sacramento Area	San Francisco Bay Area San Joaquin Valley
7. San Joaquin Valley	San Francisco Bay Area Broader Sacramento Area
8. Great Basin Valleys	San Joaquin Valley
9. <del>Southeast</del> <u>Mojave</u> Desert	South Coast San Joaquin Valley Mexico
10. San Francisco Bay Area	Broader Sacramento Area
11. Mountain Counties	Broader Sacramento Area San Joaquin Valley San Francisco Bay Area
12. <u>Salton Sea</u>	<u>South Coast</u> <u>Mexico</u>

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**Note: Authority cited: Sections 39600, 39601, 39610(a), Health and Safety Code.  
Reference: Section 39610(a), Health and Safety Code.**

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1. At the May 30, 1996 public hearing, the Air Resources Board approved amendments to sections 60104 and 60109, and added a new section 60114, Title 17, California Code of Regulations, which divided the Southeast Desert Air Basin into two new air basins: the Mojave Desert Air Basin and the Salton Sea Air Basin. These amendments have not yet been formally approved by the Office of Administrative Law. However, the transport identification regulation above has been amended to reflect the changes in the Southeast Desert Air Basin.

**TEXT OF ADOPTED REGULATION  
FOR MITIGATING THE UPWIND EMISSIONS  
ON DOWNWIND OZONE CONCENTRATIONS**

Amend Subchapter 1.5, Article 6, section 70600, Title 17, California Code of Regulations, to read as follows (additions are underlined and in italics, deletions are struck out)<sup>1</sup>:

**ARTICLE 6. Transport Mitigation**

**70600. Emission Control Requirements**

Districts within the areas of origin of transported air pollutants, as identified in section 70500(c), shall include sufficient emission control measures in their attainment plans for ozone adopted pursuant to Chapter 10 of the Health and Safety Code, Part 3, Division 26, beginning with section 40910, to mitigate the impact of pollution sources within their jurisdictions on ozone concentrations in downwind areas. At a minimum, the attainment plans for districts within the air basins or areas specified below shall conform to the following requirements:

- (a) Broader Sacramento Area (as defined in section 70500(b)(3)) shall:
  - (1) require the adoption and implementation of best available retrofit control technology, as defined in Health and Safety Code section 40406, on all existing stationary sources of ozone precursor emissions as expeditiously as practicable. At a minimum, the plan shall provide for the adoption of rules that represent best available retrofit control technology for source categories that collectively amount to 75 percent of the 1987 actual reactive hydrocarbon emissions inventory for permitted stationary sources, and 75 percent of the 1987 actual nitrogen oxides emissions inventory for permitted stationary sources, no later than January 1, 1994.
  - (2) include measures sufficient to attain the state ambient air quality standard for ozone by the earliest practicable date within the Upper Sacramento Valley and that portion of the Mountain Counties Air Basin north of the ~~Amador-El Dorado~~ Calaveras-Tuolumne County border and south of the Sierra-Plumas County border, except as provided in Health and Safety Code section 41503(d), during air pollution episodes which the state board has determined meet the following conditions:
    - (A) are likely to produce a violation of the state ozone standard in the Upper Sacramento Valley or that portion of the Mountain Counties Air Basin north of the ~~Amador-El Dorado~~ Calaveras-Tuolumne County border and south of the Sierra-Plumas County border; and

- (B) are dominated by overwhelming pollutant transport from the Broader Sacramento Area; and
  - (C) are not measurably affected by emissions of ozone precursors from sources located within the Upper Sacramento Valley or that portion of the Mountain Counties Air Basin north of the Amador-El Dorado Calaveras-Tuolumne County border and south of the Sierra-Plumas County border.
- (b) San Francisco Bay Air Basin shall:
- (1) require the adoption and implementation of best available retrofit control technology, as defined in Health and Safety Code section 40406, on all existing stationary sources of ozone precursor emissions as expeditiously as practicable. At a minimum, the plan shall provide for the adoption of rules that represent best available retrofit control technology for source categories that collectively amount to 75 percent of the 1987 actual reactive hydrocarbon emissions inventory for permitted stationary sources, and 75 percent of the 1987 actual nitrogen oxides emissions inventory for permitted stationary sources, no later than January 1, 1994.
  - (2) include measures sufficient to attain the state ambient air quality standard for ozone by the earliest practicable date within the North Central Coast Air Basin, that portion of Solano County within the Broader Sacramento Area, and that portion of Stanislaus County west of Highway 33, except as provided in the Health and Safety Code section 41503(d), during air pollution episodes which the state board has determined meet the following conditions:
    - (A) are likely to produce a violation of the state ozone standard in the North Central Coast Air Basin, or that portion of Solano County within the Broader Sacramento Area, or that portion of Stanislaus County west of Highway 33; and
    - (B) are dominated by overwhelming pollutant transport from the San Francisco Bay Air Basin; and
    - (C) are not measurably affected by emissions of ozone precursors from sources located within the North Central Coast Air Basin, or that portion of Solano County within the Broader Sacramento Area, or that portion of Stanislaus County west of Highway 33.

(C) San Joaquin Valley Air Basin shall:

- (1) require the adoption and implementation of best available retrofit control technology, as defined in Health and Safety Code section 40406, on all existing stationary sources of ozone precursor emissions as expeditiously as practicable. At a minimum, the plan shall provide for the adoption of rules that represent best available retrofit control technology for source categories that collectively amount to 75 percent of the 1987 actual reactive hydrocarbon emissions inventory for permitted stationary sources, and 75 percent of the 1987 actual nitrogen oxides emissions inventory for permitted stationary sources, no later than January 1, 1994.
- (2) include measures sufficient to attain the state ambient air quality standard for ozone by the earliest practicable date within the Southeast Mojave Desert Air Basin, the Great Basin Valleys Air Basin, and that portion of the Mountain Counties Air Basin south of the Amador-El Dorado County border, except as provided in Health and Safety Code section 41503(d), during air pollution episodes which the state board has determined meet the following conditions:
  - (A) are likely to produce a violation of the state ozone standard in the Southeast Mojave Desert Air Basin, or the Great Basin Valleys Air Basin, or that portion of the Mountain Counties Air Basin south of the Amador-El Dorado County border; and
  - (B) are dominated by overwhelming pollutant transport from the San Joaquin Valley Air Basin; and
  - (C) are not measurably affected by emissions of ozone precursors from sources located within the Southeast Mojave Desert Air Basin or the Great Basin Valleys Air Basin, or that portion of the Mountain Counties Air Basin south of the Amador-El Dorado County border.
- (d) South Central Coast Air Basin south of the Santa Barbara-San Luis Obispo County border shall, for sources located in that portion of the Basin:
  - (1) require the adoption and implementation of best available retrofit control technology, as defined in Health and Safety Code section 40406, on all existing stationary sources of ozone precursor emissions as expeditiously as practicable. At a minimum, the plan shall provide for the adoption of rules that represent best available retrofit control technology for source categories that collectively amount to 75 percent of the 1987 actual reactive hydrocarbon emissions inventory for permitted stationary sources, and 75 percent of the 1987 actual

nitrogen oxides emissions inventory for permitted stationary sources, no later than January 1, 1994.

(e) South Coast Air Basin shall:

- (1) require the adoption and implementation of best available retrofit control technology, as defined in Health and Safety Code section 40406, on all existing stationary sources of ozone precursor emissions as expeditiously as practicable. At a minimum, the plan shall provide for the adoption of rules that represent best available retrofit control technology for source categories that collectively amount to 75 percent of the 1987 actual reactive hydrocarbon emission inventory of permitted stationary sources, and 75 percent of the 1987 actual nitrogen oxides emissions inventory for permitted stationary sources, no later than January 1, 1994.
- (2) include measures sufficient to attain the state ambient air quality standard for ozone by the earliest practicable date within the South Central Coast Air Basin south of the Santa Barbara-San Luis Obispo County border, the San Diego Air Basin, ~~and the Southeast~~ Mojave Desert Air Basin, ~~and the Salton Sea Air Basin~~, except as provided in Health and Safety Code section 41503(d), during air pollution episodes which the state board has determined meet the following conditions:
  - (A) are likely to produce a violation of the state ozone standard in the South Central Coast Air Basin south of the Santa Barbara-San Luis Obispo County border, or in the San Diego Air Basin, or in the ~~Southeast~~ Mojave Desert Air Basin, ~~or in the Salton Sea Air Basin~~; and
  - (B) are dominated by overwhelming pollutant transport from the South Coast Air Basin; and
  - (C) are not measurably affected by emissions of ozone precursors from sources located within the South Central Coast Air Basin south of the Santa Barbara-San Luis Obispo County border, or the San Diego Air Basin, or the ~~Southeast~~ Mojave Desert Air Basin, ~~or the Salton Sea Air Basin~~, as applicable.

**Note: Authority cited: Sections 39601 and 39610(b), Health and Safety Code.**

**Reference: Sections 39610, 40912, 40913, 40921 and 41503, Health and Safety Code.**

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1. At the May 30, 1996 public hearing, the Air Resources Board approved amendments to sections 60104 and 60109, and added a new section 60114, Title 17, California Code of Regulations, which divided the Southeast Desert Air Basin into two new air basins: the Mojave Desert Air Basin and the Salton Sea Air Basin. These amendments have not yet been formally approved by the Office of Administrative Law. However, the transport mitigation regulation above has been amended to reflect the changes in the Southeast Desert Air Basin.



Note: The changes made in the Final Regulation Order are nonsubstantive. Legal advises that they will insert a page explaining such.