State of California
AIR RESOURCES BOARD

MINOR REVISION TO THE SOUTH COAST AIR BASIN 2012 PM2.5 STATE IMPLEMENTATION PLAN

Resolution 15-2

February 19, 2015

Agenda Item No.: 15-2-1

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the State Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, ARB is responsible for preparing the State Implementation Plan (SIP) for attaining and maintaining the National Ambient Air Quality Standards (NAAQS) as required by the federal Clean Air Act (the Act) (42 U.S.C. section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) necessary to comply with the Act;

WHEREAS, section 39602 of the Health and Safety Code also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

WHEREAS, ARB has responsibility for ensuring that the districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code;

WHEREAS, ARB is authorized by section 39600 of the Health and Safety Code to do such acts as may be necessary for the proper execution of its powers and duties;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any power, duty, purpose, function or jurisdiction of the Board may be delegated to the ARB Executive Officer as the Board deems appropriate;

WHEREAS, the districts have primary responsibility for controlling air pollution from non-vehicular sources and for adopting control measures, rules, and regulations to attain the NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, the South Coast Air Basin (Basin) includes Orange County, the southwestern two-thirds of Los Angeles County, southwestern San Bernardino County, and western Riverside County;

WHEREAS, the South Coast Air Quality Management District (District) is the air quality planning agency for the Basin pursuant to sections 40410 and 40412 of the Health and Safety Code;

WHEREAS, in December 2006, the U.S. Environmental Protection Agency (U.S. EPA) lowered the 24-hour PM2.5 NAAQS from 65 $\mu g/m^3$ to 35 $\mu g/m^3$;

WHEREAS, effective December 14, 2009, U.S. EPA designated the Basin as nonattainment for the 35 $\mu g/m^3$ PM2.5 NAAQS;

WHEREAS, on March 29, 2007, U.S. EPA finalized the PM2.5 implementation rule (Rule), which established the framework and requirements that states needed to meet in developing PM2.5 SIPs based on the provisions of Subpart 1 of the Act;

WHEREAS, on March 2, 2012, U.S. EPA issued a memorandum that provided further guidance on developing SIPs for the 35 $\mu g/m^3$ 24-hour PM2.5 NAAQS and set an initial attainment date of December 31, 2014;

WHEREAS, the District prepared the South Coast 2012 Air Quality Management Plan (2012 AQMP) to fulfill the planning requirements of Subpart 1 of the Act consistent with the Rule for the 35 $\mu g/m^3$ 24-hour PM2.5 NAAQS;

WHEREAS, the 2012 AQMP included: (1) an attainment demonstration of the 24-hour PM2.5 NAAQS by 2014; (2) a reasonably available control measures/reasonably available control technology (RACM/RACT) analysis for direct PM2.5 oxides of nitrogen (NOx) and sulfur oxides (SOx); (3) a comprehensive current inventory of emissions data for directly emitted PM2.5, NOx, SOx, reactive organic gases (ROG), and ammonia; (4) contingency measures; and (5) transportation conformity emission budgets;

WHEREAS, on December 7, 2012, the District adopted the 2012 AQMP;

WHEREAS, on January 25, 2013, ARB approved the District 2012 AQMP and transmitted it to U.S. EPA on February 13, 2013, for inclusion into the SIP;

WHEREAS, on January 4, 2013, the U.S. Court of Appeals, D.C. Circuit, found that U.S. EPA erred in implementing the PM2.5 NAAQS solely under the Subpart 1 general provisions of the Act without considering the more specific particulate matter provisions in Subpart 4 and remanded the Rule back to U.S. EPA to re-promulgate pursuant to Subpart 4;

WHEREAS, on June 6, 2013, U.S. EPA withdrew the March 2, 2012, implementation guidance for the 35 $\mu g/m^3$ 24-hour PM2.5 NAAQS and directed states to use the 1992 General Preamble and 1994 Addendum for PM10 implementation guidance under Subpart 4 to implement the 35 $\mu g/m^3$ 24-hour PM2.5 NAAQS;

WHEREAS, on June 2, 2014, U.S. EPA classified the Basin as a moderate nonattainment area for the 35 $\mu g/m^3$ 24-hour PM2.5 NAAQS under Subpart 4;

WHEREAS, Subpart 4 of the Act requires moderate areas to attain the 35 $\mu g/m^3$ 24-hour PM2.5 NAAQS within 6 years of designation or by December 31, 2015;

WHEREAS, on February 6, 2015, the District adopted the Supplement to the 24-hour PM2.5 State Implementation Plan for the South Coast Air Basin (Supplement PM2.5 Plan) that, along with the 2012 AQMP, satisfies Subpart 4 requirements for a moderate PM2.5 nonattainment area;

WHEREAS, Subpart 4 Section 189(e) of the Act requires that all major sources of PM2.5 precursors be evaluated for control measures unless they are not considered significant;

WHEREAS, the Supplement PM2.5 Plan substantiates that the 2012 AQMP meets the precursor requirements in Subpart 4;

WHEREAS, Subpart 4 of the Act requires all major sources and major stationary sources of significant PM2.5 precursors be evaluated for RACM;

WHEREAS, the Supplement PM2.5 Plan includes an analysis of all PM2.5 precursor emission categories showing that District rules meet the moderate nonattainment requirements under Subpart 4 RACM criteria;

WHEREAS, federal law, in section 110(l) of the Act and Title 40, Code of Federal Regulations (CFR), section 51.102, requires that one or more public hearings, preceded by at least 30 days of notice and opportunity for public review, must be conducted before adopting and submitting any SIP revision to U.S. EPA;

WHEREAS, as required by federal law, the District made the Supplement PM2.5 Plan Document available for public review by December 19, 2014, which meets the federal requirements for noticing SIP revisions 30 days in advance;

WHEREAS, following a public hearing on February 6, 2015, the District's Governing Board approved the Supplement PM2.5 Plan;

WHEREAS, the California Environmental Quality Act (CEQA) requires that any proposed action for which significant adverse environmental impacts have been identified shall not be approved if there are feasible mitigation measures or feasible alternatives which would substantially reduce or eliminate such impacts; if economic, social or other conditions make infeasible project alternatives or mitigation measures, the project may be approved if specific overriding considerations are identified which outweigh the adverse impacts;

WHEREAS, the District determined that the Supplement PM2.5 Plan is not a project subject to CEQA;

WHEREAS, the District transmitted the Supplement PM2.5 Plan to ARB as a SIP revision, along with proof of public notice publication in accordance with federal law; and

WHEREAS, the Board finds that the Supplement PM2.5 Plan meets the Subpart 4 provisions of the Act including:

1) An attainment demonstration consistent with the moderate area attainment 2015 deadline for the 24-hour PM2.5 NAAQS;

2) Motor vehicle transportation conformity budgets for 2015 consistent with the attainment demonstration;

3) RACM/RACT demonstration; and

4) Clarification of the control strategy commitments that provide emission reductions in the attainment demonstration.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Supplement PM2.5 Plan as a revision to the California SIP.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to submit the Supplement PM2.5 Plan as approved by the District to U.S. EPA for inclusion in the SIP to be effective, for purposes of federal law, upon approval by U.S. EPA.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to work with the District and U.S. EPA and take appropriate action to resolve any completeness or approvability issues that may arise regarding the SIP submission.

BE IT FURTHER RESOLVED that the Board authorizes the Executive Officer to include in the SIP submittal any technical corrections, clarifications, or additions that may be necessary to secure U.S. EPA approval.

BE IT FURTHER RESOLVED that the Board hereby certifies pursuant to 40 CFR section 51.102 that the Supplement PM2.5 Plan was adopted after notice and public hearing as required by 40 CFR section 51.102.

I hereby certify that the above is a true and correct copy of Resolution 15-2 as adopted by the Air Resources Board.

Tracy Jensen

Tracy Jensen, Clerk of the Board