State of California
AIR RESOURCES BOARD

THE 8-HOUR OZONE STATE IMPLEMENTATION PLAN EMISSION INVENTORY SUBMITTAL

Resolution 14-14

June 26, 2014

Agenda Item No.: 14-5-1

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 the Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) as 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 pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code for ensuring that the districts meet their responsibilities under the Act;

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 duty may be delegated to the Board's 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, in 2008, the United States Environmental Protection Agency (U.S. EPA) lowered the 8-hour NAAQS for ground-level ozone from 0.08 to 0.075 parts per million (ppm);

WHEREAS, effective July 20, 2012, U.S. EPA designated Calaveras County, Chico (Butte County), Imperial County, Kern County (Eastern Kern), Los Angeles-San Bernardino Counties (Western Mojave Desert), Los Angeles-South Coast Air Basin, Mariposa County, Nevada County (Western part), Riverside County (Coachella Valley), Sacramento Metropolitan Area, San Diego County, San Francisco Bay Area, San Joaquin Valley, San Luis Obispo County (Eastern San Luis Obispo),Tuscan Buttes, and Ventura County as nonattainment of the 0.075 ppm 8-hour ozone NAAQS;

WHEREAS subdivision 182(a)(1) of the Act requires states and local governments to prepare baseline emissions inventories for all areas exceeding the NAAQS within two years of designations;

WHEREAS, based upon the July 20, 2012, designation date for the 16 nonattainment areas identified above, the baseline emission inventories for these areas are due to U.S. EPA by July 20, 2014;

WHEREAS the federal regulations in Title 40, Code of Federal Regulations (CFR), part 51, Subpart A, set forth the requirements for air emissions reporting under the Act;

WHEREAS, ARB, in conjunction with the districts, has developed the 2012 8-Hour Ozone Emission Inventory Submittal to the State Implementation Plan (Emission Inventory SIP Submittal) for the non-attainment areas to address the requirements of the Act;

WHEREAS, the Emission Inventory SIP Submittal contains the most up-to-date information for the following designated 8-hour ozone non-attainment areas: Calaveras County, Chico (Butte County), Imperial County, Kern County (Eastern Kern), Los Angeles-San Bernardino Counties (Western Mojave Desert), Los Angeles-South Coast Air Basin, Mariposa County, Nevada County (Western part), Riverside County (Coachella Valley), Sacramento Metropolitan Area, San Diego County, San Francisco Bay Area, San Joaquin Valley, San Luis Obispo County (Eastern San Luis Obispo),Tuscan Buttes, and Ventura County;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, CFR, section 51.102, requires that one or more public hearings, preceded by at least 30 day notice and opportunity for public review, must be conducted prior to the adoption and submittal to the U.S. EPA of any SIP revision;

WHEREAS, as required by federal law, the ARB made the Emission Inventory SIP Submittal available for public review at least 30 days prior to the Board hearing;

WHEREAS, the Board finds that the Emission Inventory SIP Submittal meets all applicable ozone planning requirements established by the Act in that it includes the 2012 baseline planning emission inventories (tons/day) for the two precursors to ozone formation, nitrogen oxides (NOx) and volatile organic compounds (VOCs), for the 16 areas in California designated non-attainment for the 8-hour NAAQS for ground-level ozone on July 20, 2012;

WHEREAS, for all areas classified as moderate or above for the 8-hour ozone NAAQS, the Act requires states to develop a SIP within four years (July 20, 2016);

WHEREAS, the emission inventory will continue to be improved during the SIP development process and any inventory updates will be submitted to U.S. EPA with those SIPs;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, the submittal of the Emission Inventory SIP Submittal will not result in a direct or reasonably foreseeable indirect physical change in the environment and is therefore exempt from CEQA; and

WHEREAS, the Board further finds that ARB has reviewed and considered the Emission Inventory SIP Submittal, along with comments presented by interested parties, and finds that it meets the requirements of the Act and CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the Emission Inventory SIP Submittal as a revision to the California SIP.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to forward the Emission Inventory SIP Submittal as approved 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 authorizes the Executive Officer to include in the Emission Inventory SIP Submittal any technical corrections, clarifications, additions or updates 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 Emission Inventory SIP Submittal 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 14-14 as adopted by the Air Resources Board.

Tracy Jensen

Tracy Jensen, Clerk of the Board