



Terry Tamminen
Agency Secretary

Air Resources Board

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Chairman

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Arnold Schwarzenegger
Governor

December 9, 2003

Mr. Wayne Nastri
Regional Administrator
Air Division, Region IX
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105

Dear Mr. Nastri:

The Air Resources Board (ARB) submits to the U.S. Environmental Protection Agency (U.S. EPA) the East Kern County *Ozone Attainment Demonstration, Maintenance Plan and Redesignation Request* (Plan) as a revision to the California State Implementation Plan (SIP). We request that U.S. EPA act expeditiously to redesignate East Kern County as attainment for the one-hour ozone standard.

Section 182(c)(2) of the federal Clean Air Act required serious one-hour ozone nonattainment areas to submit, by November 15, 1994, an attainment demonstration plan that provides for attainment of the national ambient air quality standard by November 15, 1999. The Kern County Air Pollution Control District (District) adopted a serious ozone nonattainment SIP in 1994, which ARB subsequently approved and submitted to U.S. EPA. U.S. EPA approved the SIP in February of 1997.

In 1999, the District recorded no exceedances of the federal one-hour ozone standard and had complied with all the requirements and commitments of the 1994 SIP. Accordingly, U.S. EPA approved two, one-year attainment date extensions, establishing a new attainment date of November 15, 2001. Because the District recorded no exceedances in the two extensions years—or subsequently—the region now qualifies for redesignation to attainment.

The District prepared the Plan in consultation with the Kern County Association of Governments and ARB, and adopted it on May 1, 2003. The Plan establishes on-road motor vehicle emissions budgets that are consistent with the projected emissions inventory. The budgets were developed using ARB's on-road motor vehicle emission factor model, EMFAC2002, and local travel data. The Plan provides a stable and lasting foundation for continued attainment of the one-hour ozone standard, and moves

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California Environmental Protection Agency

the region towards attainment of the upcoming federal eight-hour ozone standard and the State ozone standard.

To ensure that any future updates to these budgets are used expeditiously in the conformity process, we also request that U.S. EPA allow budgets to be replaced upon a finding of adequacy. To accomplish this, we ask U.S. EPA to limit its approval of the budgets submitted today to last only until the effective date of future U.S. EPA adequacy findings for replacement budgets.

This package consists of five copies of the following materials.

- I. May 5, 2003, letter from Thomas Paxson, Air Pollution Control Officer, Kern County Air Pollution Control District, to Lynn Terry, Deputy Executive Officer, ARB, transmitting:
 - A. Ozone Attainment Demonstration, Maintenance Plan, and Redesignation Request for East Kern County adopted May 1, 2003.
 - B. District Board Resolution No. 03-2003-011 dated May 1, 2003, approving the Ozone Attainment Demonstration, Maintenance Plan, and Redesignation Request.
 - C. Proof of Notice of Publication of the Kern County Air Pollution Control District Board Hearing.
- II. Executive Order G-03-057 of the California Air Resources Board adopting specified elements of the Plan as a revision to the SIP.
- III. Completed checklist for applicable SIP completeness criteria as defined in Title 40, Code of Federal Regulations, Part 51, Appendix V.

The specified elements of the Plan identified in the ARB Executive Order satisfy all federal requirements pertaining to areas requesting redesignation to attainment. The District's Plan includes additional materials that should be considered as informational only. Therefore, we request that U.S. EPA approve the specified elements of the Attainment Demonstration, Maintenance Plan, and Redesignation Request for East Kern County, and redesignate East Kern County to attainment for the one-hour ozone standard.

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For questions regarding this submittal, your staff may contact Mr. Kurt Karperos,
Manager, Transportation Strategies Section, at (916) 445-5610.

Sincerely,



Catherine Witherspoon
Executive Officer

Enclosures

cc: (With Executive Order only)

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