

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1.5. Air Basins and Air Quality Standards

Article 3. Criteria for Determining Area Designations

§ 70303. Criteria for Designating an Area as Nonattainment.

(a) The state board will designate an area as nonattainment for a pollutant if:

(1) Data for record show at least one violation of a state standard for that pollutant in the area, and the measurement of the violation meets the representativeness criteria set forth in “Criteria for Determining Data Representativeness” contained in Appendix 1 to this article; or

(2) Limited or no air quality data were collected in the area, but the state board finds, based on meteorology, topography, and air quality data for an adjacent nonattainment area, that there has been at least one violation of a state standard for that pollutant in the area being designated.

(b) An area will not be designated as nonattainment if the only recorded exceedance(s) of that standard were based solely on data for record determined to be affected by a highly irregular or infrequent event. Data affected by a highly irregular or infrequent event will be identified as such by the executive officer in accordance with the “Air Resources Board Procedure for Reviewing Air Quality Data Possibly Affected by a Highly Irregular or Infrequent Event,” set forth in Appendix 2 to this article.

NOTE: Authority cited: Sections 39600, 39601, 39607 and 39608, Health and Safety Code. Reference: Sections 39607 and 39608, Health and Safety Code.

REFERENCE