

BOARD MEETING DATE: February 3, 2023

AGENDA NO. 18

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a public meeting on January 26 and 27, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

ft

The California Air Resources Board (CARB or Board) held a public meeting on January 26 and 27, 2023 in Riverside, California at the Mary D. Nichols Campus, Southern California Headquarters. The key items presented are summarized below.

DISCUSSION ITEMS

23-1-1: Public Hearing to Consider the Proposed 2022 Amendments to Area Designations for State Ambient Air Quality Standards

The Board adopted amendments to the regulations designating the attainment status of California areas for pollutants for the State ambient air quality standards. Based on a review of air quality data collected during 2019 through 2021, the Board changed the designation of five areas for the State ozone standard and one area for the fine particulate matter (PM_{2.5}) standard. For the State ozone standard, the Board changed the designation of Lake Tahoe Air Basin from attainment to nonattainment, Amador County in the Mountain Counties Air Basin and Shasta County in the Sacramento Valley Air Basin from nonattainment-transitional to nonattainment, and Tuolumne County in the Mountain Counties Air Basin and Santa Barbara County in the South Central Coast Air Basin from nonattainment to nonattainment-transitional. For the State PM_{2.5} standard, the Board changed the designation of Sutter and Yuba Counties in the Sacramento Valley Air Basin from attainment to nonattainment.

23-1-2: Public Meeting to Consider the Ventura County 2022 Air Quality Management Plan for the 70 ppb 8-hour Ozone Standard

The Board adopted the Ventura County Air Pollution Control District 2022 Air Quality Management Plan for the 70 ppb 8-Hour Ozone Standard (2022 Plan), along with the relevant portions of the accompanying CARB Staff Report. In 2015, U.S. EPA strengthened the 8-hour ozone standard from 75 parts per billion (ppb) to a more health-protective level of 70 ppb (70 ppb ozone standard). U.S. EPA designated and classified Ventura County as a Serious nonattainment area for the 70 ppb ozone standard. To support attainment of the 70 ppb ozone standard in Ventura County and across the State, CARB staff developed the 2022 State Strategy for the State Implementation Plan (2022 State SIP Strategy), which the Board approved on September 22, 2022. The 2022 Plan incorporates emissions reductions from the measures in the 2022 State SIP Strategy in order to demonstrate attainment of the 70 ppb ozone standard in Ventura County in 2026. On December 13, 2022, the District Board adopted the 2022 Plan to address federal Clean Air Act requirements for the 70 ppb ozone standard. The CARB Staff Report contains the Ventura County planning emissions inventory and the State commitment to achieve aggregate emissions reductions in 2026 from measures in the 2022 State SIP Strategy as necessary for attainment. The 2022 Plan demonstrates that Ventura County will attain the 70 ppb 8-hour ozone standard by 2026 and meets other Clean Air Act SIP requirements. The 2022 Plan and relevant portions of the CARB Staff Report will be submitted to U.S. EPA as a revision to the California SIP.

23-1-3: Public Meeting to Consider the 2022 Air Quality Management Plan for the 70 ppb 8-hour Ozone Standard in the South Coast Air Basin and Coachella Valley

The Board adopted the South Coast Air Quality Management District 2022 Air Quality Management Plan (2022 AQMP), along with the relevant portions of the CARB Staff Report. On December 2, 2022, the South Coast Air Quality Management District adopted the 2022 AQMP to address Clean Air Act requirements for the 70 ppb ozone standard in the South Coast Air Basin and the Coachella Valley. The 2022 AQMP incorporates emissions reductions from the measures in the 2022 State SIP Strategy and reductions from District measures to demonstrate that the South Coast Air Basin and Coachella Valley will attain the 70 ppb 8-hour ozone standard by the Extreme nonattainment area attainment year of 2037, and meets other Clean Air Act requirements. The CARB Staff Report contains the State commitment to achieve aggregate emissions reductions from measures in the 2022 State SIP Strategy that, in addition to the District commitments included with the 2022 AQMP, will provide for attainment in 2037. The CARB Staff Report also includes the planning emissions inventories, RFP demonstrations, and Coachella Valley vehicle miles traveled offset demonstration. In addition to District and State actions, the 2022 State SIP Strategy and 2022 AQMP accounts for a suite of actions that are needed by federal and international entities to further control emissions from sources primarily under their regulatory

authority. The 2022 AQMP and relevant portions of the CARB Staff Report will be submitted to U.S. EPA as a revision to California's SIP.

South Coast AQMD Staff Comments/Testimony: Staff testified in support of CARB's adoption of the 2022 AQMP. Staff noted the challenges associated with deployment of zero-emissions infrastructure, the importance of federal action on sources such as ships and aircraft, and commitment to ensure an equitable transition to zero emissions that prioritizes disadvantaged communities. Staff expressed appreciation to CARB for being an invaluable partner and looks forward to continuing the partnership to implement the 2022 AQMP.

23-1-4: Public Meeting to Consider the San Joaquin Valley 70 ppb Ozone State Implementation Plan

The Board adopted the San Joaquin Valley 70 ppb Ozone State Implementation Plan (2022 Ozone Plan) along with the commitment for aggregate emissions reductions described in the accompanying CARB Staff Report. U.S. EPA designated and classified San Joaquin Valley as an Extreme nonattainment area for the 70 ppb ozone standard. On December 15, 2022, the San Joaquin Valley Air Pollution Control District Governing Board adopted the 2022 Ozone Plan to address Clean Air Act Requirements for the 70 ppb ozone standard in the San Joaquin Valley. The 2022 Ozone Plan incorporates emissions reductions from the measures in the 2022 State SIP Strategy to demonstrate that the San Joaquin Valley Air Basin will attain the 70 ppb 8-hour ozone standard by 2037, and meet other Clean Air Act SIP requirements. The CARB Staff Report contains the State commitment to achieve aggregate emissions reductions in 2037 from measures in the 2022 State SIP Strategy as necessary for attainment. The 2022 Ozone Plan and relevant portion of the CARB Staff Report will be submitted to U.S. EPA as a revision to the California SIP.

23-1-5: Public Meeting to Hear the Proposed Research Projects for Fiscal Year 2023-2024

The Board approved the proposed research projects for fiscal year 2023-2024 (Proposed Research), and delegated approval of individual research contracts for fiscal years 2023-2024 and 2024-2025 to the Executive Officer. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. For Fiscal Year 2023-2024, a research budget of approximately \$6 million is anticipated to fund eleven projects. The projects will identify and prioritize strategies that have health, environmental, and economic co-benefits; create additional health endpoints to assess our programs; leverage new tools and methods to identify and refine mitigation strategies to support air quality goals; focus on issues that are unique to California and its priority populations and communities; and support the Board's decision-making and effective program implementation. CARB Staff also outlined proposed changes to future Board updates on the Research Program.

23-1-6: Public Meeting to Hear a Report on the California Air Resources Board’s Program Priorities for 2023

The Board heard an overview by Executive Officer Dr. Steven Cliff on CARB’s program priorities for 2023. The presentation outlined key activities that CARB plans to undertake in 2023 to achieve air quality, carbon neutrality, and environmental justice goals. Milestones from 2022 include passing the Advanced Clean Cars II Regulation, adopting the 2022 State SIP Strategy, and approving the 2022 Scoping Plan Update. In 2023, CARB will continue to deliver on the progress made thus far, ensuring that the plans and policies align with the principles of integrating environmental justice and racial equity. Dr. Cliff highlighted key regulations that will come before the Board in 2023, including the Advanced Clean Fleets Rule and the In-Use Locomotive Regulation. Long-range clean air and climate plan efforts will continue in 2023, including SIPs to meet federal requirements, implementation of the Scoping Plan, and finalization of the Community Air Protection Program Blueprint 2.0. Efforts in 2023 will also be devoted to implementation of a range of CARB programs and priorities including: administering programs with new sources of revenue, ongoing and enhanced research, emissions testing and enforcement, engaging with communities to advance racial equity and environmental justice, and working with federal, state, and local government partners.

23-1-7: Public Hearing to Consider the Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations

At the first of two Board hearings on this item, the Board heard and discussed Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations Regulation, which would eliminate toxic hexavalent chromium emissions from chrome plating operations. The Proposed Amendments will cover two types of chrome plating facilities: (1) decorative chrome plating facilities, and (2) functional chrome plating facilities, which include both hard chrome plating facilities and chromic acid anodizing facilities. With over 70 percent of chrome plating facilities located in overburdened and disadvantaged communities, the Proposed Amendments would reduce the cumulative risk burden experienced and the potential health impacts of exposure to sensitive receptors and communities located near chrome plating facilities. The Proposed Amendments will include separate phase out dates for decorative chrome plating and for functional chrome plating with the goal of eventually fully eliminating toxic hexavalent chromium emissions from chrome plating operations in California. At the meeting, the Board directed staff to further explore the impacts of the proposed implementation timelines for decorative plating operations.

Attachment

CARB January 26 and 27, 2023 Meeting Ageneda



Public Meeting Agenda

Thursday, January 26, 2023, and
Friday, January 27, 2023

Mary D. Nichols Campus, Southern California Headquarters
4001 Iowa Avenue, Riverside, California 92507
Haagen-Smit Auditorium

Webcast (Livestream/Watch Only)

Zoom Webinar [Register Here](#)

Phone Number: (669) 900-6833

Webinar ID: 891 7271 2431

The January 26-27, 2023, meeting of the California Air Resources Board (CARB or Board) will be held at 4001 Iowa Avenue, Riverside, California 92507, with remote participation available to the public and Board members in accordance with [Senate Bill 189](#) (Gov. Code § 11133). This facility is accessible to persons with disabilities and by public transit. Limited parking is available onsite. In-person attendees are strongly encouraged to carpool or use public transit to get to the facility. For transit information, call (951) 565-5194, website: <https://www.riversidetransit.com>

To only watch the Board Meeting and not provide verbal comments, please view the [webcast](#). If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments. Please do not view the webcast and then switch over to the webinar to comment as the webcast will have a time delay; instead, register to participate via the Zoom webinar.

Public Comment Guidelines and Information

- [In-Person Public Testimony](#)
- [Remote Public Participation](#)

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

Verbal testimony sign-ups (in person and via raised hands in Zoom) will close 30 minutes after public comment has begun.

Spanish interpretation will be provided at the January Board Meeting.

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

Thursday, January 26, 2023 @ 9:00 a.m.

Discussion Items:

Hardcopies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; all other documents linked below will only be available upon request.

23-1-1: Public Hearing to Consider the Proposed 2022 Amendments to Area Designations for State Ambient Air Quality Standards

The Board will consider the proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants for the State ambient air quality standards. Based on 2019 to 2021 air quality data, a total of five changes to ozone and one change to fine particulate matter (also known as PM_{2.5}) area designations for air quality standards are proposed.

- [Formal Rulemaking Page](#) (includes links to Notice, Staff Report, and Appendices)
 - [Public Hearing Notice](#)
 - [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

23-1-2: Public Meeting to Consider the Ventura County 2022 Air Quality Management Plan for the 70 ppb 8-hour Ozone Standard

The Board will consider adoption of the Ventura County Air Pollution Control District 2022 Air Quality Management Plan for the 70 ppb 8-Hour Ozone Standard (2022 Plan). The 2022 Plan demonstrates that Ventura County will attain the 70 ppb 8-hour ozone standard by 2026 and meets other Clean Air Act State Implementation Plan (SIP) requirements. If adopted, the 2022 Plan will be submitted to U.S. EPA for inclusion in the California SIP.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

23-1-3: Public Meeting to Consider the 2022 Air Quality Management Plan for the 70 ppb 8-hour Ozone Standard in the South Coast Air Basin and Coachella Valley

The Board will consider adoption of the South Coast Air Quality Management District 2022 Air Quality Management Plan. This plan demonstrates that the South Coast Air Basin and Coachella Valley will attain the 70 parts per billion 8-hour ozone standard by 2037 and meets

other Clean Air Act requirements. If adopted by the Board, the South Coast Air Quality Management District 2022 Air Quality Management Plan will be submitted to U.S. EPA for inclusion in the California State Implementation Plan.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

23-1-4: Public Meeting to Consider the San Joaquin Valley 70 ppb Ozone State Implementation Plan

The Board will consider adopting the San Joaquin Valley 70 parts per billion Ozone State Implementation Plan (SIP) (2022 Plan for the 2015 8-Hour Ozone Standard or 2022 Ozone Plan) along with the aggregate emission reduction commitment in the accompanying CARB Staff Report. The 2022 Ozone Plan and aggregate emission reduction commitment demonstrate that the San Joaquin Valley Air Basin will attain the 70 ppb 8-hour ozone standard by 2037 and meet other Clean Air Act SIP requirements. If adopted, the 2022 Ozone Plan and aggregate emission reduction commitment will be submitted to U.S. EPA for inclusion in the California SIP.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

23-1-5: Public Meeting to Hear the Proposed Research Projects for Fiscal Year 2023-2024

The Board will consider the proposed research projects for fiscal year 2023-2024. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals.

- [More Information](#)
- [Public Meeting Notice](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

23-1-6: Public Meeting to Hear a Report on the California Air Resources Board's Program Priorities for 2023

Executive Officer Dr. Steven Cliff will provide the Board with an overview of California Air Resources Board priorities for 2023.

- [Item Summary](#)
- [Meeting Presentation](#)

Friday, January 27, 2023 @ 8:30 a.m.

Discussion Item:

Hardcopies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; all other documents linked below will only be available upon request

23-1-7: Public Hearing to Consider the Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations

The Board will consider proposed amendments to the regulation for chrome plating including the phase out of hexavalent chromium. This hearing will be the first of two planned Board hearings.

- [Formal Rulemaking Page](#) (includes links to Notice, Staff Report, and Appendices)
 - [Public Hearing Notice](#)
 - [Staff Report](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

Closed Session

The Board may hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

California Air Resources Board v. Best Energy Solutions & Technology Corp.
Los Angeles Superior Court, Case No. 22STCV32487.

California Air Resources Board v. Key Disposal, Inc. and John Katangian Los Angeles Superior Court, Case No. BC650014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250; industry appeal California Court of Appeal, Fifth District, Case No. F084229.

California Trucking Association v. California Air Resources Board, et al. Fresno County Superior Court, Case No. 22CECG00919.

California Trucking Association v. South Coast Air Quality Mgmt. District United States District Court, Central District of California, Case No. 2:21-cv-6341.

Central California Environmental Justice Network, et al. v. Randolph, et al., United States District Court, Eastern District of California, Case No. 2:22-cv-01714-TLN-CKD.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145, consolidated with No. 20-1167.

Environmental Defense Fund, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985; transferred to San Diego County Superior Court, Case No. 37-2021-00023385-CU-TT-CTL.

Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al., United States Court of Appeal, District of Columbia Circuit, Case No. 22-1080, consolidated with Nos. 22-1144, 22-1145.

People ex rel. California Air Resources Board v. Noil Energy Group, Inc. & Speedy Fuel, Inc. Los Angeles Superior Court Case Nos. 20STCV30142/20STCV30292.

People ex rel. California Air Resources Board v. Wholesale Harvest Supply, Inc. Mendocino County Superior Court, Case No. 22CV00491.

State of California v. Andrew Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with other cases.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

State of California v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

State of California, et al. v. David Bernhardt, et al., United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024

State of California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

State of New York, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

State of New York, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of Ohio, et al., v. Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 22-1081, consolidated with Case Nos. 22-1083, 22-1084, and 22-1085.

State of Texas, et al., v. Environmental Protection Agency, et al. United States Court of Appeals, District of Columbia Circuit, Case No. 22-1031.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS; United States Court of Appeals, Tenth Circuit, Case No. 20-8073.

The Two Hundred for Homeownership, et al. v. California Air Resources Board, et al. United States District Court, Eastern District of California, Fresno, Case No. 1:22-cv-01474-ADA-BAM.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Western States Petroleum Association v. California Air Resources Board, et al., Superior Court of the State of California for the County of Fresno, Case No. 22CECG03603.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

The Two Hundred for Homeownership, Robert Apodaca, and Jose Antonio Ramirez v. California Air Resources Board, Steven S. Cliff et al., United States District Court, Eastern District of California, Fresno, Case No. 1:22-at-904.

People v. Southern California Gas Company. (Los Angeles Superior Court, Case No. BC602973)

Setton Pistachio of Terra Bella, Inc. v. California Air Resources Board, et al., Superior Court of California, County of Tulare, Case No. VCU293869

Opportunity for Members of the Board to Comment on Matters of Interest

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be

taken without further notice.

Open Session to Provide an Opportunity for Members of the Public to Address the Board on Subject Matters within the Jurisdiction of the Board

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.

Other Information

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

Please Note: PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

If you have any questions, please contact the Clerks' Office:

1001 I Street, 23rd Floor, Sacramento, California 95814

cotb@arb.ca.gov or (916) 322-5594

CARB Homepage: www.arb.ca.gov

Special Accommodation Request

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at cotb@arb.ca.gov or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Acomodación Especial

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma;

- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electronico al cotb@arb.ca.gov lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.