From: Christenson, Kara
To: Brown, Lisa@ARB; Spiegelman, Nina
Subject: RE: SIP disapproval re Imperial County
Date: Friday, May 29, 2015 2:24:36 PM
Attachments: IC+800+Clean.pdf

Thanks, Lisa. Yes, we're familiar with this rulemaking (the reference to "Ocotillo Wells" wasn't familiar – it is now coming back to me that Ocotillo Wells might be one of the OHV recreation areas in Imperial), as our disapproval action was challenged to the 9th Cir. (Parks was a petitioner, as well as Imperial County APCD), briefed, argued and settled with the help of a 9th Cir. judge/mediator. The mediation involved mutual agreement on some fairly specific fixes to the rules that Parks, Imperial and EPA could all live with, including some restrictions on OHV use. Imperial eventually adopted revised regs and submitted them to us and we approved them into the SIP in April 2013. I'm not sure whether these requirements would be helpful for Oceano Dunes, though they indicate that it is possible to regulate OHV use. Again, though, as Nina pointed out, Imperial is a serious PM10 nonattainment area and EPA had significant CAA authority.

See attached Imperial County Rule 800, Section F.5. on p.10 for the OHV requirements (Dust Control Plan)

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From: Brown, Lisa@ARB [mailto:lisa.brown@arb.ca.gov]
Sent: Friday, May 29, 2015 2:03 PM
To: Spiegelman, Nina; Christenson, Kara
Subject: SIP disapproval re Imperial County

In reviewing the SIP, EPA disapproved in part because on the basis that the Rules had inadequate enforcement measures. See yellow highlights at pages 2 and 4..