

OZONE TRANSPORT MITIGATION REGULATIONS

ARTICLE 6. Transport Mitigation

70601. Procedure for Limiting the Application of All Feasible Measures and Best Available Retrofit Control Technology.

A district may exclude one or more sources from the requirement to apply all feasible measures, best available retrofit control technology, or both, as transport mitigation pursuant to section 70600 provided that the district plan prepared pursuant to part 3, chapter 10 (commencing with section 40910) of division 26 of the Health and Safety Code and approved by the Board pursuant to part 4, chapter 1 (commencing with section 41500) of division 26 of the Health and Safety Code demonstrates that:

- (a) emissions from the source, because of its location, do not contribute to ozone violations in any downwind area; or
- (b) emissions reductions from the source are not needed to attain the ozone standard in any downwind area; or
- (c) the district is implementing an alternative emissions reduction strategy pursuant to section 40914 of the Health and Safety Code and demonstrates, based on the best available scientific evidence, including but not limited to air quality modeling analyses, that the strategy will be at least as effective and as expeditious as the transport mitigation requirements specified in section 70600; or
- (d) the most recent transport assessment demonstrates that the district's transport impact is inconsequential.

Note: Authority cited: Sections 39600, 39601, and 39610(b), Health and Safety Code. Reference: Sections 39610, 40912, 40913, 40921, 40924, 40925 and 41503, Health and Safety Code.