State of California

AIR RESOURCES BOARD

Resolution 75-61

October 27, 1975

WHEREAS, the South Central Coast Air Basin's Coordinated Basinwide Air Pollution Control Plan (basin plan) stipulates that within the portion of Santa Barbara County lying in that Air Basin liquid fuels having a sulfur content in excess of 0.5 percent may be burned when gaseous fuel deliveries are interrupted between November 16 of any one year and April 14 of the succeeding year; and

WHEREAS, the Santa Barbara County Air Pollution Control District amended its Rules and Regulations (in paragraph h of Rule 32.1, Sulfur Content of Fuels - Northern Area), to provide that liquid fuels having sulfur contents of up to one percent may be burned during any period when gaseous fuel deliveries are interrupted in the portion of the District contained within the boundaries of the South Central Coast Air Basin; and

WHEREAS, the Rule as amended is not consistent with the South Central Coast Air Basin basin plan; and

WHEREAS, Sections 39274 and 39275 of the California Health and Safety Code empower the Air Resources Board to exercise the powers of an air pollution control district if the Board finds that the district's plan to implement a basin plan will not achieve applicable ambient air quality standards; and

WHEREAS, Sections 39052(f) and 39054 of the Health and Safety Code empower the Board, after a hearing, to repeal district rules which will not achieve applicable air quality standards and which do not provide a reasonable degree of control of emissions from nonvehicular sources;

WHEREAS, the Board finds that paragraph (h) of rule 32.1 above will not achieve the state standard for SO_2 and does not provide a reasonable degree of control of sulfur emissions from fuel-burning sources;

WHEREAS, the Executive Officer, on April 8, 1975, informed the Santa Barbara County Air Pollution Control District that paragraph h of Rule 32.1, Sulfur Content of Fuels - Northern Area was not acceptable, and that the Air Resources Board would consider amending the Rule if the District took no action; and

WHEREAS, the Executive Officer issued a public notice on September 25, 1975 announcing that the Air Resources Board would hold a hearing to consider amending the Santa Barbara County Air Pollution Control District's Rule 32.1, Sulfur Content of Fuels - Northern Area, on October 27, 1975;

NOW, THEREFORE BE IT RESOLVED, that the Air Resources Board hereby adopts the amendment to the Rules and Regulations of the Santa Barbara County Air Pollution Control District set forth in Exhibit A attached hereto, effective November 6, 1975.

Exhibit A

State of California

AIR RESOURCES BOARD

Amendment to the Rules and Regulations
of the Santa Barbara County Air Pollution Control District

October 27, 1975

Rule 32.1 (Sulfur Content of Fuels-Northern Area) of the Rules and Regulations of the Santa Barbara County Air Pollution Control District is hereby amended to read in its entirety as follows (the amendment accomplishes the deletion of paragraph h):

Rule 32.1 - Sulfur Content of Fuels-Northern Area

No person shall burn within any portion of this District which lies northerly of the line described in Title 17, California Administrative Code, Part III, Chapter 1, Subchapter 1, Article 1, Section 60104, Subsection (c), any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet (calculated as hydrogen sulfide at standard conditions) or any liquid or solid fuel having a sulfur content in excess of 0.5 percent by weight; except the provisions of this Rule shall not apply:

a. To the burning of sulfur, hydrogen sulfide, acid sludge or other sulfur compounds in the manufacturing of sulfur or sulfur compounds.

b. To the incinerating of waste gases, provided the gross heating value of such gases is less than 300 British Thermal Units per cubic foot at standard conditions and provided the fuel used to incinerate such waste gases does not contain sulfur compounds in excess of the amount specified in this rule.

c. To the use of solid fuels in any metallurgical process.

d. To the use of fuels where the gaseous products of combustion are used as raw materials for other processes.

e. To the use of liquid or solid fuel to propel or test any vehicle, aircraft, missile, locomotive, boat or ship.

f. Where sulfur compounds are removed from combustion products, or a mixture of fuels is used to the extent that the emission of sulfur compounds in the atmosphere is no greater than that which would be emitted by using a liquid or solid fuel complying with this rule.

g. To the use of liquid fuel whenever the supply of liquid fuel with a sulfur content of 0.5 percent or less is not physically available to the user due to accident, strike, act of war, sabotage, act of God, failure of the supplier or by reason of any Federal or State of California rule or regulation prohibiting the purchase or use thereof, providing that an application for a variance to burn non-complying fuel is filed within three days with the Clerk of the Hearing Board of the Air Pollution Control District.

~~h.--To-the-use-of-liquid-fuel-during-any-period-in-which-the-supplier of-gaseous-fuel,-the-burning-of-which-is-permitted-by-this-rule,-interrupts the-delivery-of-such-gaseous-fuel-to-the-user;-provided,-however,-that-the sulfur-content-of-fuel-burned-pursuant-to-this-exception-shall-not-exceed one-percent-by-weight-without-a-variance-being-first-obtained-from-the Hearing-Board.--Every-person-burning-liquid-fuel-during-any-calendar-month pursuant-to-this-exception-shall,-within-ten-(10)-days-of-the-commencement of-the-next-succeeding-calendar-month,-notify-the-Air-Pollution-Control Officer-in-the-manner-and-form-prescribed-by-him-of-total-quantity-of-such liquid-fuel-burned-during-such-calendar-month-and-of-the-sulfur-content-by weight-thereof.~~