State of California
AIR RESOURCES BOARD

Resolution 79-11

March 21, 1979

A. WHEREAS, Section 39602 of the Health and Safety Code designates the Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law and designates the ARB as the state agency responsible for the preparation of the State Implementation Plan (SIP) required by the Clean Air Act;

B. WHEREAS, the Clean Air Act as amended in 1977 mandates the revision of the SIP in designated nonattainment areas of the state in order to assure the attainment and maintenance of national ambient air quality standards by new specified deadlines;

C. WHEREAS, Fresno County was designated nonattainment for carbon monoxide, and the San Joaquin Valley Air Basin was designated nonattainment for oxidant and total suspended particulate, under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Fresno County Air Pollution Control Board (FCAPCB) was designated by the ARB on April 3, 1978 as the local lead agency for the preparation of the 1979 oxidant and carbon monoxide nonattainment plan for Fresno County;

E. WHEREAS, the Fresno AQMP/NAP (Fresno Plan) was prepared under the guidance of the Fresno Executive Air Quality Management Committee;

F. WHEREAS, the Fresno Plan was reviewed by the cities of the region, the County Board of Supervisors, the Council of Fresno County Governments, other interested organizations, and the public;

G. WHEREAS, the Fresno Plan was adopted by the FCAPCB on December 4, 1978 to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearing;

H. WHEREAS, the Fresno County APCB transmitted the Fresno Plan to the ARB for approval as a revision to the State Implementation Plan;

I. WHEREAS, the Clean Air Act and SIP regulations promulgated by the Environmental Protection Agency (EPA) require that revisions to the SIP be adopted after a public hearing for which 30 days notice to the public has been provided;

J. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

LEAD AGENCY AND AREA DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs in the Fresno Plan request for designation of the Council of Fresno County Governments (COFCG) as the co-lead agency for nonattainment area planning in Fresno County subject to agreement between ARB, FCAPCB, and COFCG upon Division of Responsibilities required by Section 174 of the Clean Air Act. The Board finds further that the Division of Responsibilities should take the form of a detailed work program for air quality planning in Fresno County. The Board directs the Executive Officer to forward a designation of the COFCG as co-lead agency to the EPA upon completion of the aforementioned agreements;

2. BE IT FURTHER RESOLVED, that the Board concurs in the FCAPCB request for redesignation of the Fresno County nonattainment area boundary for carbon monoxide to make it coterminous with the boundary of the Fresno-Clovis Metropolitan Area, and directs the Executive Officer submit the request to EPA;

3. BE IT FURTHER RESOLVED, that the Board recommends the FCAPCD and the COFCG work with the other nonattainment lead agencies in the San Joaquin Valley Air Basin and with the San Joaquin Valley Air Basin Control Council in developing basinwide control strategies where appropriate for consideration for the 1982 plan;

AIR QUALITY ANALYSES

4. BE IT FURTHER RESOLVED, that the Board finds that the Fresno Plan does not include an analysis of the effect of the recent EPA action to adopt a 1-hour ozone standard as a revision to the former 1-hour oxidant standard, and directs the Executive Officer to amend the plan with the analysis included in ARB staff report 79-5-3 (Figure 1 on page 17 and Appendix D);

5. BE IT FURTHER RESOLVED, that the Board finds that additional effort is needed to comply with the Clean Air Act requirements for demonstrating the attainment and maintenance of the carbon monoxide standard and that the following work must be completed by May 30, 1979 for submission to the EPA: development by the FCAPCB and COFCG of a satisfactory work plan to refine the carbon monoxide air quality analysis and control strategy. The Board directs the Executive Officer to work with the FCAPCD and COFCG to develop these work plans;

6. BE IT FURTHER RESOLVED, that the Board finds that further study to determine the feasibility of the development and application of basinwide photochemical simulation modeling to analyze oxidant formation and the impact of control measures is necessary and desirable, and directs the Executive Officer to complete a feasibility study in cooperation with the San Joaquin Valley Air Basin Control Council, the local APCDs, the local NAP lead agencies, councils of governments, and other appropriate public and private entities concerned with the Valley oxidant problem;

REASONABLY AVAILABLE CONTROL MEASURES

7. BE IT FURTHER RESOLVED, that the Board accepts as adequate and approves the FCAPCB commitments to adopt the RACMs (reasonably available control measures) needed to attain the ozone standard as expeditiously as practicable (except controls for 95% Vapor Recovery);

8. BE IT FURTHER RESOLVED, that the Board authorizes the ARB Executive Officer to hold a public hearing to consider adoption or amendment as necessary of the state required RACM for Phase II 95% vapor recovery if the FCAPCB does not adopt an equivalent rule by May 30, 1979. The Executive Officer is authorized to submit such adopted rule to the EPA as a SIP submission;

9. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the FCAPCD in the development and adoption of the additional, federally and state required RACMs included in the Plan and to report to the Board at its May 1979 meeting on the status of the FCAPCD to adopt regulations to implement these measures;

10. BE IT FURTHER RESOLVED, that the Board finds that various stationary source control measures require further study (see ARB staff report 79-5-3, Tables 2-4 on pages 12-14) and directs the Executive Officer to work with the FCAPCD in further study of these measures;

11. BE IT FURTHER RESOLVED, that the Board finds that further study of methods of vapor recovery from well vents in steam stimulation oil production operations is necessary and recommends that the FCAPCD carry out such study;

MOTOR VEHICLE INSPECTION PROGRAM

12. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone standard, Fresno must commit to an Inspection and Maintenance program. The Board finds that the inclusion of "Motor Vehicle Inspection Maintenance, Annual Inspection" (Tactic M16), demonstrates local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the Fresno area;

TRANSPORTATION CONTROL MEASURES

13. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for further planning related to the granting of an extension for attainment of the oxidant and carbon monoxide standards, COFCG must affirmatively consider and analyze ambitious, alternative packages of transportation control measures, including public transportation measures to meet basic public transportation needs, which are designed to achieve a locally determined emissions reduction target or a percent reduction in the continuing planning and implementation program. COFCG must submit to the Board by May 30, 1979 a work plan which specifies how this task will be completed prior to and as a part of the December 1981 local NAP submittal to the ARB;

OTHER MEASURES

14. BE IT FURTHER RESOLVED, that the Board finds that the commitment to the further study of mobile source controls, stationary source controls, and transportation measures, as well as other requirements of the continuing planning program, demonstrates adequately compliance with Section 172(b)(11)(C) which requires the identification of other measures necessary to provide for attainment of the NAAQS for ozone and carbon monoxide not later than December 31, 1987;

REQUEST FOR EXTENSION

15. BE IT FURTHER RESOLVED, that the Board finds that the Fresno Plan does not demonstrate attainment of the national standards for ozone and carbon monoxide by December 31, 1982 despite the implementation of all reasonably available control measures;

16. BE IT FURTHER RESOLVED, that the Board finds that an extension of the attainment date for the ozone and carbon monoxide national standards until no later than December 31, 1987 is justified;

17. BE IT FURTHER RESOLVED, that the Board approves the request of the local lead agencies for such an extension for attainment of the ozone and carbon monoxide standards.

EMISSIONS GROWTH - NEW SOURCE REVIEW

18. BE IT FURTHER RESOLVED, that the Board direct the Executive Officer to work with the FCAPCD on the revision of the FCAPCB NSR rule and to report back to the Board at its May 1979 meeting on the status of the revision work.

REASONABLE FURTHER PROGRESS

19. BE IT FURTHER RESOLVED, that in order to monitor Reasonable Further Progress toward attainment of the NAAQS, the Board directs the FCAPCD to provide ARB staff annual analysis and verification of emissions reductions and air quality improvements to demonstrate that RFP is occurring;

POPULATION GROWTH AND CONSISTENCY

20. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for consistency of the SIP and other planning programs, FCAPCB, COFCG, and other local jurisdictions need to commit to develop a well-defined process and schedules to bring countywide plan/population forecasts and local general plans/population forecasts into consistency as part of the continuing planning and implementation program. FCAPCB and COFCG should submit to the Board by May 30, 1979 a commitment to and schedule for the completion of this task;

21. BE IT FURTHER RESOLVED, that the Board finds that the Fresno plan does not expressly provide for increased emissions which may reasonably be anticipated to result from federally assisted projects (such as highways and wastewater treatment facilities) and federal permit activities. The Board thus directs the Executive Officer to work in cooperation with appropriate agencies to develop mechanisms consistent with Sections 176(c) and 316(b) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are consistent with reasonable further progress toward attainment and maintenance of NAAQS. Until such mechanisms are adopted, the ARB shall make such determinations on a project-by-project basis and transmit them with an appropriate recommendation to the relevant local, state, and federal agencies. The Board further finds that future federally funded projects which enable population growth beyond that projected to occur in the Fresno Plan should be required to provide for additional mitigation measures necessary to maintain RFP and/or the NAAQS depending upon the condition at the time.

PRE-PERMIT REVIEW

22. BE IT FURTHER RESOLVED, that the Board finds the California Environmental Quality Act(CEQA) process equivalent to that required by Section 172(b)(11)(A) of the Clean Air Act relating to industrial siting;

BOARD ADOPTION

23. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the Fresno plan meets the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves the Fresno plan, except as modified above, and directs the Executive Officer to submit the Fresno plan to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

This is to certify that this is a true copy of Resolution 79-11 as passed by the Air Resources Board.

Joan Gilpin
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Adoption of the Fresno County Air Quality Maintenance Plan/Nonattainment Plan (AQMP/NAP) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS).

Public Hearing Date: March 21, 1979

Response Date: March 22, 1979

Issuing Authority: Executive Officer

Comment: None Received

Response: N/A

CERTIFIED: Joan Gilpin
Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-11

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

Subject : Filing of Notice of Decision for the Air Resources Board

From : **Air Resources Board**

Pursuant to Title 17, Section 60007(b) and in compliance with Air Resources Board certification under Section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached notices of decision and response to environmental comments raised during the comment period.

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
79-9
79-11
79-12
79-13
79-14
79-15
79-27
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