RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
77-1	Vapor Recovery-	D. Simeroth	1/26/77		
77-2	Sulfur Content of Guel Oil	C. Highsmith	2/15/77		
77-3	Control fo HC Emissions from Stationary Sources in SCAB		1/25/77		
77-4	Assembly Line Test Procedures for 78 M.V.	Austin	1/25/77		
77-5	NOx		1/25/77		
77-6	Rule 431-SCAB	Ventur ini			
77-7	Tech. Changes to T.13-	Macomber	2/16/77		
77-8	Tech. Changes to T.17	Macomber	2/16/77		
77-9	Proposal #536-46	Research			
77-10	Proposal #5360-38	Research	2/15/77		
77-11	Motorcycle Emission Stds	Geo. Lew	3/24/77		
77-12	Revisions to State Emergency Plan (3-4)	Teri Beutenmuller	3/24/77		
77-13	Rule 463 (3-4)	Jim Loop	3/25/77		
77-14	Admin. Hearing Procedures	Sue Nunoz	3/25/77		
77-15	Research Proposals for UCI-$98,212. (7-396-19 abcd)		3/25/77		
77-16	Maintenance Regulations	Gary Rubenstein	4/28/77		

State of California
AIR RESOURCES BOARD

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
77-17	Upset/Breakdown		4/29/77		
77-18	Instack Monitoring Regs	Bob Adrian	5/25/77		
77-19	(Redefines So. East Desert Air Basin) San Diego Air Basin Boundary Change	Dan Speer	5/25/77		
77-20	Research for 125,000 #597-50 Tech Sus. Corp	Laura Dick	4/28/77		
77-21	Research KUB -$325,000 #597-50	Laura	4/28/77		
77-22	Sulfur Dioxide	Kathy Whorley	4/26/77		
77-23	Test procedures for 1978 & Subsequent model light duty & medium duty Vehicles	Ruben-stein	5/26/77		
77-24	Exhaust emission standards for 1980 & subsequent model light duty & medium duty Vehicles	Ruben-stein	5/26/77		
77-25	Public Availability of Info. & Access to Records	Cara	5/26/77		
77-26	Assessment of Finis-	Carolyn	5/26/77		
77-27	MMT	TCA	4/29/77		
77-28	LA-San Diego Cummuter trains	Quinn	4/29/77		
77-29	Scott Environ. Gech. Res. Proposal 605-51		5/26/77		
77-30	Lawrence Berkeley Lab Proposal 628-51-UC		5/26/77		
77-31	Proposal 627-51-Aerospace Corp.		5/26/77		
77-32	Emergency Plan	Teri	6/30/77		

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
77-33	Title 13 Motorcycle Regs	Geo. Lew	6/30/77		
77-34	Proposal 620-51-Stanford Research Inst.		5/26/77		
77-35	Proposal 630-52-	Caltrans	5/26/77		
77-36	Proposal 602-51- Dept. of Health		5/26/77		
77-37	Proposal 629-51- California Institute of Tech.		5/26/77		
77-38	Proposal 610-51-Science Application		5/26/77		
77-39	MMT	Gary R.	7/7/77		
77-40	Aftermarket Parts	Geo. Lew	7/77		
77-41	SO2 Decision -24 Hr. Std.	SKM	6/29/77		
77-42	Research Proposal-Technology Services Corp. #595-50A		6/29/77		
77-43	Upset/Breakdown	Carolyn Sullivan	7/27/77		
77-44	Vapor Recovery	Dean Simeroth	8/25/77		
77-45	Lightering	Eliz= beth	9/30/77		
77-46	Research 644-43	Kay	8/25/77		
77-47	Amend SCAQMD Reg 11X to add rule 715 (light of Fed waiver Reg)	Bill Wood	8/24/77		
77-48	77-20-3 Vehicle Emission Regs in	Gary R.	9/29/77		

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
77-49	1979 & Sub. model heavy duty vehicles. Exhaust Emission Stds & Test Procudures	Gary R.	10/18/77		
77-50	Sulfur Dioxide Tech. Amend.	Paul Husman Research	10/28/77		
77-51	Rule 715.1 of the So. Coast APCD	Alan Goodley	9/30/77		
77-52	Discriminatants for Correlative & Sensitive Air Quality Control	Kay S. Research	9/28/77		
77-53	Bay Area NSR Rule	Les Fife	10/14/77		
77-54	Bay Area Floating Roof Tanks (claire for-)	A. Goodley	10/22/77		
77-55	Coke Calcining	Pete	10/22/77		
77-56	Vapor Recovery	Dean Simeroth	11/22/77		
77-57	S.P. Commuter train Between San Jose & S.F.	Leslie	10/20/77		
77-58	Transportation Control Plan	Utake	10/28/77		
77-59	Motorcycle Evap Std.	Geo. Lew	12/19/77		
77-60	1979 Assembly Line Test Recp.	Geo. Lew	12/19/77		
77-61	Motor Vehicle tune-ups label regs.	Geo. Lew	12/19/77		
77-62	Contrast Amendment A-6-095-30	Research			

State of California

AIR RESOURCES BOARD

Resolution 77-1

January 26, 1977

WHEREAS, Section 39607(d) of the Health and Safety Code authorizes the Air Resources Board to adopt test procedures to measure compliance with non-vehicular emission standards;

WHEREAS, Section 41954 of the Health and Safety Code authorizes the Air Resources Board to adopt procedures for the certification of, and to certify, gasoline vapor control systems in compliance with standards adopted by the Board;

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to implement, interpret, or make specific Section 41954;

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part I, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adds Sections 94002, 94003, and 94004 to its regulations in Chapter 1, Subchapter 8, of Title 17, California Administrative Code as follows:

94002. Certification of Vapor Recovery Systems, Gasoline Terminals -

Gasoline vapor recovery systems at terminals shall be certified in accordance with the Air Resources Board's "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Terminals" adopted on January 26, 1977.

94003. Certification of Vapor Recovery Systems, Gasoline Bulk Plants -

Gasoline vapor recovery systems at bulk plants shall be certified in accordance with the Air Resources Board's "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Bulk Plants" adopted on January 26, 1977,

94004. Certification of Vapor Recovery Systems, Gasoline Delivery Tanks -

Gasoline vapor recovery systems of delivery tanks shall be certified in accordance with the Air Resources Board's "Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks" adopted on January 26, 1977.

BE IT FURTHER RESOLVED, that the "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Terminal's dated January 26, 1977, as shown in Exhibit I to the Air Resources Board Staff Report 77-2-5, January 26, 1977 are hereby adopted; and

BE IT FURTHER RESOLVED, that the "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Bulk Plants" dated January 26, 1977, as shown in Exhibit II to the Air Resources Board Staff Report 77-2-5, January 26, 1977 are hereby adopted.

BE IT FURTHER RESOLVED, that the "Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks" dated January 26, 1977, as shown in Exhibit III to the Air Resources Board Staff Report 77-2-5, January 26, 1977 are hereby adopted.

STATE OF CALIFORNIA
AIR RESOURCES BOARD

RESOLUTION 77-3

January 25, 1977

WHEREAS, pursuant to Resolution 76-17, a research Contract ARB 5-1323 was awarded to KVB, Inc., to conduct a project titled "Control of Hydrocarbon Emissions from Stationary Sources in the South Coast Air Basin," for an amount not to exceed $499,880; and

WHEREAS, the Research Screening Committee and ARB staff have identified additional work to be performed so that maximum benefits can be derived from this program; and

WHEREAS, the Research Screening Committee has recommended supplementary funding to Contract ARB 5-1323 for an amount not to exceed $64,500 to perform this additional work;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board hereby accepts the recommendations of the Research staff and the Research Screening Committee and approves supplementary funding to Contract ARB 5-1323 for an amount not to exceed $64,500, for the project entitled "Control of Hydrocarbon Emissions from Stationary Sources in the South Coast Air Basin",

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $64,500.

State of California
AIR RESOURCES BOARD

Resolution No. 77-4

January 25, 1977

WHEREAS, Sections 39601 and 43210 of the Health and Safety Code authorize the Air Resources Board by regulation to adopt test procedures applicable to motor vehicles manufactured for sale in this state;

WHEREAS, the present assembly-line and predelivery test procedures for 1977 and subsequent model year gasoline powered passenger cars and light duty trucks do not include the selection and test requirements for medium duty vehicles and four wheel drive vehicles;

WHEREAS, the Air Resources Board intends to reaffirm its policy regarding enforcement regulations and penalties sanctioned by the Health and Safety Code; and

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part I, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that Section 2056 of Article 1, Subchapter 2, Chapter 3, Title 13, California Administrative Code, be adopted as follows:

2056. Assembly-Line or Pre-Delivery Test Procedure -- 1978 Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles.

New 1978 model-year passenger cars, light-duty trucks and medium-duty vehicles shall be assembly-line tested in compliance with the Air Resources Board's "California Assembly-Line Test Procedures for 1978 Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles", adopted January 25, 1977.

BE IT FURTHER RESOLVED, that the "California Assembly-Line Test Procedures for 1978 Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles", dated January 25, 1977, are hereby adopted.

BE IT FURTHER RESOLVED, that Section 2055 of Title 13, which presently applies to California assembly-line test procedures for 1977 and subsequent model years, together with the test procedures incorporated therein, is amended to limit its application to the 1977 model year only.

State of California
AIR RESOURCES BOARD

Resolution 77-5

January 25, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43101 and 43104 of the Health and Safety Code authorize the Board to adopt vehicle emission standards in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, the Board has found that more stringent exhaust emission standards for passenger cars, light-duty trucks, and medium-duty vehicles are needed to achieve the ambient air quality standards in the South Coast Air Basin and in other areas of the State;

WHEREAS, on October 7 and 8, 1976 the Air Resources Board staff conducted a workshop with representatives of motor vehicle manufacturers to discuss the costs and technological feasibility of more stringent exhaust emission standards for passenger cars, light-duty trucks, and medium-duty vehicles, and to discuss needed changes to the Board's test procedures for such vehicles;

WHEREAS, based on information presented at the October 7 and 8 meetings, at the Board's November 23, 1976 meeting and on information previously submitted to the Board and to the U.S. Environmental Protection Agency the Board has found that more stringent exhaust emission standards for passenger cars, light-duty trucks, and medium-duty vehicles are, commencing with the 1982 model-year, both technologically feasible and cost/effective;

WHEREAS, on January 6 and 7, 1977 the Air Resources Board conducted a workshop with representatives of motor vehicle manufacturers, independent research organizations and the academic community to discuss photochemistry and transport phenomena related to air quality in the South Coast Air Basin;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends its regulations in Section 1960, Article 2, Subchapter 3 of Title 13, California Administrative Code as follows:

1960. Exhaust Emission Standards and Test Procedures - 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.

(a) The exhaust emissions from new 1980 and subsequent model passenger cars, light-duty trucks and medium-duty vehicles, subject to registration and sold and registered in this state, shall not exceed:

Exhaust Emission Standards
(grams per mile)

Model-Year	Vehicles	Equivalent Inertia Weight (lbs)	Non-Methane Hydrocarbons	Carbon Monoxide	Oxides of Nitrogen (NO_2)
1980	Passenger cars (PC)	All	0.41	9.0	1.0
	Light-Duty Trucks (LDT)	0-3999	0.41	9.0	1.5
	Light-Duty Trucks (LDT)	4000-5999	0.50	9.0	2.0
	Medium-Duty Vehicles (MDV)	All	0.9	17	2.3
1981	PC	All	0.41	9.0	1.0
	LDT and MDV	0-3999	0.41	9.0	1.0
	LDT and MDV	4000-5999	0.50	9.0	1.5
	MDV	6000 and larger	0.60	9.0	2.0
1982	PC	All	0.41	9.0	0.4*
	LDT and MDV	0-3999	0.41	9.0	1.0
	LDT and MDV	4000-5999	0.50	9.0	1.5
	MDV	6000 and larger	0.60	9.0	2.0
1983 and later	PC	All	0.41	9.0	0.4*
	LDT and MDV	0-3999	0.41	9.0	0.4*
	LDT and MDV	4000-5999	0.50	9.0	1.0*
	MDV	6000 and larger	0.60	9.0	1.5*

*Except that the applicable 1981 model-year Nox standards shall apply to engine families which are certifed under the "Optional 100,000 Mile Certification Procedure."

(b) Vehicles may be certified under the "Optional 100,000 Mile Certification Procedure" only if the vehicle manufacturer agrees to apply to such vehicles the provisions of Section 43204 of the California Health and Safety Code for a period of ten years or 100,000 miles, whichever first occurs.

(c) The test procedures for determining compliance with these standards are set forth in "California Exhaust Emission Standards and Test Procedures for 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," adopted by the Air Resources Board November 23, 1976, as last amended January 25, 1977.

State of California

AIR RESOURCES BOARD

Resolution 77-6

February 15, 1977

WHEREAS, Health and Safety Code Section 41500 requires the Board to review the rules and regulations of the districts to determine whether such rules and regulations assure that reasonable provision is made to achieve and maintain the state ambient air quality standards;

WHEREAS, Health and Safety Code Section 41504 provides that if, after a public hearing, the State Board finds that the rules and regulations of a district will not likely achieve and maintain the State ambient air quality standards, the State Board may establish such rules and regulations as it deems necessary to enable the district to achieve and maintain such ambient air quality standards;

WHEREAS, the South Coast Air Quality Management District Rule 431 regulates the sulfur content of fuels burned in the South Coast Air Basin;

WHEREAS, the Board finds that Rule 431 (Sulfur Content of Fuels) will not likely achieve and maintain the state ambient air quality standard for sulfates or the State visibility standard and that further amendments to Rule 431 are necessary for the District to achieve and maintain such ambient air quality standards;

WHEREAS, the Board has held a public hearing in accordance with Health and Safety Code Section 41502;

NOW, THEREFORE BE IT RESOLVED, that the Air Resources Board hereby amends Rule 431 (Sulfur Content of Fuels) of the South Coast Air Quality Management District to read in its entirety as set forth in Exhibit A attached hereto.

State of California

AIR RESOURCES BOARD

Proposed Amendment to Rule 431 (Sulfur Content of Fuels)

of the South Coast Air Quality Management District

Amend Rule 431 (Sulfur Content of Fuels) of the SCAQMD by designating the existing text as subsection (a) and by adding the following subsection (b).

(b) Steam Generators at Electric Power Plants

1. No person shall burn liquid fuel with a sulfur content of more than 0.25 percent by weight in a steam generator at an electric power plant on or after March 1, 1977 except that:

   A. Existing supplies of fuel with a sulfur content of not more than 0.5 percent by weight owned either in storage or in transit by such person on the effective date of this subsection (b) may be utilized until such supply is exhausted.

   B. From March 1, 1977 to July 1, 1978, if sufficient amounts of fuel with a sulfur content of not more than 0.25 percent by weight are not available on a regularly scheduled future need basis, fuel with a sulfur content of not more than 0.5 percent by weight may be substituted for only such portion of a person's requirements for which fuel with a sulfur content of not more than 0.25 percent by weight is not available.

   C. Noncomplying fuel may be burned if the concentration of sulfur dioxide in stack gases is no more than would be present if liquid fuel with a sulfur content of not more than 0.25 percent were burned.

2. Persons burning liquid fuels in steam generators at electric power plants shall submit to the air pollution control officer, within thirty calendar days from the beginning of each month, a tabulation of the amount of liquid fuel burned at each of such person's power plants on each day of the preceding month, also listing, for each day, the average sulfur content of the fuel burned each day. If noncomplying fuel was burned, a statement of the efforts made to obtain liquid fuel with a sulfur content of not more than 0.25 percent shall be submitted under penalty of perjury.

State of California

AIR RESOURCES BOARD

Resolution 77-9

February 15, 1977

WHEREAS, an unsolicited research proposal No. 583-46 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops", has been submitted by the University of California, Riverside to the Air Resources Board;

WHEREAS, the Research staff has reviewed and recommended this proposal for approval;

WHEREAS, the Research Screening Committee recommends for funding the proposal:

> ARB Proposal Number 583-46 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops", submitted by the University of California, Riverside, for an amount not to exceed $88,949,

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendations of the Research Screening Committee and approves the following proposal:

> ARB Proposal Number 583-46 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops", submitted by the University of California, Riverside, for an amount not to exceed $88,949,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $88,949.

I certify that the above is a true and correct copy of Resolution 77-9 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California

AIR RESOURCES BOARD

Resolution 77-10

February 15, 1977

WHEREAS, an unsolicited research proposal No. 536-38 entitled "Impact of Sulfur Compounds on Vegetation: A Sulfur Dioxide/Ozone Response Model and Phytotoxic Thresholds of Sulfuric Acid and Sulfates" has been submitted by the University of California, Riverside to the Air Resources Board;

WHEREAS, the Research staff has reviewed and recommended this proposal for approval;

WHEREAS, the Research Screening Committee recommends for funding the proposal:

> ARB Proposal Number 536-38 entitled "Impact of Sulfur Compounds on Vegetation: A Sulfur Dioxide/Ozone Response Model and Phytotoxic Thresholds of Sulfuric Acid and Sulfates", submitted by the University of California, Riverside, for an amount not to exceed $136,896;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendations of the Research Screening Committee and approves the following proposal:

> ARB Proposal Number 536-38 entitled "Impact of Sulfur Compounds on Vegetation: A Sulfur Dioxide/Ozone Response Model and Phytotoxic Thresholds of Sulfuric Acid and Sulfates", submitted by the University of California, Riverside, for an amount not to exceed $136,896,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $136,896.

I certify that the above is a true and correct copy of Resolution 77-10 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California
AIR RESOURCES BOARD

Resolution 77-11

March 24, 1977

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board to adopt rules and regulations in accordance with the provisions of the Administrative Procedure Act of the Government Code;

WHEREAS, the Board has adopted emissions standards for motorcycles in accordance with Section 43107 (a) of the Health and Safety Code;

WHEREAS, the Environmental Protection Agency, on December 23, 1976 adopted exhaust emission standards and test procedures applicable to new street motorcycles manufactured after December 31, 1977;

WHEREAS, the Board has found no significant differences between the Environmental Protection Agency standards and test procedures and the test procedures and standards previously adopted by the Board for 1978 through 1981 production year motorcycles; and

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part I, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends Section 1958, Article 2, Subchapter 1, Chapter 3, Title 13 of the California Administrative Code to read in its entirety as follows:

1958. Exhaust Emission Standards and Test Procedures - Motorcycles Manufactured on or after January 1, 1978.

(a) This Section shall be applicable to motorcycles produced on or after January 1, 1978. Motorcycles are excluded from the requirements of this section if:

(1) The engine displacement is less than 50 cubic centimeters,

or (2) An 80 kilogram (176 pound) driver cannot

(a) start from a dead stop using only the engine, or

(b) exceed a maximum speed of 40 kilometers per hour (24.9 miles per hour) on a level paved surface.

(b) Exhaust emissions from new street-use motorcycles, subject to registration and sold and registered in this state shall not exceed:

Exhaust Emission Standards
(grams per kilometer)

Model-year	Engine Displacement (in cubic centimeters)	Hydrocarbons
1978 to 1979	50 to less than 170	5.0
	170 to less than 750	5.0 + 0.0155 (D-170)*
	750 or greater	.14
1980 to 1981	All (50 cc and larger)	5.0
1982 and Subsequent	All (50 cc and larger)	1.0

*D = engine displacement of motorcycles in cubic centimeters

(c) The test procedures for determining compliance with these standards are set forth in Subpart E and Subpart F, Part 86, Title 40, Code of Federal Regulations, as they existed on February 4, 1977.

(d) The Air Resources Board will accept the Environmental Protection Agency's Certificate of Conformity as equivalent to California Certification for model-years 1978 through 1981.

(e) Motorcycle manufacturers shall submit to the Executive Officer a complete copy of the application for certification submitted to the Environmental Protection Agency together with a copy of the Certificate of Conformity.

The above information shall be submitted for each engine family prior to sale or offering for sale of 1978 through 1981 model-year motorcycles in California.

(f) In the event that the federal test procedures referred to in paragraph (c) are found to be invalid or unenforceable, the "California Exhaust Emission Standards and Test Procedures for 1978 and Subsequent Production Motorcycles" as amended February 20, 1976 shall govern, except that the motorcycles to which such test procedures apply shall be those defined in subparagraph (a). In the event that only a portion of the federal test procedures are found to be invalid or unenforceable, then the equivalent portion of the California test procedures shall govern.

State of California
AIR RESOURCES BOARD

Resolution 77-12

March 24, 1977

WHEREAS, the Air Resources Board, by direction of the Governor in Executive Order B-6-75 and pursuant to Administrative Order 75-2, issued jointly by the Air Resources Board and the Office of Emergency Services, has adopted the California Air Pollution Emergency Plan;

WHEREAS, the Air Resources Board is the state agency charged with the responsibility to prepare, direct, and execute the California Air Pollution Emergency Plan;

WHEREAS, the Air Resources Board has identified the need for revision of abatement actions for sulfur dioxide and sulfate episodes;

WHEREAS, the Air Resources Board has also identified the need for clarification of portions of the State Plan that require the local districts to take various actions in the event of an air pollution episode;

WHEREAS, the Air Resources Board has also identified the need for clarification of certain terminology and the reorganization of abatement actions and other technical changes;

WHEREAS, the Air Resources Board has complied with all public hearing and notice requirements of state and federal law;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board does hereby adopt the California Air Pollution Emergency Plan, as revised March 24, 1977, and set forth in Exhibit A attached hereto.

State of California

AIR RESOURCES BOARD

Resolution 77-13

March 25, 1977

WHEREAS, Health and Safety Code Section 41500 requires the Board to review the rules and regulations and enforcement practices of the districts to determine whether reasonable action is being taken to achieve and maintain the state ambient air quality standards;

WHEREAS, Health and Safety Code Section 41504 provides that if, after a public hearing, the State Board finds that the rules and regulations of a district will not likely achieve and maintain the adopted ambient air quality standards, the State Baord may establish such rules and regulations as it deems necessary to enable the district to achieve and maintain such ambient air quality standards;

WHEREAS, the Board finds that the rules and regulations of the South Coast Air Quality Management District will not likely achieve and maintain the state ambient air quality standard for oxidant and that further amendments to Rule 463 (Storage of Organic Liquids) are necessary to enable the district to achieve and maintain the said ambient air quality standard; and

WHEREAS, the Board has held a public hearing in accordance with Health and Safety Code Section 41502;

NOW, THEREFORE BE IT RESOLVED, that the Air Resources Board hereby amends Rule 463 of the South Coast Air Quality Management District to read in its entirety as set forth in Exhibit A attached hereto.

Exhibit A

State of California
AIR RESOURCES BOARD

South Coast Air Quality Management District
Rule 463. Storage of Organic Liquids

(a) A person shall not place, store or hold in any stationary tank, reservoir or other container of more than 150,000 liters (39,630 gallons) capacity, any organic liquid having a vapor pressure of 77.5 mm Hg (1.5 psi) absolute or greater under actual storage conditions, unless such tank, reservoir or other container is a pressure tank maintaining working pressures sufficient at all times to prevent organic vapor or gas loss to the atmosphere, or is designed and equipped with one of the following vapor loss control devices, properly installed, properly maintained and in operation:

(1) A floating roof, consisting of a pontoon-type, double-deck-type, or internal floating cover that rests on the surface of the liquid contents and is equipped with a closure device or devices between the tank wall and roof edge.

(A) Prior to July 1, 1977, a floating roof installation is subject to all the following specific conditions:

(i) No gap between the tank wall and the roof edge (including the closure device) shall exceed 0.3175 centimeters (1/8 inch) width for an accumulative length on the circumference of the tank computed by dividing the diameter of the tank in feet, by 6.5.

(ii) The gap between the tank wall and the roof edge (including the closure device) shall in no case exceed 1/2 inch.

(iii) For the purpose of subsection (a)(1)(A) & (B), measurements shall be made with a 0.3175 centimeters (1/8 inch) diameter probe

of at least 120 centimeters (3.9 foot) length. No violation shall exist unless the probe reaches liquid surface, without forcing.

(iv) All tank gauging and sampling devices or other appurtenant openings shall be designed to provide a projection into the liquid surface to prevent entrained or formed organic vapor from escaping from the liquid contents of the tank and shall be equipped with a cover, seal, or lid. The cover, seal, or lid shall be in a closed (i.e. no visible gap) position at all times except when the device or appurtenance is in actual use.

(v) Any emergency roof drain shall be provided with a slotted membrane fabric cover, or equivalent, that covers at least nine-tenths of the area of the opening.

(vi) A floating roof shall not be used if the organic liquid stored has a vapor pressure of 569 mm Hg (11 psi) absolute or greater under actual storage conditions.

(vii) Any internal floating cover container shall not contain organic vapor in the space between the internal pan and fixed roof in a concentration greater than 50 percent of the lower explosive limit property of the organic liquid being stored.

(B) Effective July 1, 1977 a floating roof installation is subject to all the following specific conditions:

(i) There shall be no measurable gap between the tank wall and the roof edge (including the closure device). As used in this paragraph, measurable gap means an opening through which a probe of 0.3175 centimeters (1/8 inch) diameter can penetrate without forcing to reach liquid surface.

(ii) All tank gauging and sampling devices or other appurtenant openings shall be designed to provide a projection into the

liquid surface to prevent entrained or formed organic vapor from escaping from the liquid contents of the tank and shall be equipped with a cover, seal, or lid. The cover, seal, or lid shall be in a closed (i.e. no visible gap) position at all times except when the device or appurtenance is in actual use.

(iii) Any emergency roof drain shall be provided with a slotted membrane fabric cover, or equivalent, that covers at least nine-tenths of the area of the opening.

(iv) A floating roof shall not be used if the organic liquid stored has a vapor pressure of 569 mm Hg (11 psi) absolute or greater under actual storage conditions.

(v) Any internal floating cover container shall not contain organic vapor in the space between the internal pan and fixed roof in a concentration greater than 50 percent of the lower explosive limit property of the organic liquid being stored.

(2) A vapor recovery system, consisting of a vapor gathering system capable of collecting all organic vapors and gases discharged, and a vapor disposal system capable of processing such organic vapors and gases so as to prevent their emission to the atmosphere at an efficiency of at least 90 percent by weight. Any tank gauging or sampling device on a tank vented to the vapor recovery system shall be equipped with a gas-tight cover which shall be closed at all times except when gauging or sampling is actually taking place.

(3) Other equipment of equal efficiency, provided an application for such equipment is submitted to and approved by the Air Pollution Control Officer.

(b) A person shall not place, store or hold in any above-ground stationary tank, or other container of 150,000 liters (39,630 gallons)

or less capacity any gasoline unless such tank is equipped with a pressure-vacuum valve which is set to within ten percent of the maximum allowable working pressure of the container or is equipped with conservation controls as indicated in subsection (a).

(c) Exemption:

The provisions of subsection (b) shall not apply to any container of 7,570 liters (2,000 gallons) or less capacity installed and in service prior to January 9, 1976, nor to any container of 950 liters (251 gallons) or less capacity installed on or after January 9, 1976.

(d) Definitions

(1) Efficiency, as used in subsections (a)(2) and (a)(3) compares controlled emissions to those emissions which would occur from a fixed or cone roof tank in the same product service without a vapor recovery system. These base line emissions shall be calculated by using the criteria outlined in API Bulletin 2518. Floating roof tank emissions shall be calculated using the criteria contained in API Bulletin 2517 modified by the application of seal factors which consider modern technology of floating roof seals.

(2) The true vapor pressure (psi absolute) of stored liquid product may be determined by using the API nomograph for conversion of Reid Vapor Pressure to true vapor pressure.

(e) Effective dates

(1) The owner or operator of any container subject to subsection (a) of this rule, which is installed on or after July 1, 1977 shall comply with the provisions of subsection (a) at the time of installation.

(2) The owner or operator of any container subject to subsection (a) of this rule that is used exclusively to store petroleum distillates shall be in compliance with the provisions of subsection (a) on July 1, 1977.

(3) The owner or operator of any existing container subject to subsection (a) of this rule [other than oil field storage tanks used exclusively to store crude petroleum with a capacity of 254,000 liters (67,200 gallons) or less, as noted in Section (e)(4)] that is used to store organic liquids other than petroleum distillates and who must alter such container to meet these provisions, shall be in compliance by August 1, 1978, and shall comply with the following increments of progress:

(A) July 1, 1977. Submit to the Air Pollution Control Officer a final control plan which describes, as a minimum, the steps, including a construction schedule, that will be taken to achieve compliance with the provisions of this rule.

(B) August 1, 1977. Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(C) September 1, 1977. Initiate on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(D) July 1, 1978. Complete on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(E) August 1, 1978. Assure final compliance with the provisions of this rule.

(4) The owner or operator of any existing oil field storage tank used exclusively to store crude petroleum with a capacity of 254,000 liters (67,200 gallons) or less subject to subsection (a) of this rule who must alter such container to meet these provisions, shall be in compliance by September 1, 1977, and shall comply with the following increments of progress:

(A) August 1, 1976. Submit to the Air Pollution Control Officer a final control plan which describes, as a minimum, the steps, including a construction schedule, that will be taken to achieve compliance with the provisions of this rule.

(B) October 2, 1976. Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(C) November 1, 1976. Initiate on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(D) August 1, 1977. Complete on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(E) September 1, 1977. Assure final compliance with the provisions of this rule.

(5) The owner or operator of any container subject to subsection (b) of this rule which is installed on or after June 25, 1976 shall comply with the provisions of subsection (b) at the time of installation.

(6) The owner or operator of any container subject to subsection (b) of this rule which was operating or in the process of being installed or constructed before June 25, 1976 shall be in compliance with the requirements of subsection (b) of August 1, 1976.

PROPOSED

State of California
AIR RESOURCES BOARD

Resolution 77-14

December 19, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules and regulations necessary for the proper execution of the powers and duties granted to, and imposed upon, the Board by law;

WHEREAS, Section 39605 of the Health and Safety Code authorizes the Board to hold public hearings to carry out the purposes of Division 26 of the Health and Safety Code relating to statewide air pollution control;

WHEREAS, various provisions contained in the Board's regulations and the Health and Safety Code and Vehicle Code require or permit the holding of an administrative hearing in situations where the California Administrative Procedure Act or other specified hearing procedures, does not apply;

WHEREAS, the Air Resources Board has determined that regulations should be adopted to implement an adjudicatory hearing procedure, to implement procedures for regular and special meetings of the Air Resources Board and for availability of staff reports, and to implement procedures for appeals of action or inaction by the South Coast Air Quality Management District pursuant to Health and Safety Code Sections 40451 and 40452;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 2, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that a new Subchapter 1 of Chapter 1 of Part II be added to the Board's regulations in Title 17, California Administrative Code; that the existing Subchapter 1 of said Chapter be amended to read Subchapter 1.5; and that the existing Subchapter 7 be deleted, all as set forth in the attachment to Staff Report No. 77-26-4, dated 12-19-77.

State of California
AIR RESOURCES BOARD

Resolution 77-16

May 26, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43101 and 43104 of the Health and Safety Code authorize the Board to adopt vehicle emission standards and test procedures in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, the Board's certification procedures for new motor vehicles currently require a manufacturer to demonstrate that certification vehicle emissions will remain below the standards for at least 50,000 miles;

WHEREAS, recent data gathered by the Board and by the U.S. Environmental Protection Agency and other data indicate that late model vehicles exceed on average the applicable emission standards long before 50,000 miles have been accumulated;

WHEREAS, these same data indicate that many vehicle owners are not following the manufacturer's recommended maintenance practices, and that even if the manufacturer's recommended maintenance practices are followed, this maintenance is often performed incorrectly;

WHEREAS, the Board believes that the certification test procedures should accurately reflect the actual maintenance practices of vehicle owners and the service industry, rather than the desired maintenance practices of vehicle manufacturers;

WHEREAS, the Board finds that regulations which make the maintenance practices used during the certification process more similar to actual consumer maintenance habits are, commencing with the 1980 model-year for passenger cars and the 1981 model-year for light-duty trucks and medium-duty vehicles, technologically feasible, cost/effective, and necessary to carry out the Legislature's mandate that the Board control and reduce air pollution caused by motor vehicles;

WHEREAS, the Board is authorized pursuant to Health and Safety Code Section 43600 to adopt and implement emission standards for in-use vehicles which are necessary and technologically feasible;

WHEREAS, the Board finds that the emission standards and maintenance restrictions applicable to new 1980 and later model year passenger cars and 1981 and later model year light-duty trucks and medium-duty vehicles should extend to such vehicles over their useful life while in normal use and operation, in order to assure that the air quality benefits associated with those standards and restrictions are actually realized.

WHEREAS, Health and Safety Code Section 43106 requires that production vehicles be the same in construction (including the maintenance requirements of emission control devices) in all material respects as their test vehicle counterparts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends its regulations in Section 1960(b), Title 13, California Administrative Code, as follows:

> (b). The test procedures for determining compliance with these standards are set forth in "California Exhaust Emission Standards and Test Procedures for 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles", adopted by the Air Resources Board November 23, 1976, as amended December 14, 1976 and May 26, 1977.

BE IT FURTHER RESOLVED, that the Board hereby adopts the "California Exhaust Emission Standards and Test Procedures for 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles", as last amended May 26, 1977.

BE IT FURTHER RESOLVED, that the Board amends its regulations in Section 1960, Title 13, California Administrative Code, by adding a new subparagraph (c) and NOTE, to read:

(c) With respect to any new vehicle required to comply with the standards set forth in paragraph (a), the manufacturer's written maintenance instructions for in-use vehicles shall not require scheduled maintenance more frequently than or beyond the scope of maintenance permitted under the test procedures referenced in paragraph (b) above. Any failure to perform scheduled maintenance shall not excuse an emissions violation unless the failure is related to or causative of the violation.

> NOTE: Authority cited: Section 39601, Health and Safety Code; Reference: Sections 39600, 39601, 43013, 43101, 43104, 43106, 43600 Health and Safety Code.

State of California

AIR RESOURCES BOARD

Resolution 77-18

Adopted
June 22, 1977

WHEREAS, the federal Clean Air Act (§110) and Environmental Protection Agency regulations adopted pursuant thereto (40 CFR 51.19 and Appendix P thereto) require that State Implementation Plans contain procedures requiring certain specified categories of stationary sources to monitor emissions on a continuous basis to determine compliance with any rules and regulations established to achieve or maintain the national air quality standards;

WHEREAS, the Board is the state agency designated, pursuant to Health and Safety Code §39602, the responsibility of preparing the State Implementaion Plan, and to that end, is required to coordinate the activities of the districts;

WHEREAS, Health and Safety Code §40001 requires districts to adopt rules and regulations which assure that reasonable provision is made to achieve and maintain the state standards and endeavor to achieve and maintain the national standards;

WHEREAS, the Board is empowered by Health and Safety Code §§41500, 41502, and 41504 to review the rules and regulations of a district to determine whether they make reasonable provision to achieve and maintain state air quality standards, and, after a public hearing, establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board established model regulations for continuous emission monitoring of specified categories of sources which meet the aforesaid state and federal mandates, and by letter dated December 23, 1976, requested affected districts to adopt the suggested continuous emission monitoring rules or equivalent rules;

WHEREAS, the Board finds that one or more of the specified categories of sources are located within the following named districts and that the districts have not adopted rules or regulations that will assure continuous emission monitoring of the specified categories of sources;

Bay Area APCD
Kern County APCD
~~San Joaquin County APCD~~
~~Fresno County APCD~~
Ventura County APCD
San Luis Obispo County APCD
Monterey Bay Unified APCD

WHEREAS, the Board finds that without continuous emission monitoring rules substantially equivalent to the aforesaid model regulation proposed by the Board, the rules and regulations of the above districts do not make reasonable provision to achieve and maintain the state ambient air quality standards;

WHEREAS, the Board finds that the above districts have failed to adopt continuous emission monitoring rules which meet the aforesaid federal requirements for State Implementation Plans; and

WHEREAS, the Board has conducted a public hearing and given notice thereof in accordance with all requirements of federal and state law;

NOW, THEREFORE BE IT RESOLVED, that the Board hereby amends Sections 3210.5 through 3210.11 of the rules and regulations of the Bay Area APCD as shown in Attachment I of the Staff Report 77-13-4.

BE IT FURTHER RESOLVED, that the Board hereby amends the rules and regulations of the following districts by adopting therein a new rule or regulation; as shown in Attachments II through VII of the Staff report, 77-13-4.

Attachment	Rule	District	Attachment	Rule	District
II	108	Kern County	V	105	Ventura County
~~III~~	~~108~~	~~San Joaquin County~~	VI	113	San Luis Obispo County
~~IV~~	~~108~~	~~Fresno County~~	VII	215	Monterey Bay Unified

BE IT FURTHER RESOLVED, that the aforesaid rules and regulations as amended or adopted hereby shall become effective immediately.

BE IT FURTHER RESOLVED, that the aforesaid rules and regulations as amended may not be amended except by the Board, or by the District, if the Executive Officer finds that any amendment thereto made by the District does not impair the effectivness or stringency of these rules.

BE IT FURTHER RESOLVED, that any of the aforesaid rules and regulations as adopted shall be rescinded upon the finding by the Executive Officer that a substantially equivalent rule or regulation has been adopted by an affected district.

State of California

AIR RESOURCES BOARD

Resolution 77-19

May 25, 1977

WHEREAS, Section 39606 of the Health and Safety Code directs the Air Resources Board to divide the State into air basins based on meteorological and geographic conditions and with consideration for political boundary lines whenever practicable;

WHEREAS, Sections 60109(b) and 60110 of Title 17 of the California Administrative Code designate part of San Diego County as the San Diego Air Basin, and the remaining portion of the County as a part of the Southeast Desert Air Basin;

WHEREAS, on February 8, 1977 the Board of the San Diego County Air Pollution Control District requested the Air Resources Board to change the boundaries of the Southeast Desert and San Diego Air Basins so that all of San Diego County is in the San Diego Air Basin;

WHEREAS, on February 16, 1977 the Control Council of the Southeast Desert Air Basin adopted a resolution supporting the San Diego County Air Pollution Control District's request;

WHEREAS, the intent of the law (i.e., that political boundaries should be used for air basin boundaries whenever practicable) would be served if the boundary between the Southeast Desert Air Basin and the San Diego Air Basin were to be made the same as the boundary between San Diego County, and Riverside and Imperial Counties; and

WHEREAS, the meteorological and geographic factors which originally justified placing a portion of San Diego County in the Southeast Desert Air Basin are outweighed by the administrative and cost advantage of changing the air basin boundaries, so that all of San Diego County is in the San Diego Air Basin;

NOW, THEREFORE, BE IT RESOLVED, that effective July 1, 1977, Section 60109(b) of Title 17 of the California Administrative Code is deleted (with the appropriate renumbering of the subsequent subsections), and that Section 60110 is amended to read: "San Diego Air Basin. All of San Diego County", as set forth in Exhibit A and attached hereto; and

BE IT FURTHER RESOLVED, that in taking this action, it is not the intent of the Air Resources Board to extend the existing Rules and Regulations that are applicable in the San Diego Air Basin, to the portion of the District that is now in the Southeast Desert Air Basin. When the term "San Diego Air Basin" is used in any of the District's existing Rules and Regulations, it shall continue to mean the air basin as it was before the boundary change was made, until the District holds a public hearing to consider amending such Rules and Regulations.

Exhibit A

Resolution 77-19

State of California

AIR RESOURCES BOARD

Proposed

Amendment to Title 17 of the
California Administrative Code

Sections 60109 and 60110 of Title 17 of the California Administrative Code shall be amended to read as follows (crossed out words have been deleted, underlined words are additions):

Article 1. Description of California Air Basins

60109. Southeast Desert Basin.

(a) All of Imperial County

~~(b) That portion of San Diego County which lies east of a line described as follows:~~

~~Beginning at the U.S.-Mexico border and running north along the range line common to R. 7 E and R. 6 E to the southeast corner of T. 16 S, R. 6 E, then west along the township line, San Bernardino Base and Meridian, common to T. 16 S and T. 17 S to the southwest corner of T. 16 S, R. 6 E; then north along the range line common to R. 6 E and R. 5 E to the southeast corner of T. 14 S, R. 5 E; then west along the township line common to T. 14 S and T. 15 S to the point of intersection with the east boundary of Cuyamaca Park, then north along the east boundary of Cuyamaca Park to the point of intersection with the range line common to R. 5 E and R. 4 E; then north along this range line to the point of intersection with the south boundary of the San Felipe Land Grant; then east and north along the land grant boundary to the eastern most corner; then continuing west and north along the land grant boundary to the point of intersection with the range line common to R. 5 E and R. 4 E; then north along this range line to the point of intersection with the township line common to T. 10 S and T. 9 S, then west along this township line to the point of intersection with the range line common to R. 4 E and R. 3 E; then north along this range line to the San Diego-Riverside County boundary.~~

(b)~~(c)~~ That portion of Riverside County which lies east of a line described as follows:

Beginning at the Riverside-San Diego County boundary and running north along the range line common to R. 4 E and R. 3 E, San Bernardino Base and Meridian; then east along the township line common to T. 8 S and T. 7 S; then north along the range line common to R. 5 E and R. 4 E; then west along the township line common to T. 6 S and T. 7 S to the southwest corner of Section 34, T. 6 S, R. 4 E; then north along the west boundaries of Sections 34, 27, 22, 15, 10, 3, T. 6 S, R. 4 E; then west along the township line common to T. 5 S and T. 6 S; then north along the range line common to R. 4 E and R. 3 E; then west along the south boundaries of Sections 13, 14, 15, 16, 17 and 18, T. 5 S, R. 3 E; then north along the range line common to R. 2 E and R. 3 E; then west along the township line common to T. 4 S and T. 3 S to the intersection with the southwest boundary of partial Section 31, T. 3 S, R. 1 W; then northwest along that line to the intersection with the range line common to R. 2 W and R. 1 W; then north to the Riverside-San Bernardino County line.

(c) ~~(d)~~ That portion of San Bernardino County east and north of a line described as follows:

Beginning at the San Bernardino-Riverside County boundary and running north along the range line common to R. 3 E and R. 2 E, San Bernardino Base and Meridian; then west along the township line common to T. 3 N and T. 2 N to the San Bernardino-Los Angeles County boundary.

(d) ~~(e)~~ That portion of Los Angeles County which lies north and east of a line described as follows:

Beginning at the Los Angeles-San Bernardino County boundary and running west along the township line common to T. 3 N and T. 2 N, San Bernardino Base and Meridian; then north along the range line common to R. 8 W and R. 9 W; then west along the township line common to T. 4 N and T. 3 N; then north along the range line common to R. 12 W and R. 13 W to the southeast corner of Section 12, T. 5 N, R. 13 W; then west along the south boundaries of Sections 12, 11, 10, 9, 8, 7, T. 5 N, R. 13 W to the boundary of the Angeles National Forest which is collinear with the range line common to R. 13 W and R. 14 W; then north and west along the Angeles National Forest boundary to the point of intersection with the township line common to T. 7 N and T. 6 N (point is at the northwest corner of Section 4 in T. 6 N, R. 14 W); then west along the township line common to T. 7 N and T. 6 N; then north along the range line common to R. 15 W and R. 16 W to the southeast corner of Section 13, T. 7 N, R. 16 W; then along the south boundaries of Sections 13, 14, 15, 16, 17, 18, T. 7 N, R. 16 W; then north along the range line common to R. 16 W and R. 17 W to the north boundary of the Angeles National Forest (collinear with township line common to T. 8 N and T. 7 N) then west and north along the Angeles National Forest boundary to the point of intersection with the south boundary of the Rancho La Liebre Land Grant; then west and north along this land grant boundary to the Los Angeles-Kern County boundary.

(e) ~~(f)~~ That portion of Kern County east and south of a line described as follows:

Beginning at the Kern-Los Angeles County boundary and running north and east along the northwest boundary of the Rancho La Liebre Land Grant to the point of intersection with the range line common to R. 15 W. and R. 16 W. San Bernardino Base and Meridian; north along the range line to the northwest corner of S. 2, T. 32 S., R. 32 E. Mount Diablo Base and Meridian; then east along the township line common to T. 32 S. and T. 31 S.; then north along the range line common to R. 35 E. and R. 34 E.; then east along the township line common to T. 29 S. and T. 28 S.; then north along the range line common to R. 36 E. and R. 35 E.; then east along the township line common to T. 28 S. and T. 27 S.; then north along the range line common to R. 37 E. and R. 36 E. to the Kern-Tulare County boundary.

History: 1. Amendment filed 10-6-71; effective thirtieth day thereafter (Register 71, No. 41).

60110. San Diego Basin.

All of San Diego County.

~~That portion of San Diego County which lies west of a line described as follows:~~

~~Beginning at the U. S. Mexico border and running north along the range line common to R. 7 E and R. 6 E, San Bernardino Base and Meridian; to the southeast corner of T. 16 S, R. 6 E; then west along the township line common to T. 16 S and T. 17 S to the southwest corner of T. 16 S, R. 6 E; then north along the range line common to R. 6 E and R. 5 E to the southeast corner of T. 14 S, R. 5 E; then west along the township line common to T. 14 S and T. 15 S to the point of intersection with the east boundary of Cuyamaca Park; then north along the east boundary of Cuyamaca Park to the point of intersection with the range line common to R. 5 E and R. 4 E; then north along this range line to the point of intersection with the south boundary of the San Felipe Land Grant; then east and north along the land grant boundary to the eastern most corner; then continuing west and north along the land grant boundary to the point of intersection with the range line common to R. 5 E and R. 4 E; then north along this range line to the point of intersection with the township line common to T. 10 S and T. 9 S; then west along this township line to the point of intersection with the range line common to R. 4 E and R. 3 E; then north along this range line to the San Diego Riverside County boundary.~~

State of California

AIR RESOURCES BOARD

Resolution 77-20

April 29, 1977

WHEREAS, a solicited research Proposal Number 595-50 entitled "Development of Improved Methods for Predicting Air Quality Levels in the South Coast Air Basin" has been submitted by the Technology Service Corporation to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 595-50 entitled "Development of Improved Methods of Predicting Air Quality Levels in the South Coast Air Basin", submitted by the Technology Service Corporation, for an amount not to exceed $125,000;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 595-50 entitled "Development of Improved Methods for Predicting Air Quality Levels in the South Coast Air Basin", submitted by the Technology Service Corporation, for an amount not to exceed $125,000;

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $125,000.

I certify that the above is a true and correct copy of Resolution 77-20 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California

AIR RESOURCES BOARD

Resolution 77-21

April 29, 1977

WHEREAS, a solicited research Proposal Number 597-50 entitled "Fine Particle Emissions from Stationary and Miscellaneous Sources in the South Coast Air Basin" has been submitted by KVB, Inc. to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 597-50 entitled "Fine Particle Emissions from Stationary and Miscellaneous Sources in the South Coast Air Basin" submitted by KVB, Inc., for an amount not to exceed $325,000;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 597-50 entitled "Fine Particle Emissions From Stationary and Miscellaneous Sources in the South Coast Air Basin" submitted by KVB, Inc., for an amount not to exceed $325,000.00,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $325,000.

I certify that the above is a true and correct copy of Resolution 77-21 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California
AIR RESOURCES BOARD

Resolution 77-24
June 22, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43101 and 43104 of the Health and Safety Code authorize the Board to adopt vehicle emission standards in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, the Board has found that more stringent exhaust emission standards for passenger cars, light-duty trucks, and medium-duty vehicles are needed to achieve the ambient air quality standards in the South Coast Air Basin and in other areas of the State;

WHEREAS, on October 7 and 8, 1976 the Air Resources Board staff conducted a workshop with representatives of motor vehicle manufacturers to discuss the costs and technological feasibility of more stringent exhaust emission standards for passenger cars, light-duty trucks, and medium-duty vehicles, and to discuss needed changes to the Board's test procedures for such vehicles;

WHEREAS, on January 6 and 7, 1977 the Air Resources Board conducted a workshop with representatives of motor vehicle manufacturers, independent research organizations and the academic community to discuss photochemistry and transport phenomena related to air quality in the South Coast Air Basin;

WHEREAS, the Board has held previous public hearings on the issue of more stringent exhaust emission standards for oxides of nitrogen for light-duty and medium-duty vehicles on November 23, 1976 and January 25, 1977, to discuss proposals similar or identical to those under consideration today;

WHEREAS, based on information presented to the Board and the Board's staff at the above described meetings and public hearings, and on information previously submitted to the Board and to the U.S. Environmental Protection Agency, the Board has found that more stringent exhaust emission standards for passenger cars, light-duty trucks, and medium-duty vehicles are, commencing with the 1982 model-year, both technologically feasible and cost/effective; and

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE BE IT RESOLVED, that the Board hereby adopts the following exhaust emission standards for 1980 and subsequent model passenger cars, light-duty trucks, and medium-duty vehicles:

Model Year	Vehicles	Equivalent Inertia Weight (lbs.)	Exhaust Emission Standards (grams per mile) Non Methane Hydrocarbons	Carbon Monoxide	Oxides of Nitrogen (NO_2)*
1980	Passenger Cars (PC)	All	0.39**	9.0	1.0 (1.5)
	Light-Duty Trucks (LDT)	0-3999	0.39**	9.0	1.5
	Light-Duty Trucks (LDT)	4000-5999	0.50	9.0	2.0
	Medium-Duty Vehicles (MDV)	All	0.9	17	2.3
1981	PC	All	0.39**	9.0	1.0 (1.5)
	LDT and MDV	0-3999	0.39**	9.0	1.0 (1.5)
	LDT and MDV	4000-5999	0.50	9.0	1.5 (2.0)
	MDV	6000 and larger	0.60	9.0	2.0 (2.3)
1982	PC	All	0.39**	9.0	0.4 (1.0)
	LDT and MDV	0-3999	0.39**	9.0	1.0 (1.5)
	LDT and MDV	4000-5999	0.50	9.0	1.5 (2.0)
	MDV	6000 and larger	0.60	9.0	2.0 (2.3)
1983 and Subsequent	PC	All	0.39**	9.0	0.4 (1.0)
	LDT and MDV	0-3999	0.39**	9.0	0.4 (1.0)
	LDT and MDV	4000-5999	0.50	9.0	1.0 (1.5)
	MDV	6000 and larger	0.60	9.0	1.5 (2.0)

*NOx standards in parentheses are applicable to engine families which are certified under the "Optional 100,000 Mile Certification Procedure."

**If a methane content correction factor is used, the standard shall be 0.41 grams per vehicle mile.

BE IT FURTHER RESOLVED, that the "Optional 100,000 Mile Certification Procedure," described in Attachment III to staff report 77-13-2, is hereby adopted.

BE IT FURTHER RESOLVED, that the Executive Officer shall make the necessary changes to the Board's test procedures and regulations in Section 1960, Title 13, California Administrative Code to incorporate the above standards and "Optional 100,000 Mile Certification Procedure."

Attachment III

Optional 100,000 Mile Certification Procedure

Commencing with 1982 model passenger cars and 1983 model light-duty trucks and medium-duty vehicles, the alternate NOx emission standards shown in paragraph (4) above shall apply to any engine family which meets all of the following additional requirements:

a. Each exhaust emission durability data vehicle shall be driven, with all emission control systems installed and operating, for 100,000 miles or such lesser distance as the Executive Officer may agree to as meeting the objectives of this procedure. Compliance with the emission standards shall be based on the projected emission levels at 100,000 miles. All references in test procedures to "useful life", 5 years, and 50,000 miles shall mean "total life", 10 years, and 100,000 miles respectively.

b. Only the following scheduled maintenance shall be allowed under paragraph 86.078-25(a)(1)(i).

25(a)(1)(i)(A). For gasoline-fueled and Diesel-fueled vehicles, the following items may be inspected, replaced, cleaned, adjusted, and/or serviced as required:

(1) Drive belt tension on engine accessories (no more frequently than once every 30,000 miles).
(2) Valve lash (no more frequently than once every 15,000 miles).
(3) Air Filter (no more frequently than once every 30,000 miles).
(4) Fuel Filter (no more frequently than once every 30,000 miles).
(5) Idle Speed (no more frequently than once every 30,000 miles).

25(a)(1)(i)(B). Deleted.

c. The manufacturer agrees to apply to vehicles certified under this paragraph the provisions of Section 43204 of the California Health and Safety Code for a period of ten years or 100,000 miles, whichever first occurs.

State of California
AIR RESOURCES BOARD

Resolution 77-27

April 29, 1977

WHEREAS, there is evidence that the use of the gasoline additive methylcyclopendadienyl manganese tricarbonyl (MMT) can cause plugging of catalytic converters when they are installed in close proximity to a vehicle engine;

WHEREAS, the location of catalysts in close proximity to engines has the potential for allowing reduced vehicle emissions and improved fuel economy;

WHEREAS, recent data reported to the Board indicate that the use of MMT causes engine combustion chamber deposits which can substantially increase hydrocarbon emissions;

WHEREAS, the engine modifications necessary to counteract the increased hydrocarbons caused by MMT on new vehicles are likely to degrade vehicle fuel economy and reduce the probability that auto manufacturers will be able to comply with future emission standards;

WHEREAS, the potential cost and energy benefits associated with using MMT in the production of unleaded gasoline are so small as to be more than counterbalanced by even minimal motor vehicle fuel economy penalties which it may cause;

WHEREAS, the combustion products of MMT may cause both direct and indirect adverse health effects, including effects caused by the ability of manganese oxides to increase the atmospheric conversion rates of sulfur dioxide to sulfate;

WHEREAS, the California State Department of Health has advised the Board that increased use of manganese fuel additives represents a potential health hazard; and

WHEREAS, a survey performed by the Board's staff indicates that the use of MMT in gasoline is projected to increase twenty-fold from current levels in the next few years;

NOW THEREFORE BE IT RESOLVED, that the Board requests all producers of gasoline intended for sale in California to postpone all plans for increased methylcyclopendadienyl manganese tricarbonyl (MMT) use and to phase-out any existing MMT usage.

BE IT FURTHER RESOLVED, that the Board requests that the staff issue a staff report and notice of public hearing to consider the regulation of MMT in gasoline intended for sale in California as soon as possible, preferably during June 1977.

State of California
AIR RESOURCES BOARD

April 29, 1977

Resolution 77-28

WHEREAS, the State Air Resources Board has a continual and ongoing concern for the air quality in California; and

WHEREAS, intensive use of the automobile contributes importantly to air pollution; and

WHEREAS, the County of Los Angeles is attempting an experimental commuter rail transportation program between Los Angeles and San Diego; and

WHEREAS, such experiments will provide important information to the planners of future transit development, particularly in the area of acceptability of rail passenger travel and commuter rail travel.

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board urges the Public Utilities Commission to act favorably on the complaint of the County of Los Angeles and permit this valuable experiment to proceed.

State of California
AIR RESOURCES BOARD
Resolution 77-29

May 26, 1977

WHEREAS, a solicited research Proposal Number 606-51 entitled "Emissions From Ships, Ship Operations, and Transfer of Oil in the South Coast Air Basin" has been submitted by Scott Environmental Technology Inc., to the Air Resources Board;

WHEREAS, the Research staff has reviewed all of the proposals submitted to the Air Resources Board and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed all of the proposals submitted and recommends for funding the proposal:

> Proposal Number 606-51 entitled "Emissions From Ships, Ship Operations, and Transfer of Oil in the South Coast Air Basin" submitted by Scott Environmental Technology, Inc., for an amount not to exceed $168,588;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 606-51 entitled "Emissions From Ships, Ship Operations, and Transfer of Oil in the South Coast Air Basin" submitted by Scott Environmental Technology, Inc., for an amount not to exceed $168,588,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $168,588.

I certify that the above is a true and correct copy of Resolution 77-29 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California

AIR RESOURCES BOARD

Resolution 77-30

May 26, 1977

WHEREAS, an unsolicited research Proposal Number 628-51 entitled "Secondary Pollutants From Ammonia Injection NO_x Control Processes" has been submitted by Lawrence Berkeley Laboratory, Energy and Environmental Division, University of California to the Air Resources Board;

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 628-51 entitled "Secondary Pollutants From Ammonia Injection NO_x Control Processes" submitted by Lawrence Berkeley Laboratory, Energy and Environmental Division, University of California, for an amount not to exceed $150,000;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 628-51 entitled "Secondary Pollutants From Ammonia Injection, NO_x Control Processes" submitted by Lawrence Berkeley Laboratory, Energy and Environmental Division, University of California, for an amount not to exceed $150,000,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $150,000.

I certify that the above is a true and correct copy of Resolution 77-30 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California
AIR RESOURCES BOARD
Resolution 77-31a

August 25, 1977

WHEREAS, an unsolicited research Proposal Number 627-51 entitled "A Study of the Feasibility of Installing Scrubbers in Los Angeles to Reduce Emissions of Sulfur Dioxide" has been submitted by The Aerospace Corporation to the Air Resources Board;

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 627-51 entitled "A Study of the Feasibility of Installing Scrubbers in Los Angeles to Reduce Emissions of Sulfur Dioxide" Submitted by The Aerospace Corporation, for an amount not to exceed $50.000;

WHEREAS, the Executive officer has reviewed and recommended that an additional $10,000 be approved from operating funds to augment the scope of the research project;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and the Executive Officer and approves the following proposal:

> Proposal Number 627-51 entitled "A Study of the Feasibility of Installing Scrubbers in Los Angeles to Reduce Emissions of Sulfur Dioxide" submitted by The Aerospace Corporation, for an amount not to exceed $60,000,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $60,000.

I certify that the above is a true and correct copy of Resolution 77-31a as passed by the Air Resources Board.

Thomas C. Austin
for William H. Lewis, Jr.
Executive Officer

77-33
Thru
77-35
Missing Resolution

State of California

AIR RESOURCES BOARD

Resolution 77-36

May 26, 1977

WHEREAS, an unsolicited research Proposal Number 602-51 entitled "Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air" has been submitted by the California Department of Health to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended this proposal not be approved; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 602-51 entitled "Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air" submitted by the California Department of Health for an amount not to exceed $192,666;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 602-51 entitled "Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air" submitted by the California Department of Health, for an amount not to exceed $192,666;

and authorizes the Executive Office to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $192,666.

I certify that the above is a true and correct copy of Resolution 77-36 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive O-ficer

State of California
AIR RESOURCES BOARD
Resolution 77-37

May 26, 1977

WHEREAS, an unsolicited research Proposal Number 629-51 entitled "Application of Atmospheric Tracer Techniques to determine the Transport and Dispersion Associated with the Land Breeze-Sea Breeze Movement of Air Over the Los Angeles Coastal Zone" has been submitted by the California Institute of Technology to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 629-51 entitled "Application of Atmospheric Tracer Techniques to Determine the Transport and Dispersion Associated with the Land Breeze-Sea Breeze Movement of Air Over the Los Angeles Coastal Zone" submitted by the California Institute of Technology for an amount not to exceed $117,377;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 629-51 entitled "Application of Atmospheric Tracer Techniques to Determine the Transport and Dispersion Associated with the Land Breeze-Sea Breeze Movement of Air Over the Los Angeles Coastal Zone" submitted by the California Institute of Technology, for an amount not to exceed $117,377;

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $117,377.

I certify that the above is a true and correct copy of Resolution 77-37 as passed by the Air Resources Board.

William H. Lewis, Jr.
Executive Officer

State of California
AIR RESOURCES BOARD
Resolution 77-38

May 26, 1977

WHEREAS, an unsolicited research Proposal Number 610-51 entitled "Evaluation of the MADCAP Model for the San Diego Air Basin" has been submitted by Science Applications, Inc., to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 610-51 entitled "Evaluation of the MADCAP Model for the San Diego Air Basin" submitted by Science Applications, Inc., for an amount not to exceed $33,580;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 610-51 entitled "Evaluation of the MADCAP Model for the San Diego Air Basin" submitted by Science Applications, Inc., for an amount not to exceed $33,580,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $33,580.

I certify that the above is a true and correct copy of Resolution 77-38 as passed by the Air Resources Board.

for James D. Boyd

William H. Lewis, Jr.
Executive Officer

State of California
AIR RESOURCES BOARD

Resolution 77-39

July 7, 1977

WHEREAS, the Air Resources Board, pursuant to Sections 39601, 43013 and 43101 of the Health and Safety Code, has the authority to adopt vehicle emission standards which are necessary and technologically feasible for the purpose of protecting and enhancing the air quality of this State;

WHEREAS, the California Supreme Court in Western Oil and Gas Association vs. Orange County Air Pollution Control District, decided May 23, 1975, ruled that the Board has the authority to regulate fuel content as a means of regulating vehicular emissions;

WHEREAS, a large portion of the California population is already exposed to unhealthful levels of photochemical oxidant and/or sulfates, and the state Ambient Air Quality Standards for such pollutants are being exceeded in many areas of the state;

WHEREAS, the Board has determined that the use of manganese additives in unleaded fuels, such as the additive methylcyclopentadienyl manganese tricarbonyl (MMT), will increase vehicle hydrocarbon exhaust emissions which are precursors of photochemical oxidant;

WHEREAS, the Board has also determined that the combustion of gasoline containing manganese additives, such as MMT, will increase ambient levels of manganese oxides, which are directly toxic to humans, and which may tend to increase ambient sulfate levels by catalyzing the conversion of sulfur dioxide to sulfate under conditions of high humidity;

WHEREAS, the State Department of Health has advised the Board that the increased use of manganese fuel additives represents a potential health hazard;

WHEREAS, the use of MMT in unleaded gasoline sold in California could increase substantially; and

WHEREAS, the Board has conducted a public hearing pursuant to the Administrative Procedure Act;

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts Section 2254 in Title 13, California Administrative Code, as follows:

2254. Manganese Additive Content. Effective September 8, 1977, no person shall add manganese or any manganese compound, including the compound methylcyclopentadienyl manganese tricarbonyl (MMT), to unleaded gasoline intended to be sold, offered for sale, or delivered for sale at retail in the State of California.

BE IT FURTHER RESOLVED, that the Board will reconsider the limitation on the use of manganese additives, including MMT, in unleaded gasoline if sufficient data become available which demonstrate that manganese additives can be used without adversely affecting motor vehicle emissions or constituting a public health hazard.

Proposed

State of California
AIR RESOURCES BOARD

Resolution 77-40

July 28, 1977

WHEREAS, Section 27156 of the Vehicle Code prohibits the installation, sale, offer for sale, or advertisement of any device, apparatus, or mechanism intended for use with, or as a part of, any emissions-related part or system which alters or modifies the original design or performance of such a system;

WHEREAS, in 1970 the California Legislature amended Vehicle Code Section 27156 to allow the use of an alteration, modification, or modifying device, apparatus, or mechanism if found by the Air Resources Board either: (1) to not reduce the effectiveness of any required motor vehicle pollution control device; or (2) to result in emissions from any such modified or altered vehicle which are at levels which comply with existing state or federal standards for the applicable model year;

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Board to adopt rules and regulations necessary for the proper execution of the powers and duties granted to, and imposed upon, the Board by law;

WHEREAS, the Board finds that specific regulations are needed to properly interpret and implement the duties required of the Board by Vehicle Code Section 27156, and to determine the compliance or non-compliance of replacement parts, modified parts, or add-on parts with the provisions of that section; and

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends its regulations in Chapter 3, Title 13, California Administrative Code as set forth in Exhibits VI and VII of Staff Report 77-18-3, scheduled for consideration July 28, 1977.

BE IT FURTHER RESOLVED, that the Board hereby adopts the "Criteria for Evaluation of Add-on Parts and Modified Parts," dated July 28, 1977, and the "Criteria for Aftermarket Ignition System Modifications," dated July 28, 1977.

BE IT FURTHER RESOLVED, that Board resolutions 71-2 and 73-24 are hereby rescinded.

State of California
AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO REGULATIONS REGARDING AFTERMARKET PARTS

NOTICE IS HEREBY GIVEN that the Air Resources Board, pursuant to the authority vested by Section 39601 of the Health and Safety Code, and to implement, interpret and make specific Section 43011 of the Health and Safety Code and Section 27156 of the Vehicle Code, will conduct a public hearing, at the time and place specified below, to consider changes to its regulations in Title 13, California Administrative Code.

DATE: July 28, 1977

TIME: 10:00 a.m.

PLACE: State Office Building
350 McAllister Street, Room 1194
San Francisco, California

The Board proposes to adopt regulations clarifying which modifications are subject to the provisions of Vehicle Code Section 27156, and what presumptions, if any, will be made regarding their compliance with that section. Generally, the Board is proposing that replacement parts, as distinguished from modifications or add-on devices, be presumed to be in compliance with Vehicle Code Section 27156 unless the Board determines otherwise. However, replacement parts manufacturers would be required to keep records of the data, performance specifications, and/or any other information demonstrating that such parts are equivalent to the original equipment manufacturer's parts. This information would have to be made available to the Board upon request.

Manufacturers of devices which modify the emissions control system or related parts will continue to be prohibited from installing, selling, offering for sale, or advertising such devices unless they have been exempted by the Board from the provisions of Vehicle Code Section 27156. The requirements for exemption will be clarified, and certain additional documentation may be required from the manufacturer. The proposed changes would not affect any exemptions granted prior to their adoption.

The Board also proposes to adopt guidelines for evaluating ignition system modifications under Vehicle Code Section 27156. These guidelines are technical specifications which were developed after considerable discussion with ignition system manufacturers. The purpose of these guidelines is to allow ignition system manufacturers to fulfill the requirements for exemption under Vehicle Code Section 27156 without undergoing expensive emissions testing. The Board expects that, in time, similar specifications will be developed and adopted for other emissions-related systems.

Finally, the Board is proposing regulations to allow the Executive Officer to evaluate aftermarket parts for compliance with Vehicle Code Section 27156, and to take enforcement action against manufacturers of non-complying parts. The criteria used for determining compliance under this enforcement program would be the same criteria used for granting exemptions. Enforcement actions by the Executive Officer could include revocation of previously granted exemptions, stop-sale orders, or seeking fines and/or injunctions pursuant to Vehicle Code Section 27156 or other applicable statutes.

NOTICE IS FURTHER GIVEN that all interested persons may present comments, statements or arguments, orally or in writing, relating to this matter at the time of the public hearing. Following the hearing, the Board, upon its own motion, or at the instance of any interested person, may adopt the proposed amendments substantially as set forth in the hearing officer's report without further notice.

The Air Resources Board has determined that this action creates no additional cost to local government pursuant to Section 2231 of the Revenue and Taxation Code.

CALIFORNIA AIR RESOURCES BOARD

William H. Lewis, Jr.
Executive Officer

June 22, 1977

NOTICE IS FURTHER GIVEN that all interested persons may present comments, statements or arguments, orally or in writing, relating to this matter at the time of the public hearing. Following the hearing, the Board, upon its own motion, or at the instance of any interested person, may adopt the proposed amendments substantially as set forth in the hearing officer's report without further notice.

The Air Resources Board has determined that this action creates no additional cost to local government pursuant to Section 2231 of the Revenue and Taxation Code.

CALIFORNIA AIR RESOURCES BOARD

William H. Lewis, Jr.
Executive Officer

June 22, 1977

State of California
AIR RESOURCES BOARD

Resolution 77-41

June 29, 1977

WHEREAS, Health and Safety Code Section 39606(b) requires the Air Resources Board to adopt standards of ambient air quality for the protection of the public health, safety, and welfare, including, but not limited to, health, illness, irritation to the senses, aesthetic value, interference with visibility, and effects on the economy;

WHEREAS, Health and Safety Code Section 39606(b) requires standards relating to health effects to be based upon the recommendations of the State Department of Health;

WHEREAS, the Board has received a recommendation from the State Department of Health, and its Air Quality Advisory Committee, that a 24-hour standard of 0.04 ppm sulfur dioxide (SO_2) is reasonable in light of what is known about human health effects, with a margin of safety;

WHEREAS, the Board has received and reviewed a substantial body of evidence and testimony, in both written and oral form, from its staff and expert members of the public, at hearings held on April 27-29, and May 13, 1977, relating to the adverse health effects of SO_2(including written comments submitted prior to June 7, 1977);

WHEREAS, the Board also received a substantial body of evidence and testimony, in both written and oral form, from its staff and expert members of the public, at the same hearings; relating to the adverse effects of SO_2 on vegetation, ecosystems and materials;

WHEREAS, Dr. Marjorie W. Evans, a member of the Board, has prepared "Proposed Findings re California Air Quality Standard for Sulfur Dioxide (24-Hour)," dated June 27, 1977, which contains introductory statements regarding the Board's legal authority, a listing of the staff study and hearing witnesses, findings re adverse health effects of SO_2, and the following recommended SO_2 standard for protection of public health:

> 0.05 ppm (conductimetric method, or equivalent), in the presence of oxidant (ozone) in excess of the state standard, or in the presence of suspended particulate matter in excess of the state 24-hour suspended particulate matter standard.

WHEREAS, Dr. Evans is currently evaluating the evidence and testimony for the purpose of preparing findings and recommendations for an SO_2 standard protective of vegetation, ecosystems and materials;

WHEREAS, the Board has held proceedings in conformance with the provisions of Chapter 4.5 (commencing with Section 11371), Part 1, Division 3, Title 2 of the Government Code;

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts the "Proposed Findings re California Air Quality Standards for Sulfur Dioxide (24-Hour)," dated June 27, 1977 as amended by the Board on June 29, 1977.

BE IT FURTHER RESOLVED, that the Board amends Section 70200 of Title 17, California Administrative Code, by amending the horizontal columns relating to SO_2 to read as follows:

Substance	Concentration and Methods	Duration of Averaging Periods	Most Relevant Effects	Comments
Sulfur Dioxide	0.5 ppm conductimetric method	1 hour	a. approximate odor threshold b. possible alteration in lung function	Alteration in lung function was found at this level in only one study. Other studies reported higher concentrations to cause this effect.
	0.05 ppm conductimetric method, with oxidant, (ozone) in excess of state standard, or with suspended particulate matter in excess of state 24-hr suspended particulate matter standard	24 hours	a. will help prevent respiratory disease in children. b. higher concentrations associated with excess mortality.	a. Further studies on co-carcinogenic role are necessary. b. Does not include effects on vegetation, ecosystem and materials. c. May not include a margin of safety.

State of California

AIR RESOURCES BOARD

Resolution 77-42

June 29, 1977

WHEREAS, an unsolicited research Proposal Number 595-50a entitled "Amendment to Air Resources Board Contract A6-192-30, Development of Improved Methods for Predicting Air Quality Levels in the South Coast Air Basin" has been submitted by the Technology Service Corporation to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding the proposal:

> Proposal Number 595-50a entitled "Amendment to Air Resources Board Contract A6-192-30 Development of Improved Methods of Predicting Air Quality Levels in the South Coast Air Basin", submitted by the Technology Service Corporation, for an amount not to exceed $30,000 for this study or $155,000 for the entire study;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 595-50a entitled "Amendment to Air Resources Board Contract A6-192-30, Development of Improved Methods for Predicting Air Quality Levels in the South Coast Air Basin", submitted by the Technology Service Corporation, for an amount not to exceed $30,000 for this study or $155,000 for the entire study;

and authorizes the Executive Officer to intitate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $30,000 for this amendment or $155,000 for the entire study.

I certify that the above is a true and correct copy of Resolution 77-42 as passed by the Air Resources Board on June 29, 1977.

William H. Lewis, Jr.
Executive Officer

RESOLUTION

WHEREAS, Gene Cone for the past five years has served as Chief of Information Services for the Air Resources Board, and

WHEREAS, she is a committed environmentalist who has used her considerable talents to develop an effective and spirited public information program for the ARB, and

WHEREAS, she has demonstrated imagination, dedication and a sincere desire to protect the public health, and

WHEREAS, she has been recognized for her outstanding work by her peers within the information officer ranks of state service, and

WHEREAS, she is now moving on to new challenges at the State Department of Parks and Recreation, and

WHEREAS, her good humor, sense of fairness and friendship have made her a valuable colleague,

NOW, THEREFORE, BE IT RESOLVED that the members of the Air Resources Board do hereby extend their appreciation for her outstanding work, assistance and advice and wish her well in her new endeavor.

77-43
Thru
77-45
Missing Resolution

(Revised)

State of California
AIR RESOURCES BOARD
Resolution 77-46

August 25, 1977

WHEREAS, a solicited research Proposal Number 644-53 entitled "Determination of Air Pollutant Emission Factors for the Thermal Tertiary Oil Recovery Operations in California" has been submitted by KVB, Inc. to the Air Resources Board;

WHEREAS, the Research Division staff have reviewed all of the proposals submitted to the Air Resources Board and recommended this proposal for approval;

WHEREAS, the Research Screening Committee has reviewed all of the proposals submitted and recommends for funding the proposal:

> Proposal Number 644-53 entitled "Determination of Air Pollutant Emission Factors for the Thermal Tertiary Oil Recovery Operations in California" submitted by KVB, Inc., for an amount not to exceed $100,000; and

WHEREAS, the U.S. Environmental Protection Agency has awarded $50,000 to the Air Resources Board for administration of this research study; and

WHEREAS, the Air Resources Board can augment this study with $50,000 from its contract research fund;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee and approves the following proposal:

> Proposal Number 644-53 entitled "Determination of Air Pollutant Emission Factors for the Thermal Tertiary Oil Recovery Operations in California" submitted by KVB, Inc., for an amount not to exceed $100,000,

and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $100,000.

I certify that the above is a true and correct copy of Resolution 77-46 as passed by the Air Resources Board.

Thomas C. Austin
for William H. Lewis, Jr.
Executive Officer

State of California
AIR RESOURCES BOARD

Resolution 77-48

September 29, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43101 and 43104 of the Health and Safety Code authorize the Board to adopt vehicle emission standards and test procedures in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, on August 7, 1977 the Clean Air Act Amendments of 1977 were signed into law, which amended Federal motor vehicle emission standards, test procedures, enforcement programs, and also amended the requirements for waivers of Federal preemption pursuant to Section 209 of the Clean Air Act, and which further required California to make certain findings regarding its regulations in order to be eligible for such a waiver;

WHEREAS, there are now pending before the Environmental Protection Agency several requests by the Board for waivers of Federal preemption for California emission standards, test procedures, and enforcement programs;

WHEREAS, the Board has found the need to make certain amendments to its regulations in order to make the California standards and test procedures more consistent with the amended Federal regulations;

WHEREAS, the Board also needs to make the findings required by the Clean Air Act Amendments of 1977 in order that its pending waiver requests may be considered by EPA; and

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends its regulations in Article 2, Subchapter 1, Chapter 3, of Title 13, California Administrative Code, as follows:

1. Section 1958(b) is amended to read:

   (b) Exhaust emissions from new street-use motorcycles, subject to registration and sold and registered in this state, shall not exceed:

Exhaust Emission Standards
(grams per kilometer)

Model-Year	Engine Displacement (in cubic centimeters)	Hydrocarbons	Carbon Monoxide
1978 to 1979	50 to less than 170	5.0	17
	170 to less than 750	5.0 + 0.0155(D-170)*	17
	750 or greater	14	17
1980 to 1981	All (50 cc or larger)	5.0	12
1982 and Subsequent	All (50 cc or larger)	1.0	12

*D = engine displacement of motorcycles in cubic centimeters.

2. Subsections (a) and (b) of Section 1960 are amended to read:

1960. Exhaust Emission Standards and Test Procedures - 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles. (a) The exhaust emissions from new 1980 and subsequent model-year passenger cars, light-duty trucks and medium-duty vehicles, subject to registration and sold and registered in this state, shall not exceed:

Exhaust Emission Standards
(grams per mile)

Model Year	Vehicles	Equivalent Inertia Weight (lbs.)	Non-Methane Hydrocarbons*	Carbon Monoxide	Oxides of Nitrogen (NO_2)**
1980	Passenger Cars (PC)	All	0.39 (0.41)	9.0	1.0 (1.5)
	Light-Duty Trucks (LDT)	0-3999	0.39 (0.41)	9.0	1.5
	Light-Duty Trucks (LDT)	4000-5999	0.50 (0.50)	9.0	2.0
	Medium-Duty Vehicles (MDV)	All	0.9 (0.9)	17	2.3
1981	PC	All	(0.41)	3.4	1.0 (1.5)
	PC***	All	0.39 (0.41)	7.0	0.7
	LDT & MDV	0-3999	0.39 (0.41)	9.0	1.0 (1.5)
	LDT & MDV	4000-5999	0.50 (0.50)	9.0	1.5 (2.0)
	MDV	6000 & larger	0.60 (0.60)	9.0	2.0 (2.3)

Model Year	Vehicles	Equivalent Inertia Weight (lbs.)	Exhaust Emission Standards (grams per mile) Non-Methane Hydrocarbons*	Carbon Monoxide	Oxides of Nitrogen (NO_2)**
1982	PC	All	0.39 (0.41)	7.0	0.4 (1.0)
	PC***	All	0.39 (0.41)	7.0	0.7
	LDT & MDV	0-3999	0.39 (0.41)	9.0	1.0 (1.5)
	LDT & MDV	4000-5999	0.50 (0.50)	9.0	1.5 (2.0)
	MDV	6000 & larger	0.60 (0.60)	9.0	2.0 (2.3)
1983 & Sub-sequent	PC	All	0.39 (0.41)	7.0	0.4 (1.0)
	LDT & MDV	0-3999	0.39 (0.41)	9.0	0.4 (1.0)
	LDT & MDV	4000-5999	0.50 (0.50)	9.0	1.0 (1.5)
	MDV	6000 & larger	0.60 (0.60)	9.0	1.5 (2.0)

*Hydrocarbon standards in parentheses apply to total hydrocarbons, or, for 1980 models only, to emissions corrected by a methane content correction factor.

**Oxides of nitrogen standards in parentheses are applicable to engine families which are certified under the "Optional 100,000 Mile Certification Procedure."

***The second set of passenger car standards is optional. A manufacturer must select either the primary or optional sets of standards for his full product line for the entire two-year period.

(b) The test procedures for determing compliance with these standards are set forth in "California Exhaust Emission Standards and Test Procedures for 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," adopted by the Air Resources Board on November 23, 1976, as last amended September 29, 1977.

BE IT FURTHER RESOLVED, that the Executive Officer shall amend the "California Exhaust Emissions Standards and Test Procedures for 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles" to conform to the above amendments to Section 1960, and shall also amend Sections (3)(a) and (3)(c) of those procedures to read:

3.a. In order to demonstrate compliance with a non-methane hydrocarbon emissions standard, hydrocarbon emission shall be measured with an analytical system which responds only to the non-methane fraction. All hydrocarbon test data shall be reported as non-methane hydrocarbons.

In the alternative, for 1980 models only, a manufacturer may correct the total measured hydrocarbons with a methane content correction factor. (No further change to Section 3.a.)

3.c. The requirements in subparagraph 86.078-28(a)(4)(1)(B) (durability vehicles must meet emission standards) refer, for each pollutant, to the highest of either the Federal or California emission standards.

BE IT FURTHER RESOLVED, that the Board hereby finds that the following emission standards, test procedures, and/or enforcement regulations are, individually and collectively, at least as protective of public health and welfare as applicable Federal standards, test procedures and/or enforcement regulations:

1. Exhaust emission standards and test procedures for 1978 and subsequent model year motorcycles, individually for each model year, as specified in Section 1958, Title 13, California Administrative Code.

2. Compliance testing and inspection regulations for 1978 and subsequent model year motorcycles, as specified in Sections 2100 and 2101, Title 13, California Administrative Code.

3. Exhaust emission standards and test procedures for 1979 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles, individually for each vehicle type and model year, as specified in Sections 1959.5 and 1960, Title 13, California Administrative Code.

4. The "California Exhaust Emission Standards and Test Procedures for 1979 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," as last amended June 8, 1977, individually for each vehicle type.

5. The "California Exhaust Emission Standards and Test Procedures for 1980 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," as last amended September 29, 1977, individually for each vehicle type and model year, and specifically including those sections regarding allowable maintenance, idle mixture adjustability, high altitude test requirements, and the 100,000 mile certification option.

6. Compliance testing and inspection regulations for 1978 medium-duty vehicles and for 1978 Diesel-powered light-duty trucks individually for each vehicle type, as specified in Sections 2100 and 2101, Title 13, California Administrative Code.

7. Inspection regulations applicable to 1978 and subsequent model year heavy-duty vehicles, as specified in Sections 2100 and 2101, Title 13, California Administrative Code.

8. The "California Assembly-Line Test Procedures for 1978 Model-Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," adopted January 25, 1977, individually for each vehicle type, and the associated assembly-line test regulations in Subchapter 2, Title 13, California Administrative Code.

9. Evaporative emissions standards for 1980 and subsequent model year gasoline-powered motor vehicles, except motorcycles, individually for each model year and vehicle type, as specified in Section 1976, Title 13, California Administrative Code.

10. The "California Evaporative Emission Standards and Test Procedures for 1978 and Subsequent Model Gasoline-Powered Motor Vehicles, Except Motorcycles," as last amended June 8, 1977, individually for each vehicle type and for each model year.

BE IT FURTHER RESOLVED, that the Executive Officer shall communicate the actions taken by the Board today, as well as the above findings, to the Environmental Protection Agency as soon as possible so that they may be included in EPA's current consideration of California waiver requests.

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77-52
Missing Resolutions

State of California

AIR RESOURCES BOARD

Resolution 77-53

December 20, 1977

WHEREAS, the federal Clean Air Act (§ 110) and the Environmental Protection Agency regulations adopted pursuant thereto (40 CFR 51.12(b)) require that State Implementation Plans contain rules and regulations which prohibit the construction of a new emission source, or a modification to an existing source, where the new or modified source will interfere with or prevent the attainment or maintenance of a national air quality standard;

WHEREAS, Health and Safety Code §§ 40001 and 41507 require districts to adopt as part of the State Implementation Plan required by Section 110 of the Clean Air Act, rules and regulations necessary to achieve and maintain federal ambient air quality standards and authorize the Board to order revision of district rules and regulations where necessary to that end;

WHEREAS, Health and Safety Code § 42301 requires that district permit systems prohibit the issuance of a permit for the construction, alteration, use or operation of any stationary source where such source will prevent or interfere with the attainment or maintenance of any applicable air quality standard;

WHEREAS, the Board is empowered by Health and Safety Code §§ 41500, 41502, and 41504 to review the rules and regulations of a district to determine whether they make reasonable provision to achieve and maintain state air quality standards and, after a public hearing, to establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board is required by Assembly Concurrent Resolution 19, adopted August 1977, to review the new source review regulations of California air pollution control districts and to propose amendments to improve the consistency and effectiveness of such rules throughout the state;

WHEREAS, the Board is requested by Senate Concurrent Resolution 17, adopted September 1977, to review California's State Implementation Plan and consider revising such plan to permit community-wide trade-offs in the preconstruction review of new or modified stationary sources;

WHEREAS, the Board finds that the Bay Area Air Pollution Control District has not adopted new source review rules or regulations which adequately require the denial of a permit for the construction, alteration, or operation of emission sources which will prevent or interfere with the attainment or maintenance of the state ambient air quality standards;

WHEREAS, the Board finds that without new source review rules substantially equivalent to those proposed for adoption by the staff, the rules and regulations of the Bay Area Air Pollution Control District do not make reasonable provision to achieve and maintain state and national ambient air quality standards;

WHEREAS, the Board finds that the Bay Area Air Pollution Control District has failed to adopt new source review rules which meet the aforesaid federal requirements for State Implementation Plans;

WHEREAS, the Board finds that the Bay Area Air Pollution Control District has failed to adopt rules consistent with other new source review rules throughout the state so as to achieve a substantial degree of uniformity; and

WHEREAS, the Board has conducted a public hearing and given notice thereof in accordance with all requirements of federal and state law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends the rules and regulations of the Bay Area Air Pollution Control District by adopting and amending Sections 1304, 1306, 1306.1, 1306.2, 1306.3, 1307, 1308, 1309, 1310, 1311, 1311.1, 1311.2, of Regulation 2, Division 13, as indicated on Attachment I hereto.

BE IT FURTHER RESOLVED, that the aforesaid sections as amended shall become effective immediately.

BE IT FURTHER RESOLVED, that the aforesaid sections as amended shall apply to any subject application for a permit filed with the District, but not finally ruled upon, prior to the aforesaid effective date.

BE IT FURTHER RESOLVED, that the staff of the Board, together with the staff of the District, monitor the implementation of these new source review rules and report to the Board the effects on air quality, employment and business in the District by January 1979.

BE IT FURTHER RESOLVED, that the aforesaid sections as amended may not be amended except by the Board, or by the District provided that the Executive Officer finds that any amendment thereto made by the District does not impair the overall effectiveness or flexibility of these sections.

WHEREAS, the Board finds that the Bay Area Air Pollution Control District has not adopted new source review rules or regulations which adequately require the denial of a permit for the construction, alteration, or operation of emission sources which will prevent or interfere with the attainment or maintenance of the state ambient air quality standards;

WHEREAS, the Board finds that without new source review rules substantially equivalent to those proposed for adoption by the staff, the rules and regulations of the Bay Area Air Pollution Control District do not make reasonable provision to achieve and maintain state and national ambient air quality standards;

WHEREAS, the Board finds that the Bay Area Air Pollution Control District has failed to adopt new source review rules which meet the aforesaid federal requirements for State Implementation Plans;

WHEREAS, the Board finds that the Bay Area Air Pollution Control District has failed to adopt rules consistent with other new source review rules throughout the state so as to achieve a substantial degree of uniformity; and

WHEREAS, the Board has conducted a public hearing and given notice thereof in accordance with all requirements of federal and state law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends the rules and regulations of the Bay Area Air Pollution Control District by adopting and amending Sections 1304, 1306, 1306.1, 1306.2, 1306.3, 1307, 1308, 1309, 1310, 1311, 1311.1, 1311.2, of Regulation 2, Division 13, as indicated on Attachment I hereto.

BE IT FURTHER RESOLVED, that the aforesaid sections as amended shall become effective immediately.

BE IT FURTHER RESOLVED, that the aforesaid sections as amended shall apply to any subject application for a permit filed with the District, but not finally ruled upon, prior to the aforesaid effective date.

BE IT FURTHER RESOLVED, that the staff of the Board, together with the staff of the District, monitor the implementation of these new source review rules and report to the Board the effects on air quality, employment and business in the District by January 1979.

BE IT FURTHER RESOLVED, that the aforesaid sections as amended may not be amended except by the Board, or by the District provided that the Executive Officer finds that any amendment thereto made by the District does not impair the overall effectiveness or flexibility of these sections.

Bay Area Air Pollution Control District

New Source Review Rules

Section 1304.	Applications
Section 1306.	Action on Applications
Section 1306.2.	Appeals from the Denial of Applications
Section 1306.3.	Appeals from the Approved, Conditional Approval or Denial of Source Subject to Sections 1308, 1309, or 1310
Section 1307.	Denial -- Failure to Meet Emission Regulations
Section 1307.1	Denial -- Failure to meet State Implementation Plan and District Regulations
Section 1308.	Standards for Authorities to Construct: Best Available Control Technology
Section 1309.	Standards for Authorities to Construct: Air Quality Impact Analysis
Section 1310.	Standards for Authority to Operate
Section 1311.	Definition for Sections 1308, 1309, and 1310
Section 1311.1.	Additional Applicant Requirements
Section 1311.2.	Severability

Adopted December 20, 1977 by the Air Resources Board to be effective immediately and to apply to any subject application filed with the District, but not finally acted upon prior to December 20, 1977.

§ 1304 Applications. Every application for an authority to construct, erect, alter or replace, or an authority to operate, shall be submitted to the APCO on a form specified and contain all the information required by him. When deemed appropriate by the Air Pollution Control Officer, he shall consult with appropriate local and regional agencies to check the accuracy and adequacy of the application, and of other information submitted with or concerning the application, and to determine whether the application conforms with adopted plans and with local permit requirements.

§ 1306 Action on Applications. The APCO shall act as soon as possible but not later than 60 days from the receipt of a completed application, unless extended by written consent of the applicant, for an authority to construct, erect, alter or replace or authority to operate, and shall notify the applicant in writing of his approval, conditional approval, or denial. This provision shall not apply to applications for sources subject to Sections 1308 or 1309 or 1310 of this Regulation.

§ 1306.2 Appeals from the Denial of Applications. An applicant for a permit dissatisfied with the decision of the APCO may appeal to the Hearing Board for an order modifying or reversing the decision of the APCO by filing an appeal in writing within 10 days of notification of the decision of the APCO. This provision shall not apply to Sections 1308, 1309, or 1310 of this Regulation.

§ 1306.3 Appeals from the Approval, Conditional Approval or Denial of a Source Subject to Sections 1308, 1309, or 1310. An applicant for a permit, for a source subject to Sections 1308, 1309, 1310, or any person dissatisfied with the decision of the APCO thereon, may appeal to the Hearing Board for an order modifying or reversing the decision of the APCO. An appeal pursuant to this section must be filed in writing with the Hearing Board within 10 days of the date of publication of notice of the decision of the APCO and shall contain a summary of the issues to be raised. The Hearing Board shall consider the appeal pursuant to its rules at a public hearing within 30 days of such filing.

§ 1307 Denial -- Failure to Meet Emission Regulations. The Air Pollution Control Officer shall deny an authority to construct, erect, alter or replace, if the stationary source, facility, building, article, machine, equipment or other contrivance, the use of which may cause the emission of air contaminants, or the use of which may eliminate, reduce or control the emission of air contaminants, when operated, will not comply with the emission regulations of the District.

§ 1307.1 Denial -- Failure to meet State Implementation Plan and District Regulations. The Air Pollution Control Officer shall deny an authority to construct, erect, alter or replace a stationary source, facility, building, article, machine equipment or other contrivance, unless the applicant demonstrates that all facilities in the Air Basin which are owned or operated by the applicant are in compliance with all applicable district rules, regulations and orders, and all applicable requirements of the State Implementation Plan approved or promulgated by the federal Environmental Protection Agency under Section 110 of the Clean Air Act, including approved compliance schedules or enforcement orders issued under Section 113 of the Clean Air Act.

§ 1308 Standards for Authorities to Construct: Best Available Control Technology

(a) New Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any unit or units constituting a new stationary source if such source will emit more than 15 pounds per hour or 150 pounds per day of nitrogen oxides, organic gases, or any contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 150 pounds per hour and 1500 pounds per day) unless the applicant shows that the new source is constructed using best available control technology.

(b) Modifications to Existing Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any modification of any existing stationary source if such source after modification will emit more than 15 pounds per hour or more than 150 pounds per day of nitrogen oxides, organic gases, or any air contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 150 pounds per hour and 1500 pounds per day), unless the applicant demonstrates that the modification of the existing stationary source will be constructed using best available control technology, and;

§ 1307.1 Denial -- Failure to meet State Implementation Plan and District Regulations. The Air Pollution Control Officer shall deny an authority to construct, erect, alter or replace a stationary source, facility, building, article, machine equipment or other contrivance, unless the applicant demonstrates that all facilities in the Air Basin which are owned or operated by the applicant are in compliance with all applicable district rules, regulations and orders, and all applicable requirements of the State Implementation Plan approved or promulgated by the federal Environmental Protection Agency under Section 110 of the Clean Air Act, including approved compliance schedules or enforcement orders issued under Section 113 of the Clean Air Act.

§ 1308 Standards for Authorities to Construct: Best Available Control Technology

(a) New Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any unit or units constituting a new stationary source if such source will emit more than 15 pounds per hour or 150 pounds per day of nitrogen oxides, organic gases, or any contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 150 pounds per hour and 1500 pounds per day) unless the applicant shows that the new source is constructed using best available control technology.

(b) Modifications to Existing Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any modification of any existing stationary source if such source after modification will emit more than 15 pounds per hour or more than 150 pounds per day of nitrogen oxides, organic gases, or any air contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 150 pounds per hour and 1500 pounds per day), unless the applicant demonstrates that the modification of the existing stationary source will be constructed using best available control technology, and;

1. That the modification would not result in a net increase in emissions of any pollutant affected by this subsection; or

2. That best available control technology is being, or is to be, applied to all existing units of the stationary source; or

3. That emissions from all of the existing units of the stationary source are controlled by use of technology that is at least as effective as that generally in use on similar stationary sources, and that the cost of installing best available control technology on existing units is economically prohibitive and substantially exceeds the cost per unit mass of controlling emissions of each pollutant through all other control measures; or

4. That the stationary source is a small business, as defined in subsection (1) of Section 1896 of Title 2 of the California Administrative Code; that emissions from all existing units of the stationary source are controlled through application of the best technology that is economically reasonable to apply to that stationary source; and that the cost of employing best available control technology is economically prohibitive.

§ 1309 Standards for Authorities to Construct: Air Quality Impact Analysis

(a) New Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any unit or units constituting a new stationary source if such source will emit more than 25 pounds per hour or 250 pounds per day of nitrogen oxides, organic gases, or any air contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 250 pounds per hour and 2500 pounds per day), or which is a precursor of any such air contaminant, unless the Air Pollution Control Officer determines that the emissions from the new source will not cause a violation of, or will not interfere with the attainment or maintenance of, the state or national ambient air quality standard for the same contaminant, (or in the case of a precursor, for that contaminant to which the precursor contributes).

(b) Modifications to Existing Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any modification of any existing stationary source if the modification will result in a net increase in emissions from the existing source of more than 25 pounds per hour or 250 pounds per day of nitrogen oxides, organic gases, or any air contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 250 pounds per hour and 2500 pounds per day), or which is a precursor of any such air contaminant, unless the Air Pollution Control Officer determines that the emissions from the modified source will not cause a violation of, or will not interfere with the attainment or maintenance of, the state or national ambient air quality standard for that same contaminant, (or in the case of a precursor, for that contaminant to which the precursor contributes).

(c) Determination of Emission Increases:

In determining under Section 1308(b)1 and Section 1309(b) whether there has been a net increase in emissions and, if so, the amount of any such increase, the Air Pollution Control Officer shall consider all increases and decreases of emissions caused by modifications to that stationary source pursuant to authorities to construct issued during the preceding five years, or since the adoption of this Section, whichever period is shorter. Emission reductions required to comply with federal, state, or district laws, emission limitations, or rules or regulations shall not be considered to be decreases in emissions for the purpose of this subsection.

(d) Consideration of Future Emission Reductions: Trade-offs

In making the analysis required in subsection (g)2., the Air Pollution Control Officer shall take into consideration the air quality impact of any trade-off resulting from reductions in the emissions of the same air contaminant which are due to the elimination or modification of other existing stationary sources under the same ownership and operating within the same Air Basin. If reductions are to be based on planned elimination or modification of any such stationary sources, the Air Pollution Control Officer shall condition the permit to operate to require

(b) Modifications to Existing Stationary Sources:

The Air Pollution Control Officer shall deny an authority to construct for any modification of any existing stationary source if the modification will result in a net increase in emissions from the existing source of more than 25 pounds per hour or 250 pounds per day of nitrogen oxides, organic gases, or any air contaminant for which there is a state or national ambient air quality standard (except carbon monoxide, for which the limits are 250 pounds per hour and 2500 pounds per day), or which is a precursor of any such air contaminant, unless the Air Pollution Control Officer determines that the emissions from the modified source will not cause a violation of, or will not interfere with the attainment or maintenance of, the state or national ambient air quality standard for that same contaminant, (or in the case of a precursor, for that contaminant to which the precursor contributes).

(c) Determination of Emission Increases:

In determining under Section 1308(b)1 and Section 1309(b) whether there has been a net increase in emissions and, if so, the amount of any such increase, the Air Pollution Control Officer shall consider all increases and decreases of emissions caused by modifications to that stationary source pursuant to authorities to construct issued during the preceding five years, or since the adoption of this Section, whichever period is shorter. Emission reductions required to comply with federal, state, or district laws, emission limitations, or rules or regulations shall not be considered to be decreases in emissions for the purpose of this subsection.

(d) Consideration of Future Emission Reductions: Trade-offs

In making the analysis required in subsection (g)2., the Air Pollution Control Officer shall take into consideration the air quality impact of any trade-off resulting from reductions in the emissions of the same air contaminant which are due to the elimination or modification of other existing stationary sources under the same ownership and operating within the same Air Basin. If reductions are to be based on planned elimination or modification of any such stationary sources, the Air Pollution Control Officer shall condition the permit to operate to require

such elimination or modification within not more that 90 days after the start-up of the new or modified source. Emission reductions required to comply with federal, state, or district laws, emission limitations, or rules or regulations shall not be considered to be decreases in emissions for the purposes of this subsection.

If an applicant proposes to obtain trade-offs pursuant to this subsection, the applicant must demonstrate that there will be a net decrease in the emissions of all air contaminants emitted by the new or modified stationary source and that there will be no net air quality deterioration within the Air Basin or within adjoining air basins.

(e) Exemptions:

1. The Air Pollution Control Officer shall exempt from subsections (a) and (b) of this Section any new stationary source or modification of any existing stationary source which:

   A. Will be in whole or in part a replacement for an existing stationary source on the same property if the resulting emissions of any air contaminant will not be increased. The Air Pollution Control Officer may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing stationary source or replaced portions thereof, and the new stationary source or replacement; or

   B. Will cause demonstrable air quality benefits within the Air Basin, provided however, that the written concurrence of the California Air Resources Board and United States Environmental Protection Agency shall be obtained prior to the granting of an exemption hereunder. In order to show that a proposed new stationary source or modification to an existing stationary source will cause demonstrable air quality benefits within the Air Basin, an applicant must provide emission reductions or trade-offs at existing sources; or

C. Will be used exclusively for providing essential public services such as schools hospitals, or police and fire fighting facilities, but specifically excluding sources of electrical power generation other than for emergency standby use at essential public service facilities; or

D. Is exclusively a modification to convert from use of gaseous fuels to fuel oil because of demonstrable shortage of gaseous fuels, provided: (i) that all units constituting the modification will utilize best available control technology and provided that use of fuel oil would have been permitted under district regulations at the time of construction of the equipment using gaseous fuels without the source having been required at that time to install control equipment in addition to that which it would have to install in order to be able to be exempt hereunder and (ii) the applicant demonstrates that it made its best efforts to obtain sufficient emission trade-offs under this rule, that such efforts were unsuccessful, and that it will continue to seek the necessary emission trade-offs and apply them when they become available. Modifications for the purpose of this subparagraph shall include the addition or modification of facilties for storing, transferring and/or transporting such fuel oil at the stationary source. A condition shall be placed on the operating permit requiring conversion to gaseous or other equivalent low polluting fuels when they are, or become available; or

E. Is air pollution control equipment which, when in operation, will reduce emissions from an existing source; or

F. Is portable sandblasting equipment used on a temporary basis within the Air Basin.

C. Will be used exclusively for providing essential public services such as schools hospitals, or police and fire fighting facilities, but specifically excluding sources of electrical power generation other than for emergency standby use at essential public service facilities; or

D. Is exclusively a modification to convert from use of gaseous fuels to fuel oil because of demonstrable shortage of gaseous fuels, provided: (i) that all units constituting the modification will utilize best available control technology and provided that use of fuel oil would have been permitted under district regulations at the time of construction of the equipment using gaseous fuels without the source having been required at that time to install control equipment in addition to that which it would have to install in order to be able to be exempt hereunder and (ii) the applicant demonstrates that it made its best efforts to obtain sufficient emission trade-offs under this rule, that such efforts were unsuccessful, and that it will continue to seek the necessary emission trade-offs and apply them when they become available. Modifications for the purpose of this subparagraph shall include the addition or modification of facilties for storing, transferring and/or transporting such fuel oil at the stationary source. A condition shall be placed on the operating permit requiring conversion to gaseous or other equivalent low polluting fuels when they are, or become available; or

E. Is air pollution control equipment which, when in operation, will reduce emissions from an existing source; or

F. Is portable sandblasting equipment used on a temporary basis within the Air Basin.

2. The Air Pollution Control Officer may exempt from subsections (a) and (b) of this Section, any new stationary source, or modification of an existing stationary source, which has been determined to be:

   A. A new stationary source or modification of an existing stationary source utilizing unique and innovative control technology which will result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously known best available control technology, and which will likely serve as a model for technology to be applied to similar stationary sources within the State. In order for a stationary source to be exempted under this subparagraph, the applicant must obtain the written concurrence of the California Air Resources Board and the United States Environmental Protection Agency with the Air Pollution Control Officer's determination; or

   B. A new stationary source or modification of an existing stationary source that represents a significant advance in the development of a technology that appears to offer extraordinary environmental or public health benefits or other benefits of overriding importance to the public health or welfare. In order for a stationary source to be exempted under this subparagraph, the applicant must obtain the written concurrence of the California Air Resources Board and the United States Environmental Protection Agency with the Air Pollution Control Officer's determination.

(f) Notice Requirements for Proposed Exemptions:

Before granting an exemption under subsection (e) 1. B., (e) 2. A., or (e) 2. B. of this Section, the Air Pollution Control Officer shall publish a notice by prominent advertisement in at least one newspaper of general circulation in the District and shall notify in writing of his intention: The applicant, the United States Environmental Protection Agency, the California Air Resources Board, and adjoining air pollution control districts. Calculations and technical data used by the Air Pollution Control Officer as the basis for granting exemptions pursuant

to subsection (e) 1. B., (e) 2. A., or (e) 2. B. shall be made available to the California Air Resources Board and the United States Environmental Protection Agency. Before granting an exemption under subsection (e) 1. B., (e) 2.A. or (e) 2. B. of this Section, the Air Pollution Control Officer shall consider any comments received within 30 days after the date of publication or date of notification of the above agencies, whichever occurs later, and shall have obtained the concurrence of the California Air Resources Board and the United States Environmental Protection Agency.

In addition, the Air Pollution Control Officer shall notify in writing the United States Environmental Protection Agency and the California Air Resources Board within 15 days of the granting of an exemption under subsection (e) 1. A., (e) 1. C., or (e) 1. D.

(g) Procedure for Evaluation of Applications for Authorities to Construct:

Before granting an authority to construct for any unit of a new stationary source or modification subject to the requirements of subsections (a) and (b) of this Section, the Air Pollution Control Officer shall:

1. Require the applicant to submit information sufficient to describe the nature and amounts of emissions, location, design, construction, and operation of the source, and to submit any additional information required by the Air Pollution Control Officer to make the analysis required by this Section.

2. Analyze the effect of the operation of the new or modified stationary source on air quality in the vicinity of the new source or modified stationary source, within the Air Basin and within adjoining air basins. Such analysis shall consider the air contaminant emissions and air quality in the vicinity of the new source or modified source, within the Air Basin and within adjoining air basins at the time the new source or modification is proposed to commence normal operation. Such analysis shall be based on the application of existing federal, state, and local rules and regulations.

to subsection (e) 1. B., (e) 2. A., or (e) 2. B. shall be made available to the California Air Resources Board and the United States Environmental Protection Agency. Before granting an exemption under subsection (e) 1. B., (e) 2.A. or (e) 2. B. of this Section, the Air Pollution Control Officer shall consider any comments received within 30 days after the date of publication or date of notification of the above agencies, whichever occurs later, and shall have obtained the concurrence of the California Air Resources Board and the United States Environmental Protection Agency.

In addition, the Air Pollution Control Officer shall notify in writing the United States Environmental Protection Agency and the California Air Resources Board within 15 days of the granting of an exemption under subsection (e) 1. A., (e) 1. C., or (e) 1. D.

(g) Procedure for Evaluation of Applications for Authorities to Construct:

Before granting an authority to construct for any unit of a new stationary source or modification subject to the requirements of subsections (a) and (b) of this Section, the Air Pollution Control Officer shall:

1. Require the applicant to submit information sufficient to describe the nature and amounts of emissions, location, design, construction, and operation of the source, and to submit any additional information required by the Air Pollution Control Officer to make the analysis required by this Section.

2. Analyze the effect of the operation of the new or modified stationary source on air quality in the vicinity of the new source or modified stationary source, within the Air Basin and within adjoining air basins. Such analysis shall consider the air contaminant emissions and air quality in the vicinity of the new source or modified source, within the Air Basin and within adjoining air basins at the time the new source or modification is proposed to commence normal operation. Such analysis shall be based on the application of existing federal, state, and local rules and regulations.

3. Upon completion of the evaluation, but before granting an authority to construct:

   A. Publish a notice by prominent advertisement in at least one newspaper of general circulation in the District, indicating the preliminary decision to grant the authority to contruct and stating where the public may inspect the information required by this subsection. A copy of the notice shall also be sent to the applicant, the United States Environmental Protection Agency, the California Air Resources Board and adjoining air pollution control districts. The notice shall provide a period of 30 days, beginning on the date of publication, or on the date of notification of the above agencies, whichever occurs later, for the public to submit comments on the application.

   B. Make available for public inspection at the Air Pollution Control District office, except as otherwise limited by law: the information submitted by the applicant, the Air Pollutant Control Officer's analysis of the effect of the source on air quality, and the preliminary decision to grant the authority to construct. Such information shall also be forwarded to the California Air Resources Board for review.

   C. Consider all comments submitted. If within the 30-day notice period the Air Pollution Control Officer receives a written request from either the United State Environmental Protection Agency or California Air Resources Board to defer the Air Pollution Control Officer's decision pending the requesting agency's review of the application, the Air Pollution Control Officer shall honor such request for a period of 60 days from the date of such request.

§ 1310 Standards for Authority to Operate:

(a) Requirement for Authority to Construct as Condition for Authority to Operate:

The Air Pollution Control Officer shall deny an authority to operate for any stationary source subject to the requirements of Sections 1308 and 1309 unless the applicant has obtained an authority to construct.

In addition the Air Pollution Control Officer shall deny an authority to operate any stationary source, facility or building, article, machine, equipment or other contrivance for which an authority to construct or operate is required, if it is not constructed substantially in conformance with the authority to construct, or if the use or operation according to design standard does not comply with the regulations of the Board.

(b) Air Quality Impact Analysis for Sources Emitting Larger Quantities of Air Contaminants Than Assumed in the Analysis Performed Pursuant to Section 1309:

The Air Pollution Control Officer shall not grant an authority to operate to any stationary source the APCO determines emits quantities of air contaminants larger than were assumed in the analysis performed for the authority to construct for the source, unless the Air Pollution Control Officer performs the air quality impact analysis required by Section 1309 and determines that the actual emissions from the source will not cause a violation of, or will not interfere with the attainment or maintenance of, any state or national ambient air quality standard.

(c) Conditions on Authorities to Operate or Authorities to Construct:

The Air Pollution Control Officer shall condition the issuance of an authority to operate, and an authority to construct on such terms as are deemed necessary to ensure that the stationary source will be constructed and operated in the manner assumed in making the analysis required by Section 1309 or subsection (b) of this Section whichever is applicable. Where appropriate, such conditions shall prohibit a new stationary source which is a replacement for an existing stationary source from operating unless the operation of the existing source is terminated. The Air Pollution Control Officer may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing stationary source or replaced portion thereof, and the new stationary source or replacement portions thereof.

(d) Exemptions:

The Air Pollution Control Officer shall exempt from the provisions of this Section any stationary source which:

In addition the Air Pollution Control Officer shall deny an authority to operate any stationary source, facility or building, article, machine, equipment or other contrivance for which an authority to construct or operate is required, if it is not constructed substantially in conformance with the authority to construct, or if the use or operation according to design standard does not comply with the regulations of the Board.

(b) Air Quality Impact Analysis for Sources Emitting Larger Quantities of Air Contaminants Than Assumed in the Analysis Performed Pursuant to Section 1309:

The Air Pollution Control Officer shall not grant an authority to operate to any stationary source the APCO determines emits quantities of air contaminants larger than were assumed in the analysis performed for the authority to construct for the source, unless the Air Pollution Control Officer performs the air quality impact analysis required by Section 1309 and determines that the actual emissions from the source will not cause a violation of, or will not interfere with the attainment or maintenance of, any state or national ambient air quality standard.

(c) Conditions on Authorities to Operate or Authorities to Construct:

The Air Pollution Control Officer shall condition the issuance of an authority to operate, and an authority to construct on such terms as are deemed necessary to ensure that the stationary source will be constructed and operated in the manner assumed in making the analysis required by Section 1309 or subsection (b) of this Section whichever is applicable. Where appropriate, such conditions shall prohibit a new stationary source which is a replacement for an existing stationary source from operating unless the operation of the existing source is terminated. The Air Pollution Control Officer may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing stationary source or replaced portion thereof, and the new stationary source or replacement portions thereof.

(d) Exemptions:

The Air Pollution Control Officer shall exempt from the provisions of this Section any stationary source which:

1. Has received an authority to construct prior to this amendment of Section 1309, provided however, that any such source will be required to obtain an authority to operate in accordance with the provisions of this Division which were in effect prior to this amendment of Section 1310, and provided further that any exemption granted hereunder shall not apply to any subsequent modification of such source.

2. Is a continuing operation, without modification, of a stationary source that was previously exempt from the permit provisions of these Regulations and an authority to operate is required solely because of a change in permit exemptions stated in Section 1316.

§ 1311 Definitions for Sections 1307, 1307.1, 1308, 1309, 1310, and 1311.1

(a) STATIONARY SOURCE means a unit or an aggregation of units of nonvehicular air-contaminant-emitting equipment which is located on one property or on contiguous properties; which is under the same ownership or entitlement to use and operate; and, in the case of an aggregation of units, those units which are related to one another. Units shall be deemed related to one another if the operation of one is dependent upon, or affects the process of, the other; if their operation involves a common or similar raw material, product, or function; or if they have the same first three digits in their standard industrial classification codes as determined from the Standard Industrial Classification Manual published in 1972 by the Executive Office of the President, Office of Management and Budget.

In addition, in cases where all or part of a stationary source is a facility used to load cargo onto or unload cargo from cargo carriers, other than motor vehicles, the Air Pollution Control Officer shall consider such carriers to be parts of the stationary source. Accordingly, all emissions from such carriers (excluding motor vehicles) which will result in an adverse impact on air quality in the State of California shall be considered as emissions from such stationary source. Emissions from such carriers shall include those that result from operation of the carriers' engines; the purging or other method of venting of vapors; and from the loading, unloading, storage, processing, and transfer of cargo.

(b) MODIFICATION means any physical change in, or any change in the method of operation of, a stationary source.

For the purpose of this definition:

1. Routine maintenance or repair shall not be considered to be physical changes, and

2. An increase in production rate or operating hours shall not be considered to be a change in the method of operation, provided that these increases are not contrary to any existing authority to operate conditions.

(c) BEST AVAILABLE CONTROL TECHNOLOGY means the maximum degree of emission control for any air contaminant emitting equipment, taking into account technology which is known but not necessarily in use, provided that the Air Pollution Control Officer shall not interpret best available control technology to include a requirement which will result in the closing and elimination of or inability to construct a lawful business which could be operated with the application of the best available control technology currently in use.

§ 1311.1 Additional Applicant Requirements:

Receipt of an authority to construct or an authority to operate shall not relieve the stationary source owner or operator of the responsibility to comply with Sections 1308 or 1309 or any other applicable portions of the District's Rules and Regulations.

§ 1311.2 Severability:

If any portion of Sections 1308, 1309, 1310 or 1311 shall be found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions, which shall continue to be in full force and effect.

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77-56
Missing Resolutions

Proposed

State of California
AIR RESOURCES BOARD

Resolution 77-57
October 20, 1977

WHEREAS, the Southern Pacific Transportation Company (SP) is seeking authorization from the Public Utilities Commission (PUC) to terminate passenger service between San Jose and San Francisco;

WHEREAS, termination of such service will require approximately 7,500 weekday commuters to seek alternative means of transportation between their homes and place of work;

WHEREAS, public transit facilities and the major traffic arteries along the SP corridor, U.S. 101 and Interstate 280, are already either inadequate, overcrowded, or both;

WHEREAS, the displacement of SP passengers from trains to other vehicles could result in an increase of up to 6,000 daily automobile commute trips during peak morning and evening traffic hours;

WHEREAS, these additional commute trips would contribute additional emissions of approximately 1.76 tons per day of hydrocarbons (HC), 9.67 tons per day of carbon monoxide (CO), 0.40 tons per day of oxides of nitrogen (NOx), and 0.04 tons per day of particulates to the San Francisco Bay Area Air Basin where light-duty passenger vehicles in 1975 accounted for 34% of NOx, 62% of CO and 31% of HC emissions;

WHEREAS, the Air Resources Board has determined that state and federal ambient air quality standards for HC, NO2, CO, and oxidant (Ox), which are based on considerations of public health and welfare, are presently exceeded in the area served by SP, the San Francisco Bay Area Air Basin (SFBAAB), which as a result thereof will cause the air basin to be designated as a nonattainment area;

WHEREAS, the air quality of areas downwind of the SFBAAB (San Benito and San Joaquin Valley Counties) is degraded by the transport of air pollutants from the SFBAAB;

WHEREAS, Stanislaus and San Joaquin Counties of San Joaquin Valley receive transported air pollutants from the SFBAAB and are likely to be designated nonattainment areas;

WHEREAS, applicable state and federal law and policy are designed to rollback air pollution levels in nonattainment areas rather than increase these levels as termination of SP service will do;

WHEREAS, reduced vehicle use will assist in reducing the automotive pollutant levels in order to achieve compliance with ambient air quality standards;

WHEREAS, the Air Resources Board is charged with the preparation of a state implementation plan (SIP) by July 1, 1979 which must contain measures to assure the attainment of ambient air quality standards in nonattainment areas by 1982, or in the case of CO and Ox, with approval from the Federal Environmental Protection Agency (EPA), by 1987;

WHEREAS, failure of the ARB to promulgate an effective SIP by 1979 could result in promulgation of a substitute plan by EPA, denial of federal grant funds for housing, sewage facilities, and transportation projects, and a prohibition on the construction of any major industrial source of air pollution in the area with associated adverse economic effects;

WHEREAS, termination of SP commuter service would adversely affect the ability of the ARB to prepare the 1979 plan for attainment and maintenance of the ambient air quality standards, and is inconsistent with the present SIP in that it would interfere with the attainment of ambient air quality standards, and is therefore contrary to state and federal policy;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board (ARB) respectfully urges the Public Utilities Commision (PUC) to find that termination of passenger service between San Jose and San Francisco by Southern Pacific Transportation Company (SP) is contrary to national, state, and regional policy as well as to the health and welfare of the residents of the San Francisco, San Mateo and Santa Clara Counties and downwind areas, and that the continuation of such service is clearly required by public convenience and necessity;

BE IT FURTHER RESOLVED, that based upon such findings, the PUC deny the application of SP for the termination of such passenger service;

BE IT FURTHER RESOLVED, that the Executive Officer of the ARB shall transmit a copy of this resolution forthwith to Administrative Law Judge John B. Weiss, and to all parties of record in the matter of the application of SP for the discontinuance of passenger service between San Jose and San Francisco (PUC # A57289) and request that it be marked as an exhibit and entered into evidence in the proceedings.

Proposed
State of California
Air Resources Board
Resolution 77 - 58

WHEREAS, the Air Resources Board, pursuant to Sections 39600 and 39602 of the Health and Safety Code, is responsible for the preparation of the State Implementation Plan as required by the federal Clean Air Act;

WHEREAS, Part D of Title 1 of the 1977 Amendments to the Clean Air Act requires revisions by January 1, 1979 to the State Implementation Plan for areas not expected to attain national primary ambient air quality standards by 1982;

WHEREAS, State Implementation Plan revisions are required by Section 172 of the 1977 Clean Air Act Amendments to provide for the implementation of all reasonably available control measures;

WHEREAS, a number of types of transportation control measures are reasonably available for inclusion in the State Implementation Plan revisions;

WHEREAS, it is the intent of the Legislature that the Air Resources Board (pursuant to Section 39500 of the Health and Safety Code) coordinate, encourage, and review the efforts of all levels of government to the extent that they affect air quality;

WHEREAS, Section 174 of the 1977 Clean Air Act Amendments requires that the state, and elected officials of areas in which the national primary ambient air quality standard for carbon monoxide or oxidant is violated, shall jointly determine a division of responsibility for planning and implementing needed State Implementation Plan control measures:

WHEREAS, State Transportation Board guidelines require regional transportation planning agencies to develop transportation alternatives based on the need for transportation control measures to reduce pollutant emissions;

WHEREAS, Section 174 of the Clean Air Act also requires that the preparation of State Implementation Plan revisions for these areas be coordinated with the relevant comprehensive transportation planning and air quality maintenance planning efforts;

WHEREAS, Section 172 of the 1977 Clean Air Act Amendments requires that State Implementation Plan revisions identify and commit the resources necessary to carry out control measures;

NOW, THEREFORE, BE IT RESOLVED that the Board finds that targets for emissions reductions from transportation sources commensurate with air quality needs should be developed for each Air Quality Maintenance Area by local responsible agencies;

BE IT FURTHER RESOLVED that the Board urges all agencies involved in the expenditure of transporation funds, including the California Transportation Commission, Caltrans, and regional and local governments, to place high priority on funding transportation control measures designed to achieve emission reduction targets;

BE IT FURTHER RESOLVED that by June 1978 the staff prepare a status report outlining the progress made in (1) setting emissions reductions targets and (2) adopting, funding, and implementing control measures to achieve these reductions.

State of California
AIR RESOURCES BOARD

RESOLUTION 77-59

December 19, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43101 and 43107 of the Health and Safety Code authorize the Board to adopt emission standards and test procedures in order to control air pollution caused by new motor vehicles, including motorcycles;

WHEREAS, Section 43824 authorizes the Board to adopt evaporative emission standards and test procedures for new motor vehicles;

WHEREAS, the Board has found that more stringent evaporative emission standards for motorcycles are needed to achieve the Ambient Air Quality Standards in the South Coast Air Basin and in other areas of the state;

WHEREAS, the Board has considered the costs, effect on fuel economy, and technological feasibility of motorcycle evaporative emission standards and test procedures; and

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends its regulations in Article 2, Subchapter 1, Chapter 3 of Title 13, California Administrative Code as follows:

1. Amend Section 1976(b) to read:

   (b) Evaporative emissions for gasoline-powered motor vehicles shall not exceed:

Evaporative Emission Standards

Vehicle Type	Model Year	Hydrocarbons (grams per test)
Passenger cars Light-duty trucks Medium-duty vehicles Heavy-duty vehicles	1978 and 1979	6.0
Passenger cars Light-duty trucks Medium-duty vehicles Heavy-duty vehicles	1980 and subsequent	2.0
Motorcycles	1983 and 1984	6.0
	1985 and subsequent	2.0

The standards set forth above shall apply only to those gasoline-powered motor vehicles which are subject to exhaust emission standards under this Article.

2. Adopt a new Section 1976(c) to read:

(c) The procedure for determining compliance with these standards is set forth in the "California Evaporative Emission Standards and Test Procedures for 1978 and Subsequent Model Gasoline-Powered Motor Vehicles," adopted by the Air Resources Board on April 16, 1975, as amended May 14, 1975, March 31, 1976, October 5, 1976, November 23, 1976, June 8, 1977 and December 19, 1977.

BE IT FURTHER RESOLVED, that the Board hereby adopts the "California Evaporative Emission Standards and Test Procedures for 1978 and Subsequent Model Gasoline-Powered Motor Vehicles" dated April 16, 1975, as last amended December 19, 1977.

BE IT FURTHER RESOLVED, that the Board hereby finds that the motorcycle evaporative emission standards and test procedures set forth in Sections 1976(b) and 1976(c), Chapter 3, of Title 13, California Administrative Code, and the "California Evaporative Emission Standards and Test Procedures for 1978 and Subsequent Model Gasoline-Powered Vehicles" are, in the aggregate, at least as protective of the public health and welfare as applicable federal standards.

State of California
AIR RESOURCES BOARD

Resolution 77-60

December 19, 1978

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Section 43210 of the Health and Safety Code requires that the Board adopt regulations which provide for the testing of new motor vehicles on factory assembly lines or in such manner as the Board determines best suited to carry out the purpose of Part 5 (commencing with Section 43000), Division 26, of the Health and Safety Code;

WHEREAS, Section 43000 (e) of the Health and Safety Code states that emission standards applied to new motor vehicles are standards with which all new motor vehicles shall comply; and

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE BE IT RESOLVED, that the Board hereby amends its regulations in Article 1, Subchapter 2, Chapter 3, Title 13, California Administrative Code, by adding a new Section 2057, which reads:

2057. Assembly-Line Test Procedures - 1979 Model Year.

New 1979 model year passenger cars, light-duty trucks, and medium-duty vehicles subject to certification and manufactured for sale in California shall be tested in accordance with the "California Assembly-Line Test Procedures for 1979 Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," adopted December 19, 1977.

BE IT FURTHER RESOLVED, that the Board hereby adopts the "California Assembly-Line Test Procedures for 1979 Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," dated December 19, 1977.

BE IT FURTHER RESOLVED, that the Board hereby finds that its regulations in Section 2057, Title 13, California Administrative Code, the assembly-line test procedures referenced therein, and the related inspection and compliance test procedures in Article 2, Subchapter 2, Chapter 3, Title 13, California Administrative Code, are individually for each vehicle category, and, in the aggregate, at least as protective of public health and welfare as applicable federal regulations.

Proposed

State of California
AIR RESOURCES BOARD

Resolution 77-61

December 19, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43101 and 43104 of the Health and Safety Code authorize the Board to adopt emission standards and test procedures in order to control air pollution from new motor vehicles;

WHEREAS, the Board recognizes that certain emissions-related or emissions-critical parts on motor vehicles must be properly adjusted in order for the vehicles to meet the applicable emission standards;

WHEREAS, the current federal and California regulations require that a tune-up label be affixed on each vehicle to provide vehicle owners and mechanics with the information necessary for the proper adjustment of such parts;

WHEREAS, the Board finds it necessary to amend its tune-up label regulations to require vehicle manufacturers to affix the tune-up label in a readily accessible and visible location and to ensure that the label is easily understandable and will remain on the vehicle for its total expected life; and

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part I, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends its regulations in Chapter 3, Title 13 of the California Administrative Code as set forth in Appendix III to Staff Report No. 77-26-3 dated December 19, 1977;

BE IT FURTHER RESOLVED, that the Board hereby adopts the "California Motor Vehicle Tune-Up Label Specifications," dated December 19, 1977.

BE IT FURTHER RESOLVED, that the Executive Officer shall amend the Board's certification test procedures, if required, to conform to the above amendments.

BE IT FURTHER RESOLVED, that the Board hereby finds that the tune-up label regulations set forth in Section 1965, Chapter 3, Title 13 of California Administrative Code, as amended hereby, and the specifications referenced therein, are, in the aggregate, at least as protective of the public health and welfare as applicable federal standards.

PROPOSED

State of California

AIR RESOURCES BOARD

Resolution 77-62

November 21, 1977

WHEREAS, the Executive Officer entered into an agreement with the United States Environmental Protection Agency to oversee the conduct of a study entitled "Studies of Changes in Mortality During the Fuel Crisis of 1974";

WHEREAS, under the authority of the Air Resources Board, the Executive Officer entered into Contract Number A6-095-30 with the Regents of the University of California to carry out the research entitled "Studies of Changes in Mortality During the Fuel Crisis of 1974" for an amount not to exceed $67,133 for the United States Environmental Protection Agency;

WHEREAS, there were inordinate delays in the initiation of Contract Number A6-095-30 which was extended into a new fiscal year without provision for merit and salary increases;

WHEREAS, the University has applied to the Board for supplemental funding in the amount of $2,960 to provide for the personnel cost increases to provide for completion of the study; and

WHEREAS, the Research Screening Committee has recommended supplementary funding to Contract Number A6-095-30 for an amount not to exceed $2,960;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board under the powers and authority granted by the Health and Safety Code, Section 39705, hereby accepts the recommendation of the Research Screening Committee to amend Contract Number A6-095-30 in an amount not to exceed $2,960 for the study entitled "Studies of Changes in Mortality During the Fuel Crisis of 1974", and authorizes the Executive Officer to initiate administrative procedures and to execute all necessary documents and contracts for the research effort proposed in an amount not to exceed $2,960.