State of California
AIR RESOURCES BOARD

RESOLUTIONS-1979-

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-1	Calif. Insti.of Tech. Amend. $33,105. Void resused old one 78-27a	R.D.	1/23/79		
79-2	SCAQMD Petition on 475.1	SSCD	1/23/79	1/23/79	
79-3	Appointments to Research Screening Committee	R.D.	1/23/79	1/24/79	
79-4	Wm. H. Lewis	E.O.	1/24/79	1/24/79	
78-27a	Res Proposal 808-68 Cross Reference $302,991	R.D.	1/24/79	1/24/79	
79-5	UCR $95,000	R.D.	2/20/79	2/24/79	
79-6	D/HS, $62,000	R.D.	2/20/79	2/20/79	
79-7	SIP CHAPT 26	PD	3/21/79		
79-8	San Diego	PD	2/20/79	2/21/79	
79-9	Imperial	PD	2/21/79	2/21/79	
79-10	Sulfur compunds from Steam Generators/Kern Co.	SSCD	3/23/79	3/23/79	
79-11	Fresno	PD	3/21/79	3/21/79	
79-12	San Joaquin	PD	221/79	3/22/79	
79-13	Stanislau Co.	PD	3/21/79	3/22/79	
79-14	Merced, Madera, Kings, Tulare	PD	3/22/79	3/22/79	
79-15	Mariposa	PS	3/22/79	3/22/79	

State of California
AIR RESOURCES BOARD

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-16	KERN CO.	PD	3/22/79	TO RES. AG. 1/12/79 3/23/79	
79-17	Chap. 4	Neal Pickles PD	4/25/79	4/25/79	
79-18	#821-69 $250,000.	RD	3/21/79	3/22/79	
79-19	#836-69	RD	"	3/22/79	
79-20	#841-69 $86,486	RD	"	3/22/79	
79-21	#839-69	RD	"	"	
79-22	#825-69 $108,066	RD	"	"	
79-23	#833-69 $105,000	RD	"	"	
79-24	#830-69 $111,632	RD	"	"	
79-25	#814-69 $138,255	RD	"	"	
79-26	Cost of Pollution Control DOE	SSCD Ruben-stein	3/23/79	3/23/79	
79-27	South Coast-SIP	PD	4/26/79	5/10/79	
79-28	League of Women Voters(Shell Oil co. Shell-Beta Project	Ruben-stein SSCD	4/25/79	4/25/79	
79-29	Sacto-SIP	PD	5/8/79	5/9/79	
79-30	Shasta-SIP	PD	5/8/79	5/9/79	
79-31	Tehama-SIP	PD	5/8/79	5/9/79	

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-32	Glenn-SIP	PD	5/8/79	5/9/79	
79-33	Colusa-SIP	PD	5/8/79	5/9/79	
79-34	Rutte-SIP	PD	5/8/79	5/9/79	
79-35	Yuba-SIP	PD	5/8/79	5/9779	
79-36	Sutter-SIP	PD	5/8/79	5/979	
79-37	Tahoe-SIP	PD	5/9/79	5/9/79	
79-38	#848-70 $128,222 UCR	RD	4/25/79	5/25/79	
79-39	#847-70 k83,771 UCB		"	"	
79-40	#840-69a $122,279 UCSB	"	"	"	
79-41	Health Ser. #806-68a $55,201	"	"	"	
79-42	CIT #8470 $273,519	"	"	"	
79-43	TSC Amendment #850-70 $22,489	"	"	"	
79-44	CASS/MCrae #851-70 $59,731	"	"	"	
79-45	#855-70 $132,527 UCD	"	"	"	
79-46	#856-70 $124,886	"	"	"	
79-47	#861-70 $100,000 UCB	"	"	"	

State of California
AIR RESOURCES BOARD

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-48	845-70 $59,477	RD Capley	"	"	"
79-49	Ventura	"	"	"	
79-50	S. Barbara	"	"	"	
79-51	Lewis Act.Requirements AB 250	"	"	"	
79-52	Unleaded Gas	SSCD	5/17/79	5/17/79	
79-53	San Joaquin TSO	DD	6/27/79	6/27/79	
79-54	Sacto TSP	PD	6/27/79	6/27/79	
79-55	Butte Amendment to rules & reg. of APCD's in Sacto. Air basin	McGuire	6/28/79	7/26/79	
79-56	Colusa "	"	"	"	
79-57	Glenn "	"	"	"	
79-58	Placer VOID	"	"		
79-59	Sacto	"	"	"	
79-60	Shasta	"	"	"	
79-61	Sutter	"	"	"	
79-62	Tehama	"	"	"	
79-63	Yolo-Salano	"	"	"	

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-64	Yuba	McQuire	6/28/79	7/26/79	
~~79-65~~					

State of California
AIR RESOURCES BOARD

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-65	Number Not Used				
79-66	Acknowledging Joan Gilpins Work	EO	6/28/79	6/28/79	6/28/79
79-67	Lead sip	RPD	9/27.79	9/27/79	10/17/79
79-68	Kern county Hydrocarbon Emission Rules nsr	Goodley SSCD	9/7/79	9/12/79	9/21/79
79-69	AQMD FRENSO Rules & Regulations of Bay Area	SSCD MCQUIRE	9/26/79	9/27/79	10/26/79
79-70	AG. BURNING	LA & E JACKSON	10/12/79	10/12/79	12/13/79
79-71	Dept. of Health Services Choc. of Organic Part. $166,291	Research Holmes	9/26 & 27	9/27/79	
79-72	Professional Staff Assn. " Correlative & for Air Qua. Cont.	Research Holmes	9/26 & 27	9/27/79	
79-73	Univ. of So. Calif $51,739 No2 Inhalation	Research Holmes	9/26 &27	9/27/79	
79-74	$154,649.00 Mutagin Study Univ. of Ca. Riverside	Holmes	9/26&27	9/27/79	
79-75	Lead Content of Gasoling	GOODLEY SSCD	9/27/79	9/27/79	10/26/79
79-76	Tom Quinn Resolution	Exe.	9/26/79	9/27/79	
79-77	VOID Butte County, Joe Bandy Report	Jordon Enfor.	10/12/79	VOID	
79-78	Kern County Resolution relative to Rule 424		9/26/79	9/26/79	11/6/79
79-79	So. East Desert SIP REVISION	Rich. Becuit RP	11/29/79	11/29/79	12/13/79
79-80	So. CoastRules & Regs.	SSCD	10/22/79	10/22/79	11/6/79

State of California
AIR RESOURCES BOARD

RESOLUTIONS

No.	Item	Staff	Hearing Scheduled	Date Adopted	+ EIS to Resources
79-81	South Coast Rules & Regs.	SSCD	10/22/79	10/22/79 VOID	
79-82	Enforcement Regulation New Vehicle Compliance Reg. Title 13(Test by ARB part of entry	Sommer-field mobileC	rescheduled March 5		
79-83	VOID				
79-84	Assembly Line Test (Manufacturer) Procedures	El Monte	12/19/79	12/19/80	3/24/80
79-85	To staff on fianalizing all SIP's	Exe. Austin	11/29/79	11/29/79	

State of California
AIR RESOURCES BOARD

Resolution 79-2

January 23, 1979

WHEREAS, the South Coast Air Quality Management District (SCAQMD) has petitioned the Board to reconsider the Board's decision of August 7, 1978 on the petitions of Southern California Edison Company (SCE) and the Los Angeles Department of Water and Power to rescind the SCAQMD's Rule 475.1 which controls oxides of nitrogen (NOx) emissions from power plants in the SCAQMD; and

WHEREAS, the Board is authorized pursuant to Health and Safety Code Sections 40001 and 41500 to review the rules and regulations of the Air Pollution Control Districts to assure that the districts make reasonable provision to achieve and maintain the state ambient air quality standards; and

WHEREAS, the Board is authorized, pursuant to Health and Safety Code Sections 40451 and 41504, after holding a public hearing, to inter alia revise the rules and regulations of the SCAQMD to implement and effectuate the purposes of Division 26 and to assure that they make reasonable provisions to achieve and maintain the state ambient air quality standards; and

WHEREAS, the Board has held a public hearing pursuant to Sections 40451 and 41502 of the Health and Safety Code and reconsidered its decision of August 7, 1978 on the aforementioned petitions of SCE and LADWP; and

WHEREAS, the Executive Officer on January 22, 1979 adopted a revised Rule 475.1 which responds to most of the issues raised in the district's petition; and

WHEREAS, the Board desires to give the district and its staff the opportunity to further review the January 22, 1979 final version of Rule 475.1, without delaying the effective date of Rule 475.1; and

WHEREAS, the Board finds that the claim in the SCAQMD's petition that the Board's decision of August 7, 1978 leaves the Southeast Desert Air Basin portion of the SCAQMD without a rule to control NOx emissions from new power plants in the Southeast Desert Air Basin portion of the SCAQMD is correct; and

WHEREAS, the Board finds that a rule to control emissions of NOx from new power plants in the Southeast Desert Air Basin portion of the SCAQMD may be desirable; and

WHEREAS, the Board finds that the reasons for its rescission of the new power plant NOx emission requirements of SCAQMD rule are now moot because of the revision of Rule 475.1 so as to require that applicants for new power plants comply with the provisions of Rule 213 (New Source Review) only;

NOW, THEREFORE, BE IT RESOLVED, that the Board affirms Rule 475.1 as adopted by the Executve Officer effective January 22, 1979, subject, however, to such revisions as might be made by the South Coast Air Quality Management District (consistent with the District's views expressed before the Board on January 23, 1979);

BE IT FURTHER RESOLVED, that Rule 475.1 as amended January 22, 1979 shall remain in full force and effect unless and until the District amends Rule 475.1 after a duly noticed public hearing; and

BE IT FURTHER RESOLVED, that the Board also reaffirms its decision in adopting Resolution 78-48 on August 7, 1978; and

BE IT FURTHER RESOLVED, that the Board remands Rule 475 to the SCAQMD for such further revision as it may find necessary.

I certify that the above is a true and correct copy of Resolution 79-2 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Resolution 79-3

January 24, 1979

WHEREAS, the Air Resources Board is vested, under Section 39705 of the Health and Safety Code, with authority to appoint a Research Screening Committee composed of up to nine members with expertise in specified technical areas; and

WHEREAS, there now exist, as a result of recent resignations, three vacancies on the Research Screening Committee;

NOW THEREFORE BE IT RESOLVED that the Air Resources Board hereby appoints to full membership in its Research Screening Committee the following two persons, who have been found to meet all of the requirements set forth in Section 39705 of the Health and Safety Code:

Daniel P. Y. Chang, Ph.D.
Assistant Professor of Civil Engineering
University of California, Davis

Jan Bush, P.E.
Director, Air Pollution Control District
County of Ventura

BE IT FURTHER RESOLVED that the Air Resources Board hereby confirms the following appointments to the Research Screening Committee made by prior order of the Executive Officer under authority delegated to him by the Board:

Laurence Caretto, Ph.D.
Member, Air Resources Board and
Professor of Mechanical and Chemical Engineering
California State University, Northridge

Arthur Davidson, M.S.
Senior Meteorologist
South Coast Air Quality Management District

John M. Heslep, Ph.D.
Chief, Laboratory Services Branch
State Department of Health Services

Henry K. Newhall, Ph.D.
Manager, Fuels Division
Chevron Research Company

State of California
AIR RESOURCES BOARD

Resolution 79-4

January 24, 1979

WHEREAS, William H. Lewis, Jr., served with distinction for three years as Executive Officer of the California Air Resources Board; and

WHEREAS, Mr. Lewis helped to create a new spirit of vigorous air pollution law enforcement in California; and

WHEREAS, he negotiated multi-million dollar settlements for violations of air pollution laws and provided effective incentives to all California industries to stay in compliance with air quality regulations; and

WHEREAS, his commitment to affirmative action and upward mobility created new opportunities for many highly capable individuals who are now contributing to the state's air pollution control program; and

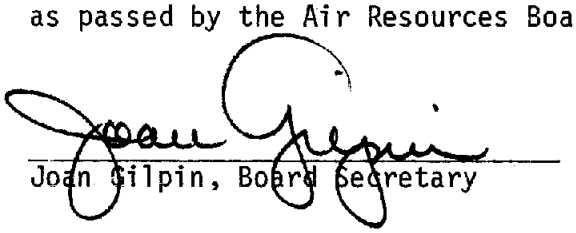
WHEREAS, he was instrumental in initiating the state's first programs for the control of carcinogenic air pollutants; and

WHEREAS, the Board Members and ARB staff enjoyed working with Mr. Lewis because of his competence as an administrator, creativity, outstanding leadership qualities, good humor and dedication to the highest ideals of public service;

NOW THEREFORE BE IT RESOLVED, that the Air Resources Board regrets the loss of the unique talents which Mr. Lewis brought to the ARB; and

BE IT FURTHER RESOLVED, that the Air Resources Board looks forward to Mr. Lewis' continued contributions to the protection and enhancement of our limited air resources in his new position as Executive Director of the National Commission on Air Quality.

I certify that the above is a true
and correct copy of Resolution 79-4
as passed by the Air Resources Board.



Joan Gilpin, Board Secretary

State of California
AIR RESOURCS BOARD

Resolution 79-5
February 20, 1979

WHEREAS, an unsolicited research Proposal No. 809-68 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops" has been submitted by the University of California at Riverside 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 No. 809-68 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops" submitted by the University of California at Riverside for an amount not to exceed $95,000;

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 No. 809-68 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops" submitted by the University of California at Riverside, for an amount not to exceed $95,000,

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 $95,000.

I certify that the above is a true and correct copy of Resolution 79-5 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

ITEM NO: 79-3-3b
DATE: February 20, 1979

State of California
AIR RESOURCES BOARD

ITEM: Research Proposal No. 809-68 entitled "The Effects of Present and Potential Air Pollution on Important San Joaquin Valley Crops" submitted by the University of California, Riverside.

RECOMMENDATION: Adopt Resolution No. 79-5 approving research proposal 809-68 for funding in an amount not to exceed $95,000.

SUMMARY: The objectives of this research program are to: (1) determine the effect of present air pollution (primarily oxidant) on Thompson Seedless grapes and alfalfa hay; (2) assess the possible benefit to these two crops of lowering present air pollution levels in the San Joaquin Valley; (3) determine the effect of increased ozone (O_3) and sulfur dioxide (SO_2) levels in the Valley alone and in combination upon alfalfa; and (4) determine the difference in phytotoxicity, if any, between O_3 and ambient oxidant (primarily O_3).

The alfalfa study will involve the exposure of two varieties of alfalfa to; (1) 100-percent carbon filtered air alone and with added SO_2; (2) 100 percent carbon filtered air with added O_3 at two different levels; (3) ambient air without chambers; and (4) ambient air chambers with and without added SO_2. The grape study will consist of three treatments: (1) ambient air; (2) 100-percent carbon-filtered air within chambers; and (3) ambient air within chambers.

The field chamber and field growth facility that will be used approximate very closely actual field conditions in the San Joaquin Valley. Adequate plant replication is incorporated, which should allow the investigator to detect 5- to 10-percent yield differences with 90 percent confidence. Since both crops are perennials, the intent is to carry out controlled exposures for at least two growing seasons. However, a report will be submitted after the first year's results are determined, and a decision will be made at that time as to whether to continue or not into a second year.

State of California

AIR RESOURCES BOARD

Resolution 79-6

February 20, 1979

WHEREAS, an unsolicited research Proposal Number 806-68 entitled, "Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air--Phase II", has been submitted by the California Department of Health Services, Air and Industrial Hygiene Laboratory 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 funding the proposal:

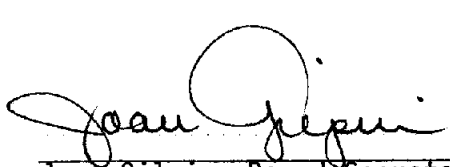
> Proposal Number 806-68 entitled,"Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air--Phase II", submitted by the California Department of Health Services, Air and Industrial Hygiene Laboratory for an amount not to exceed $62,000;

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 806-68 entitled, "Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air--Phase II", submitted by the California Department of Health Services, Air and Industrial Hygiene Laboratory for an amount not to exceed $62,000,

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 $62,000.

I certify that the above is a true and correct copy of Resolution 79-6 as passed by the Air Resources Board.



Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-3-3b
DATE: February 20, 1979

ITEM: Research Proposal No. 806-68 entitled

"Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle-Phase Acidity and Nitric Acid in Ambient Air--Phase II."

RECOMMENDATION: Adopt Resolution 79-6 approving Research Proposal No. 806-68 for funding in an amount not to exceed $62,000.

SUMMARY:

California's significant harm level for airborne sulfate of 25μg/m^3 24-hour average, is based upon total water-soluble sulfate in high-volume filter samples. Such sulfate may include ammonium sulfate, ammonium acid sulfate, sulfuric acid as well as various metal and mixed metal-ammonium salts. Some of these are relatively harmless (e.g., calcium sulfate), while others appear relatively hazardous (e.g., sulfuric acid and ammonium acid sulfate). In part, the rationale for setting the California standard is based on the presumption that a significant mechanism for formation of the total water-soluble sulfate, as currently measured, involves sulfuric acid as an important constituent; but the actual levels in the atmosphere may vary substantially. As yet, no technique has been accorded general acceptance for determining sulfuric acid concentrations.

There exists a need for a validated technique to monitor sulfuric acid. Similarly, there exists the need for a validated technique for the measurement of nitric acid.

During the first phase of this project, which is currently nearing completion, the proponent has developed and refined methods for measuring sulfates, nitrates, sulfuric acid and nitric acid in the gaseous and particulate phase in the ambient air. Under Phase II of this project the investigators will perform a field study to accurately measure sulfate, nitrate, sulfuric acid and nitric acid in the South Coast Air Basin. This information will be of value in augmenting our understanding the atmospheric processes by which these pollutants are formed and transported in the atmosphere. The data gathered will provide important input to air quality simulation models for secondary aerosol formation and will provide important background information for the development of strategies for controlling secondary aerosols.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

ITEM: Public Hearing to Consider Adoption of Chapter 26, Air Quality, Health, Welfare, Social, Economic, and Energy Effects as a Revision to the State Implementation Plan (SIP).

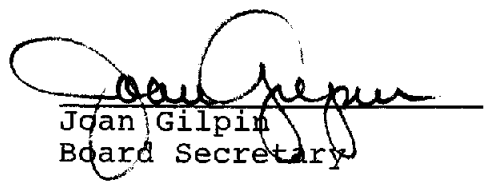
Public Hearing Date: March 21, 1979

Response Date: May 4, 1979

Issuing Authority: Executive Officer

Comment: N/A

Response: The staff responded to the various concerns raised at the hearing, however, these issues were not environmental issues.

CERTIFIED: 

Joan Gilpin
Board Secretary

DATE: May 15, 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
79-9
79-11
79-12
79-13
79-14
79-15
79-27
79-29

State of California
AIR RESOURCES BOARD

Resolution 79-8

February 21, 1979

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

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

WHEREAS, San Diego County was designated nonattainment for oxidant, carbon monoxide, nitrogen dioxide, and particulate matter under provisions of Section 107(d) of the Clean Air Act;

WHEREAS the Comprehensive Planning Organization (CPO) and the San Diego County Air Pollution Control Board (SDAPCB) were designated by the ARB on February 15, 1978 as the local co-lead agencies for the preparation of the 1979 nonattainment plan for San Diego County;

WHEREAS, the "San Diego Revised Regional Air Quality Strategy - California State Implementation Plan Submittal" (San Diego Plan) was prepared with the advice and guidance of the Policy Advisory Committee, Community Resources Panel, and Program Coordination Group established as part of the cooperative Air Management Process in 1976;

WHEREAS, the San Diego Plan was reviewed by the city councils of the cities of the region, the County Board of Supervisors, other interested organizations, and the public;

WHEREAS, the San Diego Plan was adopted by the CPO on October 16, 1978 and by the SDAPCB on October 18, 1978 to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearing;

WHEREAS, the CPO and SDAPCB transmitted on October 31, 1978 the San Diego Plan to the ARB for approval as a revision to the State Implementation Plan;

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

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

NOW, THEREFORE BE IT RESOLVED, that the Board accepts as adequate and approves the San Diego County Air Pollution Control Board (SDAPCB) commitments to adopt all RACMs (reasonably available control measures) needed to attain the standards as expeditiously as practicable (except controls for marine lightering and residential gas-fired furnaces);

BE IT FURTHER RESOLVED, that the Board accepts the SDAPCB's commitment to adopt expeditiously rules for marine lightering and residential gas-fired furnaces which are as effective as rules for these sources adopted by or for the South Coast Air Quality Management District (SCAQMD) and approved by the Air Resources Board (ARB);

BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the national ozone and carbon monoxide standards, San Diego must commit to an Inspection and Maintenance Program. The Board finds that the inclusion of Maximum Effort Inspection and Maintenance (Tactic M24) demonstrates initial local commitment to an adequate Inspection and Maintenance Program, and the Board supports legislative authorization of such a program for the San Diego area;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to determine (a) which of the vehicle-related emission control tactics in the San Diego Plan, including Tactic P-9 (volatility of gasoline), should be accepted for inclusion in the SIP submission for San Diego as either attainment or maintenance measures, and (b) what emissions reductions should be attributed to each tactic. The Board further directs the Executive Officer to amend the SIP submission in accordance with his determination. The ARB staff will consult with the San Diego Air Pollution Control District (SDAPCD) during this evaluation;

BE IT FURTHER RESOLVED, that the Board finds that additional air quality and control strategy analyses are needed to comply with the Clean Air Act requirements for demonstrating the attainment and maintenance of the ozone, carbon monoxide, nitrogen dioxide, and particulate matter standards, and that the following work should be completed by May 21, 1979:

a. The SDAPCB and CPO must develop work plans, satisfactory to the ARB, to refine the ozone and carbon monoxide air quality analyses and control strategies such that the attainment of the national standards no later than December 31, 1987 will be demonstrated. The Executive Officer is authorized to amend the SIP submission for San Diego as necessary to include the work plans.

b. The SDAPCB and CPO must develop work plans, satisfactory to the ARB, to refine the nitrogen dioxide and particulate matter air quality analyses and control strategies such that the attainment of the national standards by December 31, 1982 will be demonstrated. The Executive Officer is authorized to amend the SIP submission for San Diego as necessary to include the work plans.

BE IT FURTHER RESOLVED, that the Board agrees that the measure C21 (further NOx controls for utility boilers and heaters) should be further studied and directs staff to work with the SDAPCD to study further this measure and the RACMs for stationary internal combustion engines, electric utility gas turbines, and industrial boilers for possible control of oxides of nitrogen;

BE IT FURTHER RESOLVED, that the Board accepts as adequate the SDAPCB commitment to adopt a rule equivalent to the ARB model New Source Review (NSR) rule for the San Diego Air Basin;

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

BE IT FURTHER RESOLVED, that the Board finds that to meet Clean Air Act requirements for commitments by the appropriate agencies to implement and enforce reasonably available control measures, the CPO needs to submit to the ARB by May 21, 1979 for inclusion in the San Diego Plan resolutions by implementing agencies adopting and committing to implement reasonably available transportation control measures;

BE IT FURTHER RESOLVED, that the Board finds that to meet Clean Air Act requirements related to granting of an extension for attainment of the ozone and carbon monoxide standards in the continuing planning and implementation program, the CPO needs to refine further the transportation tactic evaluation and obtain commitments to implement the reasonably available transportation control measures outlined in Section 108(f) of the Clean Air Act. To demonstrate reasonable further progress, CPO should submit to the Board by May 21, 1979 a work plan which specifies and commits to resources and schedules needed to complete the evaluation prior to December 1981;

BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements related to the granting of an extension for attainment of the ozone and carbon monoxide standards, CPO needs to affirmatively consider and analyze in the continuing planning and implementation program, ambitious, alternative packages of transportation control measures to achieve a determined emissions reduction target or a percent emission reduction. The Board recommends that these

packages be directed toward maintaining per capita auto trips and vehicle miles traveled at present levels. To demonstrate reasonable further progress, the CPO should submit to the Board by May 21, 1979 a work plan which specifies how this task will be completed prior to December 1981;

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

BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for allocation of emissions growth, the CPO needs to commit to an analysis of alternative population distributions as part of the biennial growth forecast process in the continuing planning and implementation program. To demonstrate reasonable further progress, the CPO should submit to the Board by May 21, 1979 a commitment to and schedule for completing this analysis prior to December 1981;

BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for consistency of the SIP and other planning programs, the CPO and local jurisdictions need to commit to develop a well-defined process and schedules to bring the regional and comprehensive plan/population forecasts and local general plans/population forecasts into initial and continuing consistency as part of the continuing planning and implementation program. To demonstrate reasonable further progress, the CPO should submit to the Board by May 21, 1979 a commitment to and schedule for the development of this task;

BE IT FURTHER RESOLVED, that the Board finds that the San Diego Plan does not include a mechanism for determining consistency of capital projects (e.g., highways and wastewater facilities) with the plan and that such determinations shall be made by the ARB on a project-by-project basis. The Board directs the Executive Officer to develop, cooperatively with appropriate agencies, a mechanism for determining project consistency;

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

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

BE IT FURTHER RESOLVED, that the Board approves the request of the local lead agencies for such an extension for attainment of the ozone standard, and directs the Executive Officer to amend the San Diego Plan to request such an extension for attainment of the carbon monoxide standard;

BE IT FURTHER RESOLVED, that the Board finds that an extension of 18 months for the submission of a plan to attain the national secondary standard for particulate matter is justified and directs the Executive Officer to amend the plan to request such an extension;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to report to the Board at its May 1979 meeting on the status of the local lead agency efforts to complete the additional tasks identified in this resolution, and such other SIP revisions as may be appropriate;

BE IT FURTHER RESOLVED, that the Board finds that the San Diego Plan does not include an analysis of the effect of the recent EPA action to adopt a 1-hour ozone standard as a revision to the former 1-hour oxidant standard, and directs the Executive Officer to amend the plan to include such an analysis;

BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the San Diego Plan contains those elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation and such other elements in the San Diego plan as may be useful in showing compliance with the requirements of Part D.

I certify that the above is a true and correct copy of Resolution 79-8 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item:	Public Hearing to Consider Adoption of the San Diego Revised Regional Air Quality Strategy (R-RAQS) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS).
Public Hearing Date:	February 20-21, 1979
Response Date:	February 20-21, 1979
Issuing Authority:	Air Resources Board
Comment:	None received.
Response:	N/A

CERTIFIED: _____
Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-8

State of California
AIR RESOURCES BOARD

Resolution 79-9

February 21, 1979

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

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

WHEREAS, Imperial County was designated nonattainment for oxidant under provisions of Section 107(d) of the Clean Air Act;

WHEREAS, the Imperial County Board of Supervisors was designated and certified by the ARB on November 27, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Imperial County;

WHEREAS, the Imperial County Board of Supervisors held a public hearing on October 31, 1978 after 30 days notice and approved a nonattainment plan for Imperial County;

WHEREAS, Imperial County transmitted the "Imperial County Plan to Attain National Ambient Air Quality Standards for Oxidants" (Imperial NAP) to the ARB on November 22, 1978 for approval as a revision to the SIP;

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

WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the requirements of the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Section 11371 et seq.);

NOW, THEREFORE BE IT RESOLVED, that the Board amends Table 5-1 in the Imperial NAP to reflect the air quality monitoring values for ozone as recorded by the Lawrence Livermore Laboratories air quality monitoring instruments. This change results in a 0.14 ppm ozone design value for the Imperial NAP;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to reexamine the accuracy and reliability of the existing ambient air quality monitoring data for Imperial County to determine the applicability of the nonattainment designation for ozone and to change the designation status if appropriate and report back to the Board if any changes are needed in the Board's action;

BE IT FURTHER RESOLVED, that the Board finds the Imperial NAP substantially fulfills the requirements for the development of a 1979 nonattainment plan for a rural area pursuant to the Clean Air Act and implementing regulations and guidelines, with the exceptions noted below;

BE IT FURTHER RESOLVED, that the Board finds the demonstration in the Imperial NAP of reasonable further progress toward attainment of the federal ozone standard by 1982 as required by Clean Air Act Section 172(b)(3) is inconclusive due to the effects of pollutant transport from upwind areas outside the County and therefore remands the air quality analysis to the County for further study;

BE IT FURTHER RESOLVED, that the Board accepts as adequate and approves the County's commitment to adopt the reasonably available control measures (RACMs) contained in the Imperial NAP as required by Section 172(b)(2) of the Clean Air Act on the condition that legally enforceable regulations or schedules to implement these measures are adopted by the County and all responsible implementing agencies by May 30, 1979;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to amend the Imperial NAP by deleting emissions reduction claims from agricultural burning and pesticide usage categories and referring them to the District for further study because no legally enforceable commitments are made by the County to assure that such reductions will take place;

BE IT FURTHER RESOLVED, that the Board finds that controls for Stage I vapor recovery systems with 95% efficiency, cutback asphalt, and fixed and floating roof tanks (other than at oil production fields), are reasonably available control measures but not included in the Imperial NAP, and that the Board authorizes the Executive Officer to work with the Air Pollution Control District (APCD) to obtain local adoption of these measures, or, if necessary, to adopt these measures for the APCD if local adoption does not occur by May 30, 1979;

BE IT FURTHER RESOLVED, that the Board finds that the Imperial NAP fails to describe adequately the contents of a New Source Review (NSR) rule which the County has committed to adopt. The Board authorizes the Executive Officer to work with the Imperial County Air Pollution Control District to assure that the locally adopted NSR rule is consistent with the ARB model NSR rule, or, if necessary, to adopt after hearing an NSR rule for the District if local adoption does not occur by May 30, 1979 for inclusion in an SIP submission to the EPA;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Imperial NAP to conform with this resolution and submit the same as an SIP revision to the EPA in fulfillment of Part D of the Clean Air Act.

I certify that the above is a true and correct copy of Resolution 79-9 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item:	Public Hearing to Consider Adoption of the Imperial County Plan to Attain National Ambient Air Quality Standards for Oxidants as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS).
Public Hearing Date:	February 21, 1979
Response Date:	February 21, 1979
Issuing Authority:	Air Resources Board
Comment:	None received.
Response:	N/A

CERTIFIED:

Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-9

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
79-9
79-11
79-12
79-13
79-14
79-15
79-27
79-29

State of California
AIR RESOURCES BOARD

Resolution 79-10

March 23, 1979

WHEREAS, Air Pollution Control Districts in California are required by Health and Safety Code Section 40001 to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the federal ambient air quality standards;

WHEREAS, the Board is required by Sections 41500 and 41507 of the Health and Safety Code to review rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the state and national ambient air quality standards;

WHEREAS, the Board finds that:

1. The state 24-hour air quality standard for sulfur dioxide was exceeded on 45 days in Kern County during 1978;

2. The state 24-hour standard for sulfates was exceeded in Kern County on 28 days in 1978;

3. The state 24-hour air quality standard for total suspended particulate matter was exceeded on 90 percent of the days in which total suspended particulate matter was measured in Kern County in 1978;

4. The state annual geometric mean air quality standard for total suspended particulate matter was exceeded in Kern County in 1977, which was the last complete year for which data are available;

5. The state visibility standard was exceeded in Kern County on numerous occasions during the last several years;

6. The national 24-hour air quality standard for total suspended particulate matter was exceeded frequently in Kern County in 1978;

7. The national annual geometric mean air quality standard for total suspended particulate was exceeded in Kern County in 1977, which was the last complete year for which data are available;

8. Emissions of sulfur oxides are directly responsible for, or contribute to, the above violations of air quality standards;

9. Emissions of sulfur oxides from oilfield steam generators and boilers are the largest fraction of all sulfur oxides emissions;

10. Control equipment and emission reduction techniques are commercially available now or in the near future to reduce such emissions to low levels;

11. The cost-effectiveness of reducing such emissions is reasonable;

12. The Board's staff has for over a year requested the Kern County Air Pollution Control District to adopt rules to achieve state and national air quality standards;

13. The Kern County Air Pollution Control District has not adopted or proposed rules to require the installation of such equipment on all oilfield steam generators and boilers; and

WHEREAS, the Board finds that the rules and regulations of the Kern County Air Pollution Control District do not make reasonable provision for achieving and maintaining the aforementioned state ambient air quality standards;

WHEREAS, the Board finds that the rules and regulations of the Kern County Air Pollution Control District do not reasonably endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, the Board finds that Rule 424, as set forth in Attachment A hereto, is necessary and makes reasonable provision to achieve and maintain state ambient air quality standards for sulfur dioxide, sulfates, total suspended particulate and visibility;

WHEREAS, the Board finds that Rule 424, as set forth in Attachment A hereto, is also necessary to achieve and maintain the national ambient air quality standards for total suspended particulate matter;

WHEREAS, the Board is authorized pursuant to Health and Safety Code Section 41504 to amend local district rules and regulations to assure that they make reasonable provision for achieving and maintaining the state ambient air quality standards;

WHEREAS, the rules and regulations of the Kern County Air Pollution Control District regarding the control of sulfur oxide emissions must be amended in order to assure that they reasonably endeavor to achieve and maintain the national ambient air quality standards; and

WHEREAS, the Board has held the public hearing required by Health and Safety Code Section 41502 and EPA regulations to determine whether the Kern County Air Pollution Control District has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts Rule 424 into the regulations of Kern County Air Pollution Control District to read as set forth in Attachment A hereto, subject to the completion of a response to environmental impact issues and appropriate amendments to Rule 424 in light thereof by the Executive Officer, who is hereby delegated the authority for undertaking such action.

BE IT FURTHER RESOLVED, that the Executive Officer shall transmit the final version of Rule 424 to the Kern County Air Pollution Control District upon completion of the aforedescribed environmental impact action, and that Rule 424 shall become effective six months from today.

BE IT FURTHER RESOLVED, that the Executive Officer is authorized to rescind Rule 424 upon the adoption of an equally effective rule by the Kern County Air Pollution Control Board within the period of time before Rule 424 becomes effective.

BE IT FURTHER RESOLVED, that the Executive Officer shall notice the steam generators SO_2 control issue for reconsideration by the Board near the end of the six-month period during which the rule is not effective.

I certify that the above is a true and correct copy of Resolution 79-10 as passed by the Air Resources Board.

Joan Gilpin

Joan Gilpin, Board Secretary

ATTACHMENT A

424. Sulfur Compounds From Oilfield Steam Generators

A. Definitions

For the purposes of this rule:

1. "Steam generator" means a fossil-fuel-fired combustion device which has a heat input capacity greater than fifteen million British thermal units (Btu's) per hour and which evaporates water to dry steam, or to a mixture of water vapor and steam, that has an absolute pressure of more than thirty pounds per square inch.
2. "Existing steam generator" means a steam generator for which a permit to construct was issued prior to February 21, 1979.
3. "New steam generator" means a steam generator for which a permit to construct was issued on or after February 21, 1979.
4. "Stationary source" means stationary source as defined in Rule 210.1.

B. Emission Standards

1. The owner or operator of a new steam generator shall limit the emissions of sulfur compounds from such steam generator to 0.06 pound of sulfur per million Btu's of heat input.
2. The owner or operator of an existing steam generator shall limit the emissions of sulfur compounds from such steam generator in accordance with the following schedule:
   a. After July 1, 1982, such emissions shall not exceed 0.25 pound of sulfur per million Btu's of heat input.
   b. After July 1, 1984, such emissions shall not exceed 0.12 pound of sulfur per million Btu's of heat input.

C. Increments of Progress

The owner or operator of an existing steam generator subject to this rule shall comply with each of the following increments of progress:

1. By July 1, 1980, submit to the Air Pollution Control Officer a plan for achieving compliance with this rule "compliance plan". The compliance plan shall identify each steam generator subject to this rule and shall indicate the specific control technique(s) and resulting emission rate for each such steam generator.
2. By July 1, 1981, submit to the Air Pollution Control Officer copies of purchase orders for all control equipment and low sulfur fuels identified in the compliance plan.
3. Commencing July 1, 1981, and every twelve months thereafter through July 1, 1984, submit to the Air Pollution Control Officer a written report describing the owner's or operator's progress in implementing the compliance plan.

D. Averaging

The owner or operator of two or more steam generators subject to this rule may satisfy the requirements of subsection (B)(2) by demonstrating that the average emissions of sulfur compounds from all of its new and existing steam generators which are

located within a 15 mile diameter circular region do not exceed the emission standards set forth in subsection (B)(2).

E. Cogeneration Exemption

1. This rule shall not apply to any existing steam generator for which a valid permit to operate exists and which the owner or operator designates shall be withdrawn from service and replaced by a steam generation facility which converts at least twenty percent of its heat input to electrical energy, hereinafter referred to as a cogeneration facility. Such designation shall be submitted, in writing, to the Air Pollution Control Officer by July 1, 1980. No exemption shall be effective until it is issued in writing by the Air Pollution Control Officer.

2. An owner or operator who makes a designation pursuant to this section shall comply with the following increments of progress:

   a. By July 1, 1981, submit to the Air Pollution Control Officer copies of all binding written agreements necessary for the construction and operation of the cogeneration facility.

   b. By July 1, 1981, file a Notice of Intent or Application for Certification with the California Energy Commission for the construction of the cogeneration facility, to the extent such Notice or Application is required pursuant to state law.

c. If such Notice or Application is required, commence construction of the cogeneration facility not later than one year after certification by the Commission, and complete construction of the cogeneration facility not later than five years after certification by the Commission.

d. If such Notice and Application are not required, commence construction of the cogeneration facility not later than July 1, 1982, and complete construction of the cogeneration facility not later than July 1, 1985.

3. The failure of an owner or operator who makes a designation pursuant to this section to comply with any increment of progress required by this section, except where such failure is the direct result of government action or court orders shall thereupon terminate all exemptions issued in response to such designation.

4. If an owner or operator who makes a designation pursuant to this section fails to comply with an increment of progress required by this section as a direct result of government action or court order, the owner or operator shall, within thirty days of such failure, apply to the district hearing board for a schedule for compliance with subsection (B)(2). The hearing board shall require a schedule which provides for compliance as expeditiously as practicable.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Adoption Of A Regulation Controlling Emissions Of Sulfur Compounds From Steam Generators Used In Oilfield Operations In The Kern County Air Pollution Control District

Public Hearing Date: March 23, 1979

Response Date: 7/9/79

Issuing Authority: Air Resources Board

Comment: EPA has proposed regulations which would designate scrubber waste as a hazardous waste. There would not be sufficient disposal sites in Kern County for the disposal of hazardous waste and the cost of scrubbing would be greatly increased.

Response: Both EPA and the state Department of Health have proposed regulations which may result in scrubber waste as being designated as hazardous. Such hazardous waste would have to be disposed of in impoundments with impervious linings. The impoundments would have to have groundwater and leachate monitoring systems installed. The staff believes that such hazardous waste disposal sites could be constructed in Kern County. The need to manage scrubber waste as hazardous would increase the cost of meeting the regulation from $0.28 to as much as $0.42 per pound of SO_2 reduced. This cost is lower than other programs proposed by the staff and therefore, the Executive Officer believes that Regulation 424 should not be revised by this environmental consideration.

Certified: Thomas C. Austin
for Board Secretary

Date: 7/9/79

(Resolution No. 79-10)

State of California
AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues

Public Hearing To Consider Adoption Of A Regulation
Controlling Emissions Of Sulfur Compounds From
Steam Generators Used In Oilfield Operations
In The Kern County Air Pollution Control District

79-7-1

Date of Release:

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Adminsitrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

In addition to the environmental issues discussed in Section VIII of the staff report, the staff received no written comments on environmental issues prior to the public hearing.

2. Environmental issues raised at the public hearing are discussed in attachments hereto.

All of the environmental concerns commented on at the public hearing on the regulation controlling emissions of sulfur dioxide from oil field steam generators were discussed in the staff report and the issues, with one exception are adequately discussed in the staff report. The exception are the comments by Mr. Chet Frazier of Shell Oil Company, Mr. Les Clark of Belridge Oil Company and Mr. Greg McClintock of the Western Oil and Gas Association that the U.S. Environmental Protection Agency has proposed regulations which would classify scrubber waste as hazardous waste which would have to be disposed of in Class I disposal sites instead of Class II-1 sites as indicated in the staff report.

On December 18, 1978, the Environmental Protection Agency proposed hazardous waste guidelines and regulations as required under Sections 3001, 3002, and 3004 of the Solid Waste Disposal Act as substantially amended by the Resource Conservation and Recovery Act of 1976. These regulations are scheduled to be promulgated in September, 1979. The proposed rules set forth requirements for the identification, transport, and disposal of hazardous wastes.

Chapter 6.5 of Division 20 of the Health and Safety Code requires the Department of Health to adopt regulations for the designation, storage, transport and disposal of hazardous wastes. The Department of Health has adopted regulations for the management of hazardous waste and on January 30, 1979, proposed additional regulations for the designation of hazardous wastes.

Section 250.46-2 of the proposed EPA regulations designate utility scrubber wastes as hazardous wastes, unless it can be shown through a series of tests set forth in the proposed regulations, that the waste is not hazardous. The reason for designating scrubber waste as hazardous is because some scrubber wastes have concentrations of metal compounds which, if they enter aquifer, could contaminate the aquifer. Since the waste from scrubbers used in oil field operations would be similar to utility scrubber wastes, it is probable that it also would be considered hazardous. The proposed EPA regulations would require the disposal of scrubber waste in an impoundment with an impermeable double lining consisting of an impervious soil lining plus an outer impermeable membrane (probably of plastic), if the impoundment is located above an usable aquifer. If the impoundment is not located above an usable aquifer, the impervious lining would not be required. The impervious lining is required to prevent leachate from the impoundment traveling to the aquifer via cracks or permeability in the impoundment. The proposed regulations also require groundwater and leachate monitoring. Groundwater monitoring would be accomplished by tests of groundwater from wells located both hydraulically upgradient and downgradient of the impoundment. A leachate monitoring system shall be installed within the zone of aeration underlying the facility without drilling through the bottom and side liners or soil barriers of the landfill and shall be designed to collect samples in the zone of aeration between the bottom of the liner or soil barrier of the landfill or surface impoundment and the top of the water table. Routine tests of the samples are to be made in accordance with procedures set forth in the proposal. The proposal also would require the establishment of a trust fund for the closure of the facility and for post-closure monitoring for 20 years.

The proposed regulations of the Department of Health (Department) would require a waste to be designated as hazardous if it is toxic, flammable, corrosive, or an irritant. The proposal contains a list of concentrations of compounds and elements, for both the waste and the leachate of the waste. The leachate of the waste is obtained by an extraction procedure set forth in the proposal. Among the elements and compounds in the list are some which would occur in scrubber waste. However, the concentrations of most of these elements and compounds would be below the concentrations shown in the list with the exception of vanadium possibly. KVB report 5807-842 shows a concentration of vanadium in the ash of a crude oil sample to be above 10%. If this is true, the concentration of vanadium in the scrubber waste could be above the concentration shown in the list. The producer of a waste has the option of conducting tests, some of which are expensive and time consuming, for toxicity and irritation which could result in the waste being designated as not hazardous. The producer

would have to weigh the benefits of conducting the tests (which may include tests on animal) and of considering the waste as hazardous. The Department has the option of designating a waste as hazardous even though, in the opinion of the producer, the waste is considered non-hazardous.

The Department regulations in Division 4 of Title 22 of the Administrative Code require that a hazardous waste be managed in a manner which will not result in a hazard to public health, personal safety, wildlife or domestic livestock. The regulations also set forth procedures for record-keeping, transport, and waste facility management.

There is a probability that scrubber waste from oil field steam generators will be considered hazardous. Therefore, the management of this waste could add appreciably to the cost of flue gas desulfurization. A conservative estimate (high) is probably an added 50% to the cost of scrubbing SO_2. The staff now estimates the cost per pound of SO_2 removal at $0.28. This cost would increase to as much as $0.42 per pound of SO_2 removed if the waste is designated as hazardous. If two net barrels of crude oil are produced for every barrel of crude oil burned, then the cost per net barrel produced would rise from $0.84 to $1.26.

The designation of scrubber waste as hazardous should cause proponents of systems to consider systems which oxidize the waste to more manageable forms such as gypsum, or which make a product such as sulfuric acid. The double alkali system should be more attractive since it produces a precipitate. Systems which produce liquid wastes, such as the once-through sodium carbonate system would be unattractive if such waste were designated as hazardous.

The staff recommends that the Executive Officer approve Regulation 424 as adopted at the March 23, 1978 hearing.

3. Recommendation

The staff recommends that the Executive Officer adopt, before final action on this item, the attached proposed Response to Significant Environmental Issues.

STATE OF CALIFORNIA
AIR RESOURCES BOARD
[redacted] Q STREET
[redacted]OX 2815
SACRAMENTO, CA 95812

EDMUND G. BROWN JR., Governor

April 18, 1979

Dear Sir or Madam:

Subject: Air Resources Board Resolution 79-10

When we mailed you a copy of our Resolution 79-10 on March 29, 1979, we inadvertently omitted page 5 of the rule.

Enclosed is page 5 of the rule to be added to Attachment A.

If you have any questions, please call me at (916) 322-6020.

Sincerely,

Alan Goodley

Alan Goodley, Chief
Energy Strategy Development Branch

Enclosure

Goodley/jw

cc: J. Gilpin ✓
G. Rubenstein
P.I.O.
F. Di Genova
H. Metzger

State of California

Memorandum

To : Huey D. Johnson
Secretary
Resources Agency

Date : August 27, 1979

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

From : Air Resources Board

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

Sally Rump

Sally Rump
BOARD SECRETARY

attachments:
Resolution 79-10 and
Response to Significant
Environmental Issues thereto.

State of California

Memorandum

To : Huey D. Johnson
Secretary
Resources Agency

Date : September 17, 1979

Subject: Filing of Supplemental Report

From : Air Resources Board

Pursuant to Title 17, Section 60007(b) and in compliance with Air Resources Board certification under Section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached Supplemental Staff Report Re Significant Environmental Issues regarding Resolution 79-10 (previously forwarded).

Sally Rump
Board Secretary

attachment

State of California
AIR RESOURCES BOARD

Resolution 79-11

March 21, 1979

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

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

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

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

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

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

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

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

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

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

LEAD AGENCY AND AREA DESIGNATION

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

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

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

AIR QUALITY ANALYSES

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

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

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

REASONABLY AVAILABLE CONTROL MEASURES

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

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

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

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

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

MOTOR VEHICLE INSPECTION PROGRAM

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

TRANSPORTATION CONTROL MEASURES

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

OTHER MEASURES

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

REQUEST FOR EXTENSION

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

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

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

EMISSIONS GROWTH - NEW SOURCE REVIEW

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

REASONABLE FURTHER PROGRESS

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

POPULATION GROWTH AND CONSISTENCY

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

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

PRE-PERMIT REVIEW

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

BOARD ADOPTION

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

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

Joan Gilpin
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

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

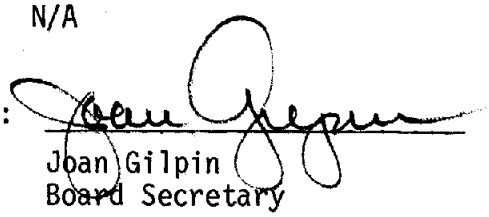
Public Hearing Date: March 21, 1979

Response Date: March 22, 1979

Issuing Authority: Executive Officer

Comment: None Received

Response: N/A

CERTIFIED: 

Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-11

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
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State of California
AIR RESOURCES BOARD

Resolution 79-12

March 22, 1979

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

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

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

D. WHEREAS, the San Joaquin County Board of Supervisors was designated by the ARB on April 3, 1978 as the local lead agency for the preparation of the 1979 oxidant and carbon monoxide nonattainment plan for San Joaquin County;

E. WHEREAS, the San Joaquin AQMP/NAP (San Joaquin Plan) was prepared under the guidance of the San Joaquin Air Quality Advisory Committee;

F. WHEREAS, the San Joaquin Plan was reviewed by the cities of the region, the San Joaquin County Council of Governments (COG), other interested organizations, and the public;

G. WHEREAS, the San Joaquin Plan was adopted by the San Joaquin County Board of Supervisors on December 5, 1978 to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearings;

H. WHEREAS, the San Joaquin County Board of Supervisors transmitted the San Joaquin Plan to the ARB for approval as a revision to the State Implementation Plan;

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

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

LEAD AGENCY AND AREA DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs in the San Joaquin Plan request for continued designation of the San Joaquin County Board of Supervisors as the continuing local lead agency for nonattainment area planning in San Joaquin County subject to agreement among the ARB, the Board of Supervisors, and the San Joaquin COG upon Division of Responsibilities required by Section 174 of the Clean Air Act. The Board finds further that the Division of Responsibilities should take the form of a detailed work program for air quality planning in San Joaquin County. The Board directs the Executive Officer to forward a designation of the Board of Supervisors as the continuing lead agency to the EPA upon completion of the aforementioned agreements;

2. BE IT FURTHER RESOLVED, that the Board recommends that the San Joaquin County Board of Supervisors and the San Joaquin COG work with the other nonattainment lead agencies in the San Joaquin Valley Air Basin and with the San Joaquin Valley Air Pollution Basinwide Control Council in developing basinwide control strategies where appropriate for consideration for the 1982 plan;

AIR QUALITY ANALYSES

3. BE IT FURTHER RESOLVED, that the Board finds that the San Joaquin Plan does not include an analysis of the effect of the recent EPA action to adopt a 1-hour ozone standard as a revision to the former 1-hour oxidant standard, and directs the Executive Officer to amend the plan with the analysis included in ARB staff's presentation of revised Appendix D dated March 21, 1979.

4. BE IT FURTHER RESOLVED, that the Board finds that additional effort is needed to comply with the Clean Air Act requirements for demonstrating the attainment and maintenance of the carbon monoxide standard and that the following work must be completed by May 30, 1979 for submission to the EPA: development by the San Joaquin County Air Pollution Control Board (APCB) and San Joaquin COG of a satisfactory work plan to refine the carbon monoxide air quality analysis and control strategy. The Board directs ARB staff to work with the San Joaquin APCD and San Joaquin COG to develop this work plan;

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

REASONABLY AVAILABLE CONTROL MEASURES

6. BE IT FURTHER RESOLVED, that the Board accepts as adequate and approves the San Joaquin Plan commitments to adopt all RACMs (reasonably available control measures) needed to attain the standards as expeditiously as practicable (except controls for 95% Stage I and Stage II Vapor Recover, can and coil coatings, fixed and floating roof tanks, degreasing, cutback asphalt, and metal parts and products coatings);

7. BE IT FURTHER RESOLVED, that the Board delegates authority to the ARB Executive Officer to adopt or amend as necessary, after hearing, the federally and state required RACMs [CTGs I and ARB Category I RACMs] if the San Joaquin County APCB does not adopt equivalent rules by May 30, 1979. The Executive Officer is authorized to submit such rules to the EPA as a SIP submission;

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

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

MOTOR VEHICLE INSPECTION PROGRAM

10. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone and carbon monoxide standards, San Joaquin County must commit to an Inspection and Maintenance program. The Board finds that the inclusion of "Motor Vehicle Inspection Maintenance, Annual Inspection" (Tactic M12), demonstrates local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the San Joaquin County area;

TRANSPORTATION CONTROL MEASURES

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

12. BE IT FURTHER RESOLVED, that the Board finds that the San Joaquin Plan provides inadequate analysis of the emissions reductions and air quality benefits, if any, of Tactic 20, "Traffic Flow Improvements", deletes the emission reductions for it, and changes it to a measure requiring further study;

13. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to determine (a) which of the vehicle-related emission control tactics in the San Joaquin Plan should be accepted for inclusion in the SIP submission for San Joaquin as either attainment or maintenance measures, and (b) what emission reductions should be attributed to each tactic. The Board further directs the Executive Officer amend the SIP submission in accordance with his determination.

OTHER MEASURES

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

REQUEST FOR EXTENSION

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

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

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

EMISSIONS GROWTH - NEW SOURCE REVIEW

18. BE IT FURTHER RESOLVED, that the Board delegates to the ARB Executive Officer the authority to adopt, after hearing, and after finding that the local NSR rule is inadequate and that the APCB does not commit to making it adequate, the ARB model New Source Review (NSR) rule for the San Joaquin County APCD should the San Joaquin County APCB fail to adopt an equivalent rule by May 30, 1979. The Executive Officer is authorized to submit such a rule to the EPA as a SIP submission;

REASONABLE FURTHER PROGRESS

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

POPULATION GROWTH AND CONSISTENCY

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

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

PRE-PERMIT REVIEW

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

BOARD ADOPTION

23. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the San Joaquin County Plan contains those elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation and such other elements in the San Joaquin Plan as may be useful in showing compliance with the requirements of Part D.

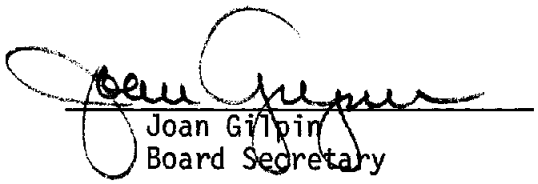
This is to certify that this is a 79-12
true copy of Resolution 79-~~13~~ as
passed by the Air Resources Board

Joan Gilpin
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item:	Public Hearing to Consider Adoption of the San Joaquin County Air Quality Maintenance Plan/Non-attainment Plan (AQMP/NAP) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS).
Public Hearing Date:	March 21-22, 1979
Response Date:	March 22, 1979
Issuing Authority:	Executive Officer
Comment:	None received.
Response:	N/A

CERTIFIED: 

Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-12

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
79-9
79-11
79-12
79-13
79-14
79-15
79-27
79-29

State of California
AIR RESOURCES BOARD

Resolution 79-13

March 22, 1979

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

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

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

D. WHEREAS, the Stanislaus Area Association of Governments (SAAG) was designated by the ARB on April 3, 1978 as the local lead agency for the preparation of the 1979 oxidant and carbon monoxide nonattainment area plan for Stanislaus County;

E. WHEREAS, the Stanislaus AQMP/NAP (Stanislaus Plan) was prepared under the guidance of the SAAG Air Quality Task Force;

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

G. WHEREAS, the Stanislaus Plan was adopted by the SAAG on November 8, 1978 to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearings;

H. WHEREAS, the SAAG transmitted the Stanislaus Plan to the ARB for approval as a revision to the State Implementation Plan;

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

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

LEAD AGENCY AND AREA DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs in the Stanislaus Plan request for continued designation of the SAAG as the lead agency for Stanislaus County subject to agreement between the ARB and SAAG upon Division of Responsibilities required by Section 174 of the Clean Air Act. The Board further finds that the Division of Responsibilities should take the form of a detailed work program for air quality planning in Stanislaus County. The Board directs the Executive Officer to forward a designation of the SAAG as continuing local lead agency to the EPA upon completion of the aforementioned agreements;

2. BE IT FURTHER RESOLVED, that the Board recommends the Stanislaus County APCD and the SAAG work with the other nonattainment lead agencies in the San Joaquin Valley Air Basin and with the San Joaquin Valley Air Pollution Basinwide Control Council in developing basinwide control strategies where appropriate for consideration for the 1982 plan;

AIR QUALITY ANALYSES

3. BE IT FURTHER RESOLVED, that the Board finds that the Stanislaus Plan does not include an analysis of the effect of the recent EPA action to adopt a 1-hour ozone standard as a revision to the former 1-hour oxidant standard, and directs the Executive Officer to amend the plan with the analysis included in ARB staff report 79-5-5 (figure 1 on page 16 and Appendix D);

4. BE IT FURTHER RESOLVED, that the Board finds that additional effort is needed to comply with the Clean Air Act requirements for demonstrating the attainment and maintenance of the carbon monoxide standard and that the following work should be completed by May 30, 1979 for submission to the EPA: development by SAAG of a satisfactory work plan to refine the carbon monoxide air quality analysis and control strategy. The Board directs ARB staff to work with the Stanislaus County APCD and SAAG to develop this work plan;

5. BE IT FURTHER RESOLVED, that the Board finds that further study to determine the feasibility of the development and application of basinwide photochemical simulation modeling to analyze oxidant formation and the impact of control measures is necessary and desirable, and directs the staff to complete a feasibility study in cooperation with

the San Joaquin Valley Air Pollution Basinwide Control Council, the local APCDs, the local NAP lead agencies, councils of governments, and other appropriate public and private entities concerned with the Valley oxidant problem;

REASONABLY AVAILABLE CONTROL MEASURES

6. BE IT FURTHER RESOLVED, that the Board accepts as adequate and approves the Stanislaus Plan commitments to adopt all RACMs (reasonably available control measures) needed to attain the standards as expeditiously as practicable (except controls for 95% Stage I and II Vapor Recovery, can and coil coatings, cutback asphalt, degreasing, and metal parts and products coatings);

7. BE IT FURTHER RESOLVED, that the Board delegates authority to the ARB Executive Officer to adopt, or amend as necessary, after hearing, the federally and state required RACMs [CTGs I and ARB Category I RACMs] if the Stanislaus County APCB does not adopt equivalent rules by May 30, 1979. The Executive Officer is authorized to submit such rules to the EPA as a SIP submission;

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

9. BE IT FURTHER RESOLVED, that the Board finds that various stationary source control measures require further study (fixed and floating roof tanks and see ARB staff report 79-5-5, Tables 2 and 3 on pages 12-13) and directs staff to study further these measures;

MOTOR VEHICLE INSPECTION PROGRAM

10. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone standard, Stanislaus must commit to an Inspection and Maintenance program. The Board finds that the inclusion of "Inspection and Maintenance" (Tactic T1) demonstrates local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the Stanislaus area;

TRANSPORTATION CONTROL MEASURES

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

12. BE IT FURTHER RESOLVED, that the Board finds that the Stanislaus Plan provides inadequate analysis of the emission reductions and air quality benefits, if any, of Tactic T-16, "Traffic Flow Improvements", and therefore deletes the emission reductions for it, and changes it to a measure requiring further study;

13. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to determine (a) which of the vehicle-related emission control tactics in the Stanislaus Plan should be accepted for inclusion in the SIP submission for Stanislaus as either attainment or maintenance measures, and (b) what emission reductions should be attributed to each tactic. The Board further directs the Executive Officer amend the SIP submission in accordance with his determination;

OTHER MEASURES

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

REQUEST FOR EXTENSION

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

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

17. BE IT FURTHER RESOLVED, that the Board approves the request of the local lead agency for such an extension for attainment of the ozone standard;

EMISSIONS GROWTH - NEW SOURCE REVIEW

18. BE IT FURTHER RESOLVED, that the Board delegates to the ARB Executive Officer the authority to adopt, after hearing, and after finding that the local NSR rule is inadequate and that the APCB does not commit to making it adequate, the ARB model New Source Review (NSR) rule for the Stanislaus County APCD should the Stanislaus County APCB fail to adopt an equivalent rule by May 30, 1979. The Executive Officer is authorized to submit such a rule to the EPA as a SIP submission;

REASONABLE FURTHER PROGRESS

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

POPULATION GROWTH AND CONSISTENCY

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

21. BE IT FURTHER RESOLVED, that the Board finds that the Stanislaus Plan does not expressly provide for increased emissions which may reasonably be anticipated to result from federally assisted projects (such as highways and wastewater treatment facilities) and federal permit activities. The Board thus directs the Executive Officer to work in

cooperation with appropriate agencies to develop mechanisms consistent with Sections 176(c) and 316(b) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are consistent with reasonable further progress toward attainment and maintenance of NAAQS. Until such mechanisms are adopted, the ARB shall make such determinations on a project-by-project basis and transmit them with an appropriate recommendation to the relevant local, state, and federal agencies. The Board further finds that future federally funded projects which enable population growth beyond that projected to occur in the Stanislaus Plan should be required to provide for additional mitigation measures, if necessary, to maintain RFP and/or the NAAQS depending upon the condition at the time.

PRE-PERMIT REVIEW

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

BOARD ADOPTION

23. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the Stanislaus Plan contains those elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation and such other elements in the Stanislaus Plan as may be useful in showing compliance with the requirements of Part D.

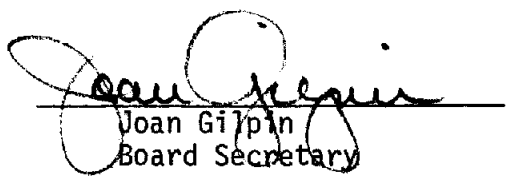
This is to certify that this is a true copy of Resolution 79-13 as passed by the Air Resources Board

Joan Gilpin
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item:	Public Hearing to Consider Adoption of the Stanislaus County Air Quality Maintenance Plan/Nonattainment Plan (AQMP/NAP) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS).
Public Hearing Date:	March 21-22, 1979
Response Date:	March 22, 1979
Issuing Authority:	Executive Officer
Comment:	None received.
Response:	N/A

CERTIFIED: 

Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-13

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

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State of California
AIR RESOURCES BOARD

Resolution 79-14

March 22, 1979

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

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

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

D. WHEREAS, Kings County Air Pollution Control Board (APCB), Madera County APCB, Merced County Board of Supervisors, and the Tulare County Association of Governments were designated by the ARB on April 3, 1978 as the local lead agencies for the preparation of the 1979 oxidant nonattainment plan for their respective counties;

E. WHEREAS, the plans were reviewed by the cities of the respective regions, the county boards of supervisors, the councils of county governments, other interested organizations, and the public;

F. WHEREAS, the plans were adopted by the respective lead agencies on the following dates (Kings: December 26, 1978, Madera: January 9, 1979, Merced: November 28, 1978, and Tulare: December 26, 1978) to meet the requirements of the Clean Air Act as amended;

G. WHEREAS, the respective lead agencies transmitted the plans to the ARB for approval as revisions to the State Implementation Plan;

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

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

BASINWIDE CONTROL STRATEGY ANALYSIS

1. NOW, THEREFORE BE IT RESOLVED, that the Board recommends the respective county APCDs and county boards of supervisors and councils of county governments work with the other nonattainment lead agencies in the San Joaquin Valley Air Basin and with the San Joaquin Valley Air Pollution Basinwide Control Council in developing basinwide control strategies where appropriate for consideration for the 1982 plan;

AIR QUALITY ANALYSES

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

REASONABLY AVAILABLE CONTROL MEASURES

3. BE IT FURTHER RESOLVED, that the Board accepts as adequate and approves the respective lead agency and/or APCB commitments to adopt all RACMs (reasonable available control measures) shown in the adopted NAPs;

4. BE IT FURTHER RESOLVED, that the Board delegates authority to the ARB Executive Officer to adopt or amend as necessary, after hearing, the federally and state required RACMs [Control Technology Guidances I (CTGs) and ARB Category I RACMs], included in the respective NAPs which the respective APCBs do not adopt by May 30, 1979. The Executive Officer is authorized to submit such adopted rules to the EPA as a SIP submission;

5. BE IT FURTHER RESOLVED, that the Board finds that various stationary source control measures require further study (see ARB staff report 79-6-2, Tables 1, 2, and 3 on pages 11-13) and directs staff to study further these measures;

MOTOR VEHICLE INSPECTION PROGRAM

6. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone standard, Kings, Madera, Merced, and Tulare must commit to an Inspection and Maintenance program. The Board finds that the inclusion of "Motor Vehicle Inspection Maintenance" as a tactic in the Madera, Merced, and Tulare NAPs demonstrates local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the areas;

OTHER MEASURES

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

REQUEST FOR EXTENSION

8. BE IT FURTHER RESOLVED, that the Board finds that the respective plans do not demonstrate attainment of the national standards for ozone by December 31, 1982 despite the implementation of all reasonably available control measures;

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

10. BE IT FURTHER RESOLVED, that the Board approves the request of the local lead agencies for such an extension for attainment of the ozone standard;

EMISSIONS GROWTH - NEW SOURCE REVIEW

11. BE IT FURTHER RESOLVED, that the Board delegates to the ARB Executive Officer the authority to adopt, after hearing, and after finding that the local NSR rule is inadequate and that the respective APCB does not commit to making it adequate, the ARB model New Source

Review rule for those of the four counties in which the respective APCB fails to adopt an equivalent rule by May 30, 1979. The Executive Officer is authorized to submit such a rule to the EPA as a SIP submission;

PRE-PERMIT REVIEW

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

BOARD ADOPTION

13. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the Kings, Madera, Merced, and Tulare plans contain those elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements and directs the Executive Officer to submit the respective plans to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

This is to certify that this is a true copy of Resolution 79-14 as passed by the Air Resources Board.

Joan Gilpin
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item:	Public Hearing to Consider Adoption of the Kings County, Madera County, Merced County, and Tulare County Nonattainment Plans (NAPs) as Revisions to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS).
Public Hearing Date:	March 22, 1979
Response Date:	March 22, 1979
Issuing Authority:	Executive Officer
Comment:	None received.
Response:	N/A

CERTIFIED:

Joan Gilpin
Board Secretary

Date: May 15, 1979

Resolution No. 79-14

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
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State of California
AIR RESOURCES BOARD

Resolution 79-15

March 22, 1979

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

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

WHEREAS, Mariposa County was designated nonattainment for oxidant by the ARB under the provisions of Section 107(d) of the Clean Air Act;

WHEREAS, Mariposa County Air Pollution Control Board was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Mariposa County;

WHEREAS, the Mariposa County Air Pollution Control Board held a public hearing on December 19, 1978 and adopted a nonattainment plan for Mariposa County;

WHEREAS, Mariposa County on December 20, 1978 transmitted the "Mariposa County Air Pollution Control District Nonattainment Plan for Photochemical Oxidant" (Mariposa County NAP) to the ARB for approval as a revision to the SIP;

WHEREAS, the U.S. Environmental Protection Agency (EPA) announced recently a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard and because the highest ozone value monitored in Mariposa County is 0.11 ppm, Mariposa County qualifies now for redesignation as an attainment area;

WHEREAS, Mariposa County is located geographically adjacent to both nonattainment areas in the San Joaquin Valley and Class I Prevention of Significant Deterioration Areas, and there is increased potential for industries to locate in attainment areas such as Mariposa County with a subsequent potential for violations of ambient air quality standards in Mariposa County and adjacent areas;

WHEREAS, implementation of a New Source Review (NSR) rule is intended to assure that proposed new and modified sources will not cause ambient air quality standards to be violated;

WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Section 11371 et seq.);

NOW, THEREFORE BE IT RESOLVED, that the Board finds Mariposa County is now an attainment area for ozone and directs the Executive Officer to notify the EPA of such change in the designation status of Mariposa County;

BE IT FURTHER RESOLVED, that the Board finds that implementation of a NSR rule in Mariposa County is essential for maintenance of ambient air quality standards. The Board further finds the Mariposa County Non-attainment Plan does not describe adequately the contents of a NSR rule the County has committed to adopt. The Board authorizes the Executive Officer to work with the Mariposa County Air Pollution Control District to assure adoption of a NSR rule consistent with the ARB model NSR rule, and, if necessary, to adopt after a duly noticed public hearing a NSR rule for the District if local adoption does not occur by September 30, 1979;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to submit the NSR rule to the EPA as a SIP revision.

This is to certify that this
is a true copy of Resolution 79-15
as passed by the Air Resources
Board

Joan Gilpin
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Mariposa County Air Pollution Control District Nonattainment Plan for Oxidants as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

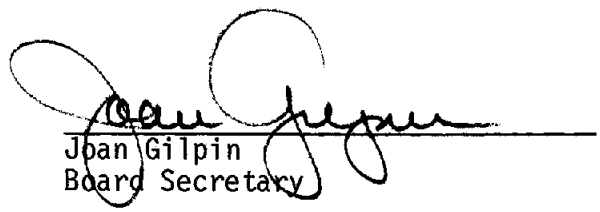
Public Hearing Date: March 22, 1979

Response Date: March 22, 1979

Issuing Authority: Executive Officer

Comment: None received

Response: N/A

CERTIFIED: 

Joan Gilpin
Board Secretary

DATE: May 15, 1979

Resolution No. 79-15

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
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State of California
AIR RESOURCES BOARD

Resolution 79-16

March 23, 1979

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

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

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

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

E. WHEREAS, the Kern AQMP/NAP (Kern Plan) was prepared under the guidance of the Kern County Council of Governments' Air Quality Technical Advisory Committee;

F. WHEREAS, the Kern Plan was reviewed by the cities of the region, the Kern County Council of Governments (KCCOG), other interested organizations, and the public;

G. WHEREAS, the Kern Plan was adopted by the KCAPCB for oxidant and carbon monoxide on December 12, 1978 and on December 19, 1978 for SO_2 to meet the requirements of the Clean Air Act as amended;

H. WHEREAS, the KCAPCB transmitted the Kern Plan to the ARB for approval as a revision to the SIP;

I. WHEREAS, Kern County has concurred in the modification to nonattainment designation of a portion of the County for SO_2 from nonattainment to attainment, and has committed to implementation of the actions necessary to comply with the provisions of the Clean Air Act for prevention of significant deterioration;

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

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

LEAD AGENCY AND AREA DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs in the Kern Plan request for continued designation of the Kern County APCB as the continuing local lead agency for nonattainment area planning in Kern County subject to agreement between ARB, KCAPCB, and KCCOG upon division of responsibilities required by Section 174 of the Clean Air Act. The Board finds further that the division of responsibilities should take the form of a detailed work program for air quality planning in Kern County. The Board directs the Executive Officer to forward a designation of the KCAPCB as the continuing local lead agency to the EPA upon completion of the aforementioned agreements;

2. BE IT FURTHER RESOLVED, that the Board finds that the boundary of the Kern County SO_2 nonattainment area should be changed to that boundary discussed on pages 31-33 of the staff report, No. 79-6-4, that the remainder of Kern County should revert to a Class II PSD area, and directs the Executive Officer to submit the request to the EPA, with a legal description of the proposed boundary;

3. BE IT FURTHER RESOLVED, that the Board recommends the KCAPCD and the KCCOG work with the other nonattainment lead agencies in the San Joaquin Valley Air Basin and with the San Joaquin Valley Basinwide Air Pollution Control Council in developing basinwide control strategies where appropriate;

AIR QUALITY ANALYSES

4. BE IT FURTHER RESOLVED, that the Board finds that the Kern Plan does not include an analysis of the effect of the recent EPA action to adopt a 1-hour ozone standard as a revision to the former 1-hour oxidant standard, and directs the Executive Officer to amend the plan with the analysis included in ARB staff report 79-6-4 (figure 1 on page 17 and Appendix D);

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

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

REASONABLY AVAILABLE CONTROL MEASURES

7. BE IT FURTHER RESOLVED, that the Board finds that all of the "level 1" stationary source control measures (including Tactic No. SS3, vapor recovery on oil wells with steam stimulation-cyclic) included in the Kern Plan are necessary for the attainment and maintenance of the ozone NAAQS by 1982. However, the Board finds that the Kern Plan has not established specifically and adequately that the locally defined "level 1" stationary source control measures will be adopted within the timeframes specified in the adopted Kern Plan. Such timely adoption is necessary to accomplish the emission reductions projected to occur in the Kern Plan. The Board, therefore, accepts as adequate and approves KCAPCB commitments to adopt all of the "level 1" stationary source control measures (including Tactic No. SS3, vapor recovery on oil wells with steam stimulation-cyclic) included in the Kern Plan, conditioned upon the submittal by the KCAPCB by June 21, 1979 of significant evidence to the ARB Executive Officer which will clearly demonstrate attainment of the ozone standard by 1982. This submittal shall include evidence (including supporting technical documentation) to substantiate that an enforceable regulation to implement Tactic No. SS1, Steam Drive Controls, level 1, has been adopted by the KCAPCB and is in force. The Board delegates to the Executive Officer the authority to evaluate the adequacy of the Kern County submittal and either approve the submittal in whole or in part, or amend it as necessary, including the addition of all of the federally and state required stationary source RACMs (EPA CTG I's and ARB Category I RACMs). The Executive Officer shall timely submit the finally determined tactics to EPA for approval;

8. BE IT FURTHER RESOLVED, that the Board agrees with the KCAPCB finding in the Kern Plan that additional "level 2" stationary source control measures may be necessary to attain and maintain the ozone NAAQS. The Board further finds that clarification is necessary of the KCAPCB commitment to develop, adopt, and implement these "level 2" controls, if the emission reductions and air quality improvements projected in the Kern Plan do not occur as scheduled. The Board requires the KCAPCB to submit to the ARB Executive Officer by September 30, 1979 a schedule of the analysis and implementation which will be initiated if the emission reductions and air quality improvements projected in the Kern Plan do not occur as scheduled;

9. BE IT FURTHER RESOLVED, that the Board finds that various stationary source control measures require further study (see ARB staff report 79-6-4, Tables 2-4 on pages 11-14) and directs staff to study further these measures;

MOTOR VEHICLE INSPECTION PROGRAM

10. BE IT FURTHER RESOLVED, that the Board finds that to attain and maintain the carbon monoxide standard, Kern must commit to an Inspection and Maintenance program. The Board finds that the inclusion of "Inspection/Maintenance," (Tactic TS1), demonstrates local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the Kern area;

TRANSPORTATION CONTROL MEASURES

11. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for further planning related to attainment and maintenance of the carbon monoxide standard, KCCOG and KCAPCB should affirmatively consider and analyze transportation control measures in the continuing planning and implementation program. KCAPCB and KKCOG should submit to the Board by September 30, 1979 a work plan which specifies how this task will be completed;

12. BE IT FURTHER RESOLVED, that the Board finds that the Kern Plan provides an inadequate analysis of the emissions and air quality benefits, if any, of Tactic TS-3, Traffic Flow Improvements, deletes the emission reductions for it, and changes it to a measure requiring further study;

PREVENTION OF SIGNIFICANT DETERIORATION

13. BE IT FURTHER RESOLVED, that the Board accepts the KCAPCB commitment to implement a prevention of significant deterioration program for Kern County as explained on pages 7-2 and 7-3 of the Kern SO_2 plan. The Board directs the ARB Executive Officer to work with the KCAPCB to further define the nature of that commitment and the proposed program;

EMISSIONS GROWTH - NEW SOURCE REVIEW

14. BE IT FURTHER RESOLVED, that the Board delegates to the ARB Executive Officer the authority to adopt, after hearing, the ARB Model New Source Review rule for the KCAPCD should the KCAPCB fail to adopt an equivalent rule by May 30, 1979. The Executive Officer is authorized to submit such a rule to the EPA as a SIP submission;

REASONABLE FURTHER PROGRESS

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

POPULATION GROWTH AND CONSISTENCY

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

17. BE IT FURTHER RESOLVED, that the Board finds that the Kern Plan does not expressly provide for increased emissions which may reasonably be anticipated to result from federally assisted projects (such as highways and wastewater treatment facilities) and federal permit activities. The Board thus directs the Executive Officer to work in cooperation with appropriate agencies to develop mechanisms consistent with Sections 176(c) and 316(b) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are consistent with

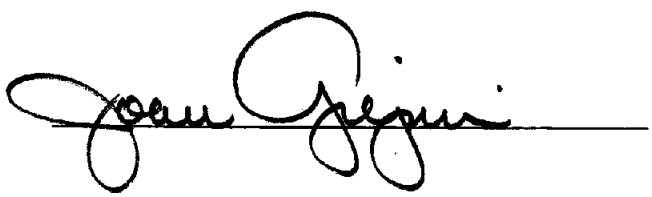
reasonable further progress toward attainment and maintenance of NAAQS. Until such mechanisms are adopted, the ARB shall make such determinations on a project-by-project basis and transmit them with an appropriate recommendation to the relevant local, state, and federal agencies. The Board further finds that future federally funded projects which enable population growth beyond that projected to occur in the Kern Plan should be required to provide for additional mitigation measures, if necessary, to maintain RFP and/or the NAAQS depending upon the condition at the time;

BOARD ADOPTION

18. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the Kern Oxidant and Carbon Monoxide Plan as modified contains those elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves the Kern Oxidant and Carbon Monoxide Plan as modified and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D;

19. BE IT FURTHER RESOLVED, that the Board accepts and approves the KCAPCD proposal to achieve and maintain the National Ambient Air Quality Standards for sulfur dioxide by the prior shut down of the steam generators by Getty Oil Company in accordance with its EPA permit requirements granted June 24, 1976, which impact on the designated nonattainment area, on the condition, however, that such shut down is legally enforceable and remains so until such time as acceptable SO_2 emission offsets are obtained. The Executive Officer is delegated the authority to amend the Kern County SO_2 Nonattainment Plan to assure that the plan adequately reflects the commitment made by representatives of Kern County to require that the New Source Review rule be applied before the said steam generators are allowed to resume operation; the Board approves the Kern SO_2 Plan as amended and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

I certify that the above is a true and correct copy of Resolution 79-16 as passed by the Air Resources Board.



State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Continuation of Public Hearing to Consider the Adoption of the Non-attainment Plans for Each County in the San Joaquin Air Basin and for Mariposa County as Revisions to the State of California Implementation Plan for the Attainment and Maintenance of National Ambient Air Quality Standards: Kern County (Sulfur Dioxide)

Public Hearing Date: March 23, 1979

Response Date: March 23, 1979

Issuing Authority: Air Resources Board

Pursuant to Section 21080.5 of the Public Resources Code, the Board must respond to significant environmental comments raised during the public comment period before taking final action. Most comments received have some relation to air pollution control and therefore to the environment, but generally witnesses have raised issues which would weaken the NAPs and therefore the suggested changes would provide less protection to the environment than the actions recommended by the staff. We have determined that it is appropriate to address those comments which focus on any adverse environmental impacts that would be engendered by the regulatory program described in the NAPs. Two such comments were received yesterday.

Comment: Ms. Joy Lane, representing Project Land Use, indicated that the Kern County Plan for oxidant and CO contained only hydrocarbon control measures and no NOx or land use controls, and that, therefore, Kern County would not be able to meet the ambient air quality standards. She also indicated concern that corporate interests had sufficient economic resources to hire consultants to weaken the NAP control measures, while the general public, which strongly supports efforts to control air pollution, often lacks the resources to advocate its position.

Response: Kern County is attaining the NAAQS for NO_2. Therefore no control strategies to reduce NOx concentrations are directly required. While a reduction in NOx can reduce oxidant levels in certain circumstances, the EPA and the ARB have determined on the basis of modeling and other research, that reduction of HC emissions can also effectively attain the ozone standard. Application of the HC control measures contained in the Kern Plan as amended by the Board should result in attainment of the ozone standard by the required date. While the ARB encourages the application of control strategies for NOx by the County, such strategies are not presently necessary, based on existing air quality analysis, for the attainment of the national ozone standard and therefore are not required for inclusion in the plan.

However, the ARB model new source review rule, which the Kern County APCB is committed to adopt, will ensure that major new stationary sources in Kern County will not result in a net increase in NOx emissions so that compliance with the ozone standard will be maintained.

Further, NOx control probably will be required to attain the NAAQS for TSP. This question will be addressed later when the NAP for particulates for the San Joaquin Valley is considered. This is expected to provide some additional control of oxidants, reduce NO_2 concentrations, and improve visibility in the County.

With regard to land use measures, the ARB similarly recognizes their value in attaining standards for automobile-related pollutants, but believes that effective implementation of these measures depends upon local support. If Kern can adequately demonstrate attainment of NAAQS without application of land use controls, the ARB will not require them. It now appears that adequate emission reductions may be available without land use measures. However, consistency between NAP growth projections and other local and regional growth projections are necessary.

We note that the input of citizen groups has been important in having these measures considered and encourage continued participation of Project Land Use and other citizen organizations in the continuing planning process. The concerns of your organization can therefore be accommodated through the public hearing process.

Comment: Mr. Mike Henry of the Kern County Farm Bureau noted recent studies that confirm the susceptibility of agricultural produce to concentrations of air pollution at or even below the primary ambient air quality standards. His concern is that high yield reductions may continue in agricultural areas partly due to the absence of monitoring devices in these areas, which are often downwind of urban centers.

Response: The Board is aware of crop damage due to air pollution and is undertaking more research in this area. While monitors should ideally be located in all impacted areas, resource constraints prevent this at this time. The staff will be directed to assess the feasibility of locating a monitoring station in an appropriate agricultural area in Kern County. Due to advances in modeling techniques, estimates of air pollution concentrations can be made for areas downwind of pollution sources, and control measures of sufficient stringency may be developed to meet standards in all impacted areas. It should be noted that while national primary ambient air quality standards must be attained by 1982 (or 1987 for ozone or CO if certain conditions are met), the national secondary standards, which are generally welfare related and pertain to the effects of pollution on crop yields, among other effects, need only be attained "as expeditiously as practicable". To the extent

that attainment of primary standards will reduce crop damage, and we believe it will to a great extent, application of the measures in the Kern Plan as amended by the Board will positively impact on the agricultural areas of the County.

The staff has recommended to the Board reclassification of areas of Kern County to Class II PSD for SO_2 to provide greater protection for agricultural productivity in the County.

CERTIFIED: _____
Board Secretary

Date: March 23, 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : April 12, 1979

Subject : ARB Hearings for March 1979

79-16

From : Joan Gilpin
Board Secretary
Air Resources Board

Pursuant to Title 17 Section 6007 (b) and in compliance with Air Resources Board certification under Section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached notice of decision and response to environmental comments raised during the comment period.

Attachment

State of California
AIR RESOURCES BOARD

Resolution 79-17

April 25, 1979

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

WHEREAS, the Clean Air Act as amended in 1977 mandates the revision of the SIP in order to assure the attainment and maintenance of national ambient air quality standards;

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

WHEREAS, a public hearing has been held in accordance with the Clean Air Act and the provisions of the Administrative Procedure Act (California Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

WHEREAS, certain revisions to the SIP are necessary and appropriate to satisfy new SIP administrative requirements established by the Clean Air Act as amended in 1977 and EPA regulations, and to make the SIP a more useful and comprehensive document, particularly for the general public;

NOW, THEREFORE BE IT RESOLVED, that the Board adopts as a revision to the State Implementation Plan, Chapter 4, California Air Quality Control Strategies, as proposed in the ARB Staff Report No. 79-8-3 and as amended by the Supplemental Staff Report;

BE IT FURTHER RESOLVED, that the Board authorizes the Executive Officer to make changes, of an updating and clarifying nature, to this Administrative Chapter as appropriate;

BE IT FURTHER RESOLVED, that the Board authorizes the Executive Officer to amend the Transportation Control Measure sections of Chapter 4, to reflect more accurately the Board's transportation control policies and modifications to measures included in the various nonattainment plans;

State of California

AIR RESOURCES BOARD

Resolution 79-18

March 22, 1979

WHEREAS, a solicited research Proposal Number 821-69 entitled "Emission Characteristics of Primary Petroleum Operations in California", has been submitted by the 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 821-69 entitled "Emission Characteristics of Primary Petroleum Operations in California", submitted by the KVB, Inc., for an amount not to exceed $250,000;

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 821-69 entitled "Emission Characteristics of Primary Petroleum Operations in California", submitted by the KVB, Inc., for an amount not to exceed $250,000,

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 $250,000.

I certify that the above is a true and correct copy of Resolution 79-18 as passed by the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-5-6b-1
DATE: March 21, 1979

ITEM: Research Proposal No. 821-69 entitled "Emission Characteristics of Primary Petroleum Operations in California".

RECOMMENDATION: Adopt Resolution 79-18 approving Research Proposal No. 821-69 for funding in an amount not to exceed $250,000.

SUMMARY: Although many studies have considered some aspects of the emissions from primary oil field operations, no comprehensive study has been conducted and the emissions of pollutants from these sources have only been estimated. The primary reasons for this paucity of good data are: lack of emission factors for some equipment and/or operations, and the lack of a good count of the equipment in use. This latter concern is particularly valid for offshore oil production operations. Since operating permits are not required for most oil field production equipment, some of it has never been counted in previous surveys. This source class may account for a very large fraction of the uninventoried emissions of hydrocarbons, NO_X and SO_X in California.

A special effort is required to enumerate this equipment, quantify the emissions from the equipment and determine the feasibility of reducing these emissions.

With the guidance of the Research Screening Committee, the staff released a request for proposals for this project. Five responses were received of which this proposal by KVB, Inc. was concluded to be most meritorious by the staff and the Committee.

The objectives of this research project are: to measure and analyze the character and rates of emissions associated with primary crude oil production operations in California, both on and offshore; to develop emission factors for the various operations, facilities and equipment; to quantify the emissions from the major primary crude oil production areas in California; and to assess the feasibility and cost of emission control measures.

State of California

AIR RESOURCES BOARD

Resolution 79-19

March 22, 1979

WHEREAS, an unsolicited research Proposal Number 836-69 entitled "In Vivo Fate of Nitrogenous Air Pollutant Derivatives", has been submitted by the University of California, Davis, 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 836-69 entitled "In Vivo Fate of Nitrogenous Air Pollutant Derivatives", submitted by the University of California, Davis, for an amount not to exceed $98,539;

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 836-69 entitled "In Vivo Fate of Nitrogenous Air Pollutant Derivatives", submitted by the University of California, Davis, for an amount not to exceed $98,539,

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 $98,539.

I certify that the above is a true and correct copy of Resolution 79-19 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-5-6b-2
DATE: March 21, 1979

ITEM: Research Proposal No. 836-69 entitled "In Vivo Fate of Nitrogenous Air Pollutant Derivatives".

RECOMMENDATION: Adopt Resolution 79-19 approving Research Proposal No. 836-69 for funding for an amount not to exceed $98,539.

SUMMARY:

Nitrogenous air pollutants include an extremely wide range of compounds: Nitric oxide, nitrogen dioxide, nitrogen trioxide, dinitrogen trioxide, nitrogen pentoxide, nitrates, nitrites, nitric acid, countless organic nitro compounds, nitramines, and nitrosamines. Some are directly emitted from industrial process and others form photochemically in the atmosphere. Particulate nitrogenous materials often account for a significant portion of Hi-Vol samples taken from urban air.

Little is known about the harmful nature of the nitrogenous particulate compounds, but it is thought that some of the observed effects of nitrogen dioxide may actually be due to nitrates and nitrites formed from NO_2 in the lungs. There is also limited information that suggests certain nitrosamines may be biochemically produced from various other airborne materials through various pathways in the body.

The proposed study is a continuation of a current ARB funded effort. The proponents have developed a unique methodology that allows the study of the deposition, absorption, conversion and ultimate fates in the body of inhaled nitrates and nitrites. Current efforts have also compared the fates of these materials when administered via different routes at very low concentration. The proposed work would extend similar efforts to the study of toxic levels of nitrates and nitrites administered to the airways, stomach and blood stream. The biochemical metabolites and their organ locations would be analyzed as before. Greater efforts would be expended to resolve the questions surrounding the body's ability to produce nitrosamines from these pollutants.

The information gained from this study would serve several purposes. It should resolve uncertainties regarding nitrosamine formation from NO_2, nitrates and/or nitrites in the body. More importantly in the more traditional framework, it would point to areas for future toxicological and pathological studies. It would do this through identifying organ systems that exhibit abnormally high build-ups of nitrogenous compounds or where known toxic derivatives build-up. Some indication of the need for a nitrate-nitrite air quality standard might also be derived from this study.

State of California

AIR RESOURCES BOARD

Resolution 79-20

March 22, 1979

WHEREAS, an unsolicited research Proposal Number 841-69 entitled "Air Pollution Effects on Yield, Quality and Ecology of Range and Forage Grasses", has been submitted by the University of California, Riverside, 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 841-69 entitled "Air Pollution Effects on Yield, Quality and Ecology of Range and Forage Grasses", submitted by the University of California, Riverside, for an amount not to exceed $86,486;

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 841-69 entitled "Air Pollution Effects on Yield, Quality and Ecology of Range and Forage Grasses", submitted by the University of California, Riverside, for an amount not to exceed $86,486,

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 $86,486.

I certify that the above is a true and correct copy of Resolution 79-20 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-5-6b-3
DATE: March 21, 1979

ITEM: Research Proposal No. 841-69 entitled "Air Pollution Effects on Yield, Quality and Ecology of Range and Forage Grasses".

RECOMMENDATION: Adopt Resolution 79-20 approving Research Proposal No. 841-69 for funding in an amount not to exceed $86,486.

SUMMARY: A considerable body of information is available concerning the individual injury effects of sulfur dioxide and oxidant on vegetation. Only limited reliable information is available concerning the effect of these two pollutants acting in combination, and no such information is available for California grasses. There is now considerable evidence to suggest that the combined effect of SO_2 and oxidant upon vegetation may be greater than the sum of either pollutant acting alone. Thus, it may be necessary to consider combination effects when evaluating air quality standards for the protection of vegetation in California, as the Board has done for the protection of human health. This question is especially crucial in view of the changing fuel situation, increased oil recovery operations, the spread of urban plumes and the present trend to locate power plants within rural areas.

The objectives of this project are to ascertain the effect that chronic oxidant and sulfur dioxide exposures, alone and in combination, have upon the yields, quality and interrelationship of several California range and forage grasses. Forbs (a small, broad-leaf grazing plant) may be studied at a later date.

The experiment as planned will utilize equipment purchased and the facility constructed at the University of California, Riverside under ARB sponsorship. Two types of grasses, forage and range with six varieties of each will be used in the study. Each type will be studied separately during its respective growing season, and an analysis of total yield of stems, leaves, seeds, tiller number, protein content, soluble carbohydrates, digestible dry matter and mineral content will be performed to determine effects of air pollutant treatments. Grazing simulation will also be incorporated for two treatments during each set of experiments. Ten treatments will be studied using different levels of O_3 with SO_2.

This study will provide useful information on the effects of pollutants on grazing lands which will allow an evaluation of the related impact of these emissions on California's livestock industry.

State of California

AIR RESOURCES BOARD

Resolution 79-21

March 22, 1979

WHEREAS, a solicited research Proposal Number 839-69 entitled "Health Effects from the Inhalation of Oxidant Air Pollutants as Related to the Immune System", has been submitted by the University of California, Davis, 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 839-69 entitled "Health Effects from the Inhalation of Oxidant Air Pollutants as Related to the Immune System", submitted by the University of California, Davis, for an amount not to exceed $59,003;

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 839-69 entitled "Health Effects from the Inhalation of Oxidant Air Pollutants as Related to the Immune System", submitted by the University of California, Davis, for an amount not to exceed $59,003,

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 $59,003.

I certify that the above is a true and correct copy of Resolution 79-21 as passed by the Air Resources Board.

Joan Gilpin

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO.: 79-5-6b-4
DATE: March 21, 1979

ITEM: Research Proposal No. 839-69 entitled "Health Effects from the Inhalation of Oxidant Air Pollutants as Related to the Immune System."

RECOMMENDATION: Adopt Resolution No. 79-21 approving Research Proposal No. 839-69 for funding in an amount not to exceed $59,003.

SUMMARY: Asthma has emerged as the disease state considered most sensitive to and most commonly affected by ozone and certain other air pollutants. Both clinical and epidemiological studies have shown that ambient pollutant concentrations are often likely to produce adverse respiratory effects in asthmatics.

This study proposes to continue efforts now underway to investigate the effects of ozone and sulfuric acid and combinations of ozone and sulfuric acid in an animal model for asthma. Asthma is basically a defect in the immune system that produces a hyper-reactive response to inhaled antigens (foreign proteins) cold air and other stimuli. The most apparent clinical manifestation is a restriction of the conducting airways leading to extreme breathing difficulty.

It is also the intent of the proponent to continue study of pollutant-induced defects in the immune system's ability to resist viral infection. Increased incidence of respiratory infections has been associated with community exposures to polluted ambient air. Immunological experiments would validate these observations, in a sense, and perhaps elucidate the mechanism.

Finally, a segment of the proposed study will involve determination of whether the cellular level damage caused by O_3, H_2SO_4 and combination exposures results in the eventual sensitization of the body to its own cells (auto-immune response). This appears to be one explanation of the root for certain serious pulmonary diseases.

State of California

AIR RESOURCES BOARD

Resolution 79-22

March 22, 1979

WHEREAS, a solicited research Proposal Number 825-69 entitled "Use of Fuel Oils by Stationary Sources in California", has been submitted by the Pacific Environmental Services, 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 825-69 entitled "Use of Fuel Oils by Stationary Sources in California", submitted by the Pacific Environmental Services, Inc., for an amount not to exceed $108,066;

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 825-69 entitled "Use of Fuel Oils by Stationary Sources in California", submitted by the Pacific Environmental Services, Inc., for an amount not to exceed $108,066,

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 $108,066.

I certify that the above is a true and correct copy of Resolution 79-22 as passed by the Air Resources Board.

Joan Gilpin

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-5-6b-5
DATE: March 21, 1979

ITEM: Research Proposal No. 825-69 entitled "Use of Fuel Oils by Stationary Sources in California."

RECOMMENDATION: Adopt Resolution 79-22 approving Research Proposal No. 825-69 for funding in an amount not to exceed $108,066.

SUMMARY: The ARB has fuel oil usage data for major combustion facilities such as power plants, but does not have similar data for smaller combustion sources in industrial, agricultural and commercial applications. For some of the smaller counties in the state, there are no data available, although usage of fuel oils is thought to be significant. These data are necessary to establish a comprehensive stationary source emission inventory.

With the guidance of the Research Screening Committee, the staff released a request for proposals for this project. Four responses were received of which this proposal by Pacific Environmental Services, Inc. was concluded to be most meritorious by the staff and the Committee.

The purpose of this research project is to obtain accurate information on fuel oil usage in California for 1977. The Contractor is to determine temporal and spatial usage data for combustion equipment grouped into appropriate size ranges and also determine representative values for the heat content, sulfur, nitrogen, ash and trace metal contents of the fuel oil. Variations in operating conditions are to be identified. The data are to be summarized by county and by air basin, by 10 km grid squares, in tabular format and also in a graphical format for the major metropolitan areas. Utility power plants are not included in the study because the ARB staff already has such data for these facilities.

State of California

AIR RESOURCES BOARD

Resolution 79-23

March 22, 1979

WHEREAS, a solicited research Proposal Number 833-69 entitled "Development of Emission Factors for Reactive Hydrocarbons Used in Pesticide Formulations", has been submitted by the 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 833-69 entitled "Development of Emission Factors for Reactive Hydrocarbons Used in Pesticide Formulations", submitted by the KVB, Inc., for an amount not to exceed $105,000;

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 833-69 entitled "Development of Emission Factors for Reactive Hydrocarbons Used in Pesticide Formulations", submitted by the KVB, Inc, for an amount not to exceed $105,000,

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 $105,000.

I certify that the above is a true and correct copy of Resolution 79-23 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM: 79-5-6b-6
DATE: March 21, 1979

ITEM: Research Proposal No. 833-69 entitled, "Development of Emission Factors for Reactive Hydrocarbons used in Pesticide Formulations".

RECOMMENDATION: Adopt Resolution 79-23 approving Research Proposal No. 833-69 for funding in an amount not to exceed $105,000.

SUMMARY: A recently completed study has indicated that pesticides, especially nonsynthetic hydrocarbon pesticidal oils such as weed oil and foliar spray oil applied over wide areas constitute a large emission source of reactive hydrocarbons. It is reasonable to assume that these reactive organic gases contribute substantially to the violation of standards for photochemical oxidants and ozone in many areas of California. Research has been performed on synthetic hydrocarbons such as DDT, heptachlor, lindane, etc., which demonstrate that the volatilization of pesticide ingredients even of relatively low vapor pressure can be quite significant over periods of days or weeks. Little or no research has been performed to determine the volatility of pesticidal oils, hydrocarbon diluents or other pesticide-associated hydrocarbons which represent little direct toxicological hazard.

A request for proposals was released for this project and two responses were received. The proposal submitted by KVB was determined to be the most responsive to the RFP and our needs by the staff and the Research Screening Committee.

The purpose of this study is to experimentally determine the rate of and total volatilization of the reactive organics used in the formulation of pesticides under conditions approximating actual use conditions. Other research in progress will better define use patterns in all California counties.

In this work, special emphasis will be placed on formulations using nonsynthetic organics as the active ingredient, which recent studies indicate are the largest sources of pesticide-related organic gas emissions.

Two approaches would be utilized in this study. Tests will be performed on a large number of selected pesticides under controlled conditions, using a simple test procedure. Second, a detailed analysis of total emissions, evaporation rates and hydrocarbon species profiles in actual field tests

will be carried out. The field tests will incorporate the use of a wind tunnel type of chamber that can simulate the effect of varying wind speeds and will be equipped with the appropriate monitoring equipment. Models to estimate emission rates will be developed and compared with actual test results of the two approaches. It is anticipated that by combining existing knowledge and the results of the planned testing program, emissions of hydrocarbons resulting from their use in pesticides can be well quantified for various environmental conditions.

State of California

AIR RESOURCES BOARD

Resolution 79-24

March 22, 1979

WHEREAS, a solicited research Proposal Number 830-69 entitled "The Role of Agricultural Practices in Fugitive Dust Emissions", has been submitted by the Midwest Research Institute, 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 830-69 entitled "The Role of Agricultural Practices in Fugitive Dust Emissions", submitted by the Midwest Research Institue, for an amount not to exceed $111,632;

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 830-69 entitled "The Role of Agricultural Practices in Fugitive Dust Emissions", submitted by the Midwest Research Institute, for an amount not to exceed $111,632,

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 $111,632.

I certify that the above is a true and correct copy of Resolution 79-24 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-5-6b-7
DATE: March 21, 1979

ITEM: Research Proposal No 830-69 entitled "The Role of Agricultural Practices in Fugitive Dust Emissions".

RECOMMENDATION: Adopt Resolution 79-24 approving Research Proposal No. 830-69 for funding in an amount not to exceed $111,632.

SUMMARY: The work to be done under this project will provide the ARB with information on the role of agricultural operations with respect to fugitive dust emissions and visibility degradation, and on the potential for changes in agricultural practices or equipment that may reduce ambient air concentrations of inhalable particulate matter and improve visibility.

Five proposals were submitted in response to the RFP for this study. The proposal submitted by the Midwest Research Institute was determined by the staff and the Research Screening Committee to be the most experienced.

The study proposed by Midwest Research Institute incorporates identification of agricultural operations and farm equipment types and for testing. A substantial effort in field work is proposed with plans for testing at the San Joaquin Valley and the Imperial Valley agricultural experiment stations. The factors influencing emissions and the air quality impacts of control practices, with the bonus of an analysis of impacts associated with the trends in agricultural practices will be evaluated. KVB and Meteorology Research, Inc. will be subcontractors for this study. KVB will provide support for the selection of agricultural equipment and operations, and assist in test-site selection and testing arrangements. Meteorology Research, Inc. will be responsible for field measurements of visibility and for correlation of visibility measurements with meteorology and diffusion conditions.

State of California

AIR RESOURCES BOARD

Resolution 79-25

March 22, 1979

WHEREAS, a solicited research Proposal Number 814-69 entitled "Emission Characteristics of Cooling Towers Using Reclaimed Waste-Water in California", has been submitted by the 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 814-69 entitled "Emission Characteristics of Cooling Towers Using Reclaimed Waste-Water in California", submitted by the Science Applications, Inc., for an amount not to exceed $138,255;

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 814-69 entitled "Emission Characteristics of Cooling Towers Using Reclaimed Waste-Water in California", submitted by the Science Applications, Inc., for an amount not to exceed $138,255,

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 $138,255.

I certify that the above is a true and correct copy of Resolution 79-25 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO.: 79-5-6b-8
DATE: March 21, 1979

ITEM: Research Proposal No. 814-69 entitled "Emission Characteristics of Cooling Towers Using Reclaimed Waste-Water in California."

RECOMMENDATION: Adopt Resolution 79-25 approving Research Proposal No. 814-69 for funding in an amount not to exceed $138,255.

SUMMARY: Recently there has been an increased interest in developing facilities that can use wastewater from agricultural, municipal sewage, industrial processing and geothermal sources as make-up water for cooling towers. In some instances these sources are already providing water for cooling towers in California. The policy of some governmental agencies is to advocate the use of reclaimable or brackish water whenever possible for thermal cooling. This policy appears attractive since it preserves California's freshwater sources for more valuable uses and saves the cost of disposing of wastewaters at treatment or ocean outflow operations. Additionally, inland surface water discharge restrictions are often costly to meet and thus make the use of reclaimed water in cooling towers economically attractive.

The expected increase in the use of reclaimed water in cooling towers raises questions about the potential air pollution problems which may arise, including emissions of pathogenic microorganisms, toxic metals, asbestos, pesticides, and chlorinated and reactive hydrocarbons. While numerous studies of cooling tower inorganic saline drift have been conducted, relatively little research has been dedicated to characterizing other potential emissions, especially those which could have an impact upon the health of the general public.

The potential for a public health problem and the lack of sufficient information for regulatory decision-making, has resulted in the proposed program for a comprehensive study of the emissions from cooling towers using waters of concern. The program proposed by Science Applications, Inc. will utilize existing information on various waste-waters and other waters of concern, cooling tower operation characteristics, information on existing control technologies, past source tests, surveys of suspected users and a source testing program to obtain the following program objectives:

- Ascertain the extent of cooling tower usage in California;
- Determine the source, constituents and extent of present usage of waste or contaminated waters in such cooling towers;
- Develop emission factors for pollutants of concern from cooling towers (emphasizing toxic emissions);
- Identify technologies and recommend strategies to control such emissions, and;
- Identify future trends in cooling tower usage and the utilization of waste waters as makeup in cooling towers.

State of California

AIR RESOURCES BOARD

Resolution 79-26

March 23, 1979

WHEREAS, the federal Clean Air Act requires that the states develop and implement plans for achieving and maintaining the national ambient air quality standards;

WHEREAS, the California Legislature has found that the air pollution problem in this state is detrimental to the health, safety and welfare of the people of California, and has charged the Air Resources Board with coordinating statewide efforts to achieve and maintain state and national ambient air quality standards;

WHEREAS, the federal government has repeatedly stated in public testimony that national environmental objectives in general, and clean air standards in particular, can and should be achieved in concert with the achievement of national energy objectives;

WHEREAS, despite such public statement, the federal government is presently implementing crude oil pricing policies which restrict the ability of California oil producers to accommodate the costs of necessary pollution control measures by preventing these producers from recovering their costs for pollution control;

WHEREAS, thermally enhanced production of California crude oil has already been curtailed because the artificially low oil price allowed by federal regulations is exceeded by the high production cost associated with enhanced recovery techniques even without the additional cost of necessary pollution controls;

WHEREAS, a continuation of such federal pricing policies could result in the further curtailment of crude oil production in California, unless both state and federal laws requiring that the health and welfare of the people of California be protected, are repealed; and

WHEREAS, the repeal of state and federal air pollution laws would be extremely damaging to the health and welfare of the citizens of California;

NOW, THEREFORE, BE IT RESOLVED, that the California Air Resources Board does hereby request that the President and the federal Department of Energy amend regulations controlling the price of domestically produced crude oil to allow the cost of needed pollution controls to be accommodated without rendering unprofitable the Enhanced Oil Recovery operations in California.

I certify that the above is a true and correct copy of Resolution 79-26 as passed by the Air Resources Board.

Joan Gilpin

Joan Gilpin, Bd. Secretary

State of California
AIR RESOURCES BOARD

Resolution 79-27

May 10, 1979

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

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

C. WHEREAS, the South Coast Air Basin was designated nonattainment for oxidant, carbon monoxide, nitrogen dioxide, and total suspended particulates under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) were designated by the ARB on March 31, 1978 as the local lead agencies for the preparation of the 1979 nonattainment plan for the South Coast Air Basin;

E. WHEREAS, the South Coast Air Quality Management Plan (AQMP) was reviewed by the cities and counties of the region, other interested organizations, and the public;

F. WHEREAS, the South Coast Air Quality Management Plan was adopted by the SCAG on January 25, 1979, and by the South Coast Air Quality Management District (SCAQMD) on January 26, 1979, to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearing;

G. WHEREAS, the SCAQMD transmitted the South Coast Air Basin AQMP to the ARB for approval as a revision to the State Implementation Plan;

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

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

J. WHEREAS, the Board has received testimony that certain modifications to the South Coast Air Basin AQMP are needed to make the plan conform with requirements of Part D of the Clean Air Act, as amended;

K. WHEREAS, the SCAG Executive Committee has, by Resolution No. 79-162-1, concurred with the modification of certain portions of the plan and has specifically requested that a number of changes be made;

L. WHEREAS, the SCAQMD Board has, by Resolution No. 79-20, concurred with the modification of certain portions of the plan;

LEAD AGENCY DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, the Board recommends the continued designation of the SCAQMD and the SCAG as the local lead agencies for nonattainment area planning in the South Coast Air Basin in accordance with the legislative direction in Section 40460, Article 4 of Chapter 5.5, Part III of Division 26 of the Health and Safety Code, and subject to agreement between the SCAQMD, SCAG, and ARB upon a division of responsibilities for continued planning as required by Section 174 of the Clean Air Act. The Board further finds that the division of responsibilities should take the form of a detailed work program for air quality planning in the South Coast Air Basin and a Memorandum of Understanding (MOU) between ARB and the local lead agencies;

2. BE IT FURTHER RESOLVED, the Board recommends the SCAQMD and SCAG work with the counties and cities to further develop subregional plans;

REQUEST FOR MODIFICATION OF THE CLEAN AIR ACT REQUIREMENTS FOR NITROGEN DIOXIDE

3. BE IT FURTHER RESOLVED, the Board finds that the conclusion made in the AQMP that attainment of the federal annual average nitrogen dioxide (NO_2) standard is impossible by 1982, is premature and deletes this finding. The request for modification of the Clean Air Act to allow until 1987 to attain the NO_2 standard is also deleted from the plan. The Board finds that all currently reasonably available controls for NOx are being implemented, and a number of additional controls have been identified for inclusion in the SIP for further study. The Board also finds that the method of analysis in the AQMP must be revised before an adequate assessment of the attainment date for the NO_2 standard can be made. The Board directs the Executive Officer to work with

SCAQMD and SCAG to develop a work program for this effort. The Board commits that a plan which contains the necessary analysis, rule implementation schedules, and commitments to achieve the NO_2 standard by December 31, 1982 will be submitted to EPA by December 31, 1981. The Board requests that EPA accept the present AQMP, along with the commitments to revise the NO_2 strategy as adequate for the 1979 SIP submission;

REQUEST FOR REDEFINITION OF THE FEDERAL TSP STANDARD

4. BE IT FURTHER RESOLVED, the Board deletes from the AQMP the request for exemption from the federal Total Suspended Particulate (TSP) standards. The Board finds that all currently reasonably available controls to reduce ambient TSP levels have been implemented, additional controls for study have been identified, and additional time for strategy development is necessary. The Board requests the EPA to expedite its work on the redefinition of the current TSP standard to one based on inhalable particulates, and requests that a new standard be established by December 1980. The Board commits that a plan which contains the necessary analysis, implementation schedules, and commitments to attain the TSP standards by December 31, 1982 will be submitted by December 31, 1981. The Board requests that EPA accept the present plan, along with the commitments to revise the TSP strategy, as adequate for the 1979 SIP submission;

INCLUSION OF EPA CONTROL TECHNOLOGY GUIDANCE I (CTG)
AND ARB CATEGORY I REASONABLY AVAILABLE CONTROL MEASURES

5. BE IT FURTHER RESOLVED, the Executive Officer is directed to continue working with the Department of Interior and other federal agencies to resolve jurisdictional questions regarding the regulation of emissions from marine lightering and to work with the SCAQMD and other California coastal districts to recommend to the Board revisions to the ARB model rules for lightering as necessary to make the model rule consistent with the federal requirements. The Executive Officer is further directed to work with the SCAQMD to effect the adoption of a rule which is as effective as this model rule. The Board further directs the Executive Officer to forward such rule to the EPA as a SIP revision if he finds the rule to be consistent with the ARB model rule;

6. BE IT FURTHER RESOLVED, the Board finds the emission credits claimed for application of Control Measure N-8 (controls on small and medium utility boilers) are already provided for through the implementation of SCAQMD Rule 475.1, and these credits have been assumed in the baseline emission projections. Therefore, inclusion of additional emission credits for this measure is not appropriate, and such credits are deleted from the AQMP;

7. BE IT FURTHER RESOLVED, the Board finds that SCAQMD rules which implement measures in the plan for the control of emissions from gasoline bulk plants (measure H-29), petroleum coke calcining (measure S-1), metal cleaning operations (measure H-42), metal can and coil coating (measure H-39), fabric and paper products coating (measure H-21), metal parts and products coating (measure H-49), process turnaround at refineries and other facilities (measure H-30), and refinery vacuum producing equipment (measure H-30) are not as effective as the appropriate EPA CTG I and/or ARB Category I RACMs and, therefore, may not reduce emissions by the amount indicated in the AQMP. The Board requests that the SCAQMD amend these rules to make them as effective as possible. The Board recognizes that additional information which may be presented by the SCAQMD could require modification of the model rules in the future. The Board commits to amend the District rules to make them as effective as the ARB model rules should the SCAQMD fail to make the necessary changes. The Board further directs the Executive Officer, following action by the SCAQMD, to forward to the EPA as a revision to the SIP those amendments that he finds to be consistent with the appropriate EPA CTG I and ARB Category I RACMs;

NEW SOURCES REVIEW

8. BE IT FURTHER RESOLVED, the Board finds that the existing New Source Review (NSR) rules of the SCAQMD do not comply with Section 173 of the Clean Air Act, and requests that the SCAQMD amend the District's NSR rules to make them as effective as the ARB model NSR rules I, II, and IV. The Board directs the Executive Officer to work with the SCAQMD to effect the adoption of such amendments and to report back to the Board by June 30, 1979, on the progress of the District in adopting adequate NSR rules. If the SCAQMD adopts the necessary amendments, the Executive Officer is directed to forward them to the EPA as a SIP revision. If the District does not adopt NSR rules as effective as the model NSR rules, the ARB commits to adopt rules as effective as the ARB model rules;

9. BE IT FURTHER RESOLVED, the Board finds that for the purpose of demonstrating Reasonable Further Progress through 1982, the Board accepts the estimates of NSR emission reductions in the AQMP, but because the emission credits assumed for NSR application have not been fully supported the Board directs ARB staff to work with the SCAQMD to develop a documented estimate of NSR credits and to monitor and account for the credits gained from NSR application. Once estimated credits are adequately documented, appropriate modifications of the credits claimed in the AQMP will be made. Estimating the emissions reductions associated with this measure for the year 1987 is deferred until further study is completed;

AIR QUALITY ANALYSES

10. BE IT FURTHER RESOLVED, the Board finds that, based on new information, the ozone modeling in the South Coast Air Basin AQMP underestimated the hydrocarbon reductions necessary to attain the federal air quality standard for ozone. The Board includes in the SIP for the South Coast Air Basin an estimate that attainment of the federal ozone air quality standard will require approximately a 75% reduction in emissions of reactive organic gases (ROG). The Board commits to work with the SCAQMD and SCAG to refine and study not later than December 1981 the additional ROG measures needed to attain and maintain the standards and to include those measures shown to be reasonable in the 1982 revision to the plan. The Board recognizes that the emissions reduction goal may be modified as improved regional or photochemical oxidant modeling becomes available. Furthermore, the Board recognizes the need to deliberate and set policy in conjunction with the SCAQMD and SCAG, on any conflicts which may arise between the ozone and NO_2 control strategies;

11. BE IT FURTHER RESOLVED, the Board finds that the methods of analyses used in the AQMP to estimate the impact on ambient air quality of control strategies for ozone, nitrogen dioxide, carbon monoxide, and total suspended particulates must be improved as part of the effort to develop revised strategies which demonstrate attainment and maintenance of these standards. The Board directs the ARB staff to participate with SCAQMD and SCAG staff in the development of a work program by August 31, 1979 for utilizing appropriate modeling techniques for the 1982 submission for ozone and carbon monoxide and for further revisions of the nitrogen dioxide and total suspended particulate strategies. The Board further commits to utilizing a regional photochemical airshed model in cooperation with the SCAQMD and SCAG to analyze the effectiveness of the control strategies and determine the degree of emission control required to attain the ozone and NO_2 standards;

12. BE IT FURTHER RESOLVED, the Board finds that the inventory contained in the AQMP for the 1979 NAP submission must be substantially improved in the development of a 1982 nonattainment plan. The Board requests the SCAQMD and SCAG, in cooperation with ARB staff, to develop by August 31, 1979, a work program to prepare and utilize an acceptable inventory in the preparation of the 1982 plan;

TRANSPORTATION CONTROL MEASURES

13. BE IT FURTHER RESOLVED, the Board finds that the Transportation Control Measures (TCMs) listed in Attachment 1 of this resolution are appropriate for inclusion in the SIP. For those measures designated as "pre-1982" measures, the Board accepts the local commitment to implement these measures. Measures designated "post-1982"

are accepted for inclusion in the plan as measures for further study. The Wilshire Rail Line and the following High Occupancy Vehicle lanes should be implemented as expeditiously as practicable after 1982:

- Route 5 - Union Station to Orange County line,
- Route 11 - Route 105 to Convention Center,
- Route 105- Portions not included in current transportation plan (TIP)

14. BE IT FURTHER RESOLVED, the Board finds that the Clean Air Act requires enforceable commitments which assure implementation of measures by the legally responsible agencies and requests SCAG to submit, by August 31, 1979, resolutions which demonstrate commitment by the major implementing agencies to the individual transportation control measures (TCMs) included in the plan for "pre-1982" implementation. These resolutions should reflect a policy level commitment to implement measures which achieve the emission reductions assigned in the plan, should identify financial and personnel resources needed to achieve that goal, and should provide schedules which delineate the major milestones and actions needed to implement the measures. The Board further requests SCAG to develop, by August 31, 1979, work programs which provide for timely and effective implementation and evaluation of the adopted transportation control measures;

15. BE IT FURTHER RESOLVED, the Board finds that the inclusion in the AQMP of the assumption and finding that all of the highway and freeway projects included in the baseline RTP and Regional Transportation Improvement Program (RTIP) are consistent with the attainment and maintenance of the NAAQS is not supportable. The Board finds at this time the projects indicated in Attachment 5 are acceptable for inclusion in the AQMP transportation baseline. The inclusion of the above projects in the AQMP baseline by the Board is not meant to preclude or prejudice the process established by state law by which the California transportation Commission (CTC) must make the final determination of which projects are appropriate for inclusion in the Region's Transportation Improvement Plan (TIP). Therefore, the Board recognizes that changes in the AQMP baseline may be appropriate and invites SCAG, after final decisions by the CTC, to periodically request such changes. Recommendations for inclusion of projects in the AQMP baseline should be accompanied by analyses which demonstrate that adverse air quality impacts of the project have been mitigated to the degree necessary to comply with federal consistency requirements.

The ARB further requests SCAG to develop, in cooperation with the ARB and CALTRANS staff, acceptable criteria and procedures for determining consistency of transportation plans, programs, and projects with the SIP;

16. BE IT FURTHER RESOLVED, the Board finds that the policies adopted by the SCAG Executive Committee on May 3, 1979 related to funding and priority of transportation measures which benefit air quality are appropriate for inclusion in the SIP. The Board includes these policies in the SIP and requests that SCAG, the County Transportation Commissions, and Caltrans develop by August 31, 1979 a program that will be used to implement these policies. This program should establish the baseline funding affected by this policy, provide for reprogramming funding allocations to the extent necessary to achieve the targeted funding split, provide for development of criteria for determining which projects are appropriate for use as measures which improve air quality, and include a mechanism by which air quality will be given a defined higher priority in the selection of projects. The Board supports SCAG's efforts to obtain additional capital and operating funds for public transit, high occupancy vehicle lanes, and nonvehicular transportation facilities;

17. BE IT FURTHER RESOLVED, the Board finds the AQMP includes a commitment to develop and document a plan for long and short range public transportation improvement to meet basic transportation needs by June 1980. The Board also finds that basic transportation needs include both those created by the implementation of transportation control measures and those transportation needs which currently exist. The Board accepts the commitment in the AQMP and requests SCAG and the County Transportation Commissions to develop, by August 31, 1979, a work program for the establishment and improvement of the public transportation system which will provide an acceptable level of mobility and an alternative to low occupancy vehicle transportation;

STATIONARY SOURCE CONTROLS FOR FURTHER STUDY

18. BE IT FURTHER RESOLVED, the Board accepts the SCAQMD's commitment to consider adoption of rules to implement the measures identified in Attachment 2 to this resolution. The inclusion of these measures in the SIP commits the SCAQMD to analyze all of these measures in order to assess their potential to reduce emissions and to determine whether such reductions can be obtained in a technically reasonable and cost-effective manner. If such an analysis shows that a measure is reasonably available, then the SCAQMD would be obligated to adopt rules to fully implement the measure as expeditiously as practicable. The Board directs the Executive Officer to work with SCAQMD staff to ensure development of adequate rules for these sources and to resolve the differences between ARB and SCAQMD staff estimates regarding the effectiveness and implementation schedule of these measures. The Board requests that each SCAQMD staff report on a proposed rule include a discussion of conformance of the rule with the appropriate AQMP measure and its effectiveness when compared with any applicable ARB model rule. At a minimum, the discussion should include a comparison of emission reduction effectiveness and the timing of implementation;

19. BE IT FURTHER RESOLVED, the Board finds that the measures identified in Attachment 3 to this resolution are included in the plan for further study. The inclusion of these measures in the SIP commits the ARB to analyze, in cooperation with the SCAQMD, all of these measures in order to assess their potential to reduce emissions and to determine whether emission reductions can be obtained in a technically reasonable and cost-effective manner. If such an analysis shows that a measure is reasonably available, then the ARB would request the SCAQMD to consider adoption of a rule to fully implement the measure as expeditiously as practicable;

20. BE IT FURTHER RESOLVED, the Board finds that the control measure for future improvements in technological controls for stationary sources (measure H-90) is appropriate for inclusion in the AQMP as an emission reductions objective which the SCAQMD is committed to achieve through the application of more stringent rules or administrative practices affecting existing stationary sources. In order to implement this measure, the Board requests that the SCAQMD staff work with the ARB staff to develop methods of identifying and verifying the emission reductions achieved and to report these reductions in the annual reasonable further progress report on the SIP's implementation;

MOBILE SOURCE CONTROLS

21. BE IT FURTHER RESOLVED, the Board accepts those mobile source emission control measures identified in Attachment 4 for inclusion in the SIP for further study. Emission credits for 1987 for these measures represent targets which will be refined. The Board directs the Executive Officer, after consultation with SCAG and SCAQMD, to develop a schedule by August 31, 1979 for the study and implementation of vehicle-related emission control measures H-7, H-15, H-22, and H-60 and to request that the EPA initiate the necessary studies to develop measures H-6 and H-16;

22. BE IT FURTHER RESOLVED, the Board finds that measure H-24, More Stringent Motor Vehicle Standards, is not feasible as described in the AQMP, and the emission credit estimates for measure H-24 are therefore inappropriate. The Board directs the Executive Officer to develop by August 31, 1979, an alternative measure, an implementation schedule, and an emission reduction target and to submit them to EPA as an SIP submission following consultation with SCAG and SCAQMD;

REQUEST FOR EXTENSION FOR OZONE AND CARBON MONOXIDE

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

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

25. BE IT FURTHER RESOLVED, the Board finds that to meet the requirements of Section 172(b)(11)(B) of the Clean Air Act, the SIP must provide for an expanded Motor Vehicle Inspection and Maintenance program. The Board finds that the inclusion of measure H-18, Motor Vehicle Inspection and Maintenance, demonstrates local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the South Coast Air Basin;

26. BE IT FURTHER RESOLVED, the Board finds that the AQMP identifies stationary and transportation control measures for further study by local governments, SCAG, SCAQMD, and the ARB. The AQMP also includes an overall commitment to develop expeditiously a plan containing revised air quality analyses and additional control measures to be submitted to EPA by July 1, 1982. The Board finds that these actions will provide for development of the strategies needed to attain and maintain the NAAQS for ozone and CO, and collectively meet the requirements of Section 172(b)(11)(C) of the Clean Air Act which relate to the identification of those measures needed to attain CO and ozone standards prior to December 31, 1987;

27. BE IT FURTHER RESOLVED, the Board finds that the adopted measures in the AQMP are adequate to meet the Clean Air Act requirements to maintain Reasonable Further Progress in reducing carbon monoxide and precursors of ozone emissions until a revised SIP can be prepared;

28. BE IT FURTHER RESOLVED, the Board finds that all the requirements for obtaining extensions have been met and requests that EPA grant extensions of the attainment dates for the ozone and carbon monoxide national standards until no later than December 31, 1987;

CONSISTENCY OF LOCAL PLANS AND PROJECTS WITH THE SIP

29. BE IT FURTHER RESOLVED, the Board finds that for the SIP and other planning programs to be consistent, SCAG and local jurisdictions should commit to develop a well-defined process and schedule to achieve and maintain consistency among local plans, future revisions of the SCAG development guide, and the forecasts in the AQMP. The Board accepts the SCAG commitment to perform this work and requests SCAG to develop, by August 31, 1979, a work plan for designing and and implementing mechanisms to achieve, monitor, and maintain consistency among AQMP growth forecasts and those aspects of local plans which affect the emissions forecasts in the AQMP. A part of this work plan should be the development of emissions mitigation techniques within the authority of local governments;

30. BE IT FURTHER RESOLVED, the Board finds that further work is needed before the South Coast Air Basin AQMP is adequate to serve as a regional emission mitigation package for increased emissions anticipated to result from federally assisted projects and federal permit activities. The Board accepts the SCAG commitment to specifically define the use of the AQMP for this purpose and requests SCAG to develop a work plan by August 31, 1979 for this task. This work plan should develop mechanisms consistent with Section 176(c) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are compatible with both reasonable further progress and attainment and maintenance of NAAQS;

31. BE IT FURTHER RESOLVED, that the Board finds that wastewater treatment facilities meeting the following conditions are consistent with the AQMP and do not, in the opinion of the ARB, require additional analysis of regional air quality impacts or additional mitigation measures:

A. Sizing of the facility does not exceed the disaggregated population forecasts on which either the state approved 208 plan or the SIP is based.

B. The NPDES permit for the facility includes monitoring provisions requiring (1) consistency between increases in plant flow and the population projection used in sizing the facility or (2) that a demonstration be made satisfactory to the ARB that the increase in plant flow is consistent with the SIP.

C. Flow restrictions included in existing Clean Water Grants continue in force until the facility's NPDES permit includes a provision as described in B above.

D. SCAG makes a finding that local agencies in the wastewater facility's service area are implementing the AQMP measures appropriate to their jurisdiction.

32. BE IT FURTHER RESOLVED, the Board finds that the AQMP in its present form does not suffice as a Master Environmental Assessment for regional air quality impacts of growth and development projects. The Board supports implementation of such a concept and accepts the SCAG commitment to design specific mechanisms to implement a process by which the AQMP can be used as the regional air quality assessment portions of environmental impact reports and environmental impact statements. Upon completion of specific mechanisms and acceptable revision of the AQMP to

contain all measures needed to attain and maintain the standards, use of the AQMP as a master environmental assessment for regional air quality impacts will be appropriate;

REASONABLE FURTHER PROGRESS

33. BE IT FURTHER RESOLVED, the Board finds that continued compliance with the Clean Air Act will require annual Reasonable Further Progress (RFP) reports and requests SCAG and SCAQMD, in cooperation with the ARB, to develop by August 31, 1979, a work plan for the development and submittal of RFP reports. The Board accepts the SCAG commitment, prior to the submission of the first RFP report, to develop, formulate, and implement a growth and development monitoring system. The Board further accepts SCAG's commitment to submit, where significant deviations from the AQMP growth forecasts are identified in the RFP report, revisions to the SIP to ensure that air quality impacts of growth and development are being properly mitigated;

34. BE IT FURTHER RESOLVED, the Board finds that because of the need to monitor progress of the numerous work efforts that must be completed by August 31, 1979, by SCAG, SCAQMD, and ARB staffs, the Board directs the Executive Officer to report to the Board at the September 1979 meeting on the status of the work plans;

BOARD ADOPTION

35. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the South Coast AQMP contains the elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves the South Coast Air Basin AQMP, with the additions and modifications described above, and directs the Executive Officer to amend the AQMP as necessary to reflect these additions and modifications. The Executive Officer is also directed to delete those portions of the AQMP that exclusively address state standards and to submit the appropriate portions of the AQMP, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D, to EPA as a SIP revision.

I certify that the above is a true and correct copy of Resolution 79-27 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

Attachment 1 - ARB Resolution 79-27

TRANSPORTATION CONTROL MEASURES INCLUDED IN THE SIP FOR THE SCAB

Pre-1982 Control Measures

H-4 Modified Work Schedule

H-5 Carpool Preferential Parking

H-23 Increased Bicycle/Pedestrian Facilities

H-34 Employees Ridesharing Program

H-35 Automatic Traffic Signal Control Systems

H-118 Reduce Nonrecurrent Congestion

Post 1982 (Further Study) Control Measures

H-1 Increased Air Passenger Load Factor

H-2 Jet Aircraft Ground Taxi Improvement

H-3 Triple Trailer Trucking

H-11 Electrify Rail Yards

H-13 Voluntary Trip Reduction Program

H-25 Eliminate Aircraft Delays

H-36 Early Retirement of Older Cars

H-72 Improved Trucking Efficiency

H-85 Freeway Facility and Transit Improvements Supporting High Occupancy Vehicle Movement

H-86 Wilshire Rail Line

H-87 Los Angeles Downtown People Mover

H-88 Freeway Widenings

H-89 Transit Improvements

H-112 Carpool Sign-ups for Government Employees

H-113 Purchase of Low Emission Cars by Government

H-117 Santa Ana Transportation Corridor

STATIONARY SOURCE CONTROL MEASURES INCLUDED IN THE LOCAL PLAN FOR THE SCAB

Hydrocarbon Control Measures

H-9 Maintain Leaky Valves in Non-Refinery Industrial Process

H-19 Emission Controls for Small Relief Valves

H-26 Substitute Coatings for Industrial Maintenance

H-28 Substitute Coatings Used in Ship Construction

H-30 Fugitive Emission Controls for Random Leaks at Refineries

H-43 Solvent Reductions in Printing Operations

H-45 Substitute Coatings Used in Wood Furniture Finishes

H-46 Emission Controls for Chemical Manufacturing Plants

H-47 Emission Controls for Paint Manufacturing Plants

H-48 Emission Controls for Rubber Products Manufacturing Plants

H-50 Natural Gas and Oil Production

H-53 Vegetable Oil Processing

H-54 Substitute Coatings Used in Automobile Refinishing

H-56 Oil Tank Cleaning

H-57 Emission Controls on Pharmaceutical and Cosmetics Manufacturing Operations

H-59 Substitute Coatings Used in Basic Wood Furniture Manuracturing

H-62 Marine Fuel Transfer Operations

H-65 Substitute Coatings Used in the Aerospace Industry

H-90 Future Improvements of Technological Controls for Stationary Sources

Oxides of Nitrogen Controls

N-5 Emission Controls on New Residential Space Heaters*

N-7 Emission Controls on Cement Kilns

N-10 Emission Controls on Industrial Boilers

N-11 Emission Controls on Refinery Heaters

*The SCAQMD has adopted a regulation significantly less stringent than the ARB model rule. Further studies should be conducted to determine the feasibility of achieving the limits specified by the model rule.

(Continued)

Oxides of Nitrogen Controls (continued)

N-13 Retardation of Fuel Injection Timing for Marine Diesel Engine
N-14 Emission Controls on Glass Melting Furnaces
N-16 Emission Controls on Stationary Internal Combustion Engines

Oxides of Sulfur Control Measures

S-3 Fluid Catalytic Cracking - 70% Reduction
S-4 Refinery Fuel Burning Sources
S-5 Sulfur Content of Diesel Fuel

Particulate Matter Control Measures

P-3 Filter Dust from Pharmaceutical Manufacturing Process
P-4 Filter Dust from Rubber Products Manufacturing Processes
P-9 Control Emissions from Construction and Demolition Projects

Attachment 3 - ARB Resolution 79-27

STATIONARY SOURCE CONTROL MEASURES ADDED BY THE ARB TO THE SIP FOR THE SCAB FOR FURTHER STUDY

Hydrocarbon Control Measures

Dry Cleaning (Perchloroethylene)
Waste Solvent Disposal
Marine Vessel Operations
Valves and Flanges at Oil Production Fields
Oil Production Well Vents under Steam Stimulation
Storage Tanks at Oil Production Fields
Secondary Oil/Water Separation Operations at Oil Refineries
Pesticides
Marine Lightering

Oxides of Nitrogen Control Measures

Power Plant Combined Cycle
Pipeline Heaters
CO Boilers
Secondary Metal Furnaces
Oilfield Steam Generators
Utility Gas Turbines

Oxides of Sulfur Control Measures

(for control of precursors of particulate matter)

Oilfield Steam Generators
Sulfur Recovery Plants
Marine Lightering
Electric Utility Boilers
Electric Utility Gas Turbines
Electric Utility Combined Cycles
Marine Vessels

ATTACHMENT 5

HIGHWAY PROJECTS INCORPORATED IN THE
AQMP BASELINE

COUNTY: Los Angeles

Route	Description
5	Route 605 to Washington - Widen
118	De Soto to Balboa - Grade, Pave and Storm Drains
60	Interchange at Route 605
91/11	Interchange
105	605 to Route 1 - New Construction with transitway
405	Interchange at Route 90

COUNTY: Orange

Route	Description
1	MacArthur to Warner (portions) - widen (FY '79-AB 3020 Proj.)
5	Overcrossing at Katella (FY '79-AB 3020 Proj.)
5	Overcrossing at Aliso Blvd.
5	Overcrossing at Broadway
5	Interchange at Harbor - Ball
5	San Mateo Creek to No. Camino Estrella - Widen (FY '79)

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Adoption of the Air Quality Management Plan (AQMP) for the South Coast Air Basin as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

Public Hearing Date: April 26, 27, 28 and May 10, 1979

Response Date: May 10, 1979

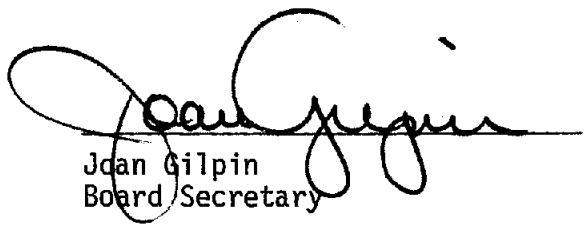
Issuing Authority: Air Resources Board

Comment: Public testimony related to tactics put into further study and other public testimony.

Response: The SCAG AQMP was accompanied by an EIR which was subjected to public review.

During public testimony, environmental concerns were raised related to tactics that have been put into further study. Staff believes it is appropriate to consider the environmental impacts of those tactics at the time they are considered for implementation.

There are no further environmental considerations that require a response from the Board.

CERTIFIED: 

Joan Gilpin
Board Secretary

DATE: May 21, 1979

Resolution No. 79-27

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : **Air Resources Board**

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
79-9
79-11
79-12
79-13
79-14
79-15
79-27
79-29

State of California
AIR RESOURCES BOARD

Resolution 79-28

April 25, 1979

WHEREAS, the League of Women Voters of California has petitioned the Board pursuant to Health and Safety Code Section 40451 to review the decision of the South Coast Air Quality Management District (SCAQMD) to issue a Permit to Construct to Shell Oil Company for the Shell Beta Project, on the grounds that this decision is inconsistent with the purposes of Division 26 of the Health and Safety Code (relating to the control of air pollution);

WHEREAS, the Board finds that the League of Women Voters is an aggrieved party with standing to petition the Board pursuant to Health and Safety Code Section 40451;

WHEREAS, the Board is authorized pursuant to Health and Safety Code Sections 40451 and 40452, to review the SCAQMD's permit decision to determine whether it is consistent with the purposes of Division 26 of the Health and Safety Code;

WHEREAS, the Board has held a public hearing pursuant to Sections 40451(c) and 40452 of the Health and Safety Code, and has considered the available record before the SCAQMD pertaining to the Shell Beta Project, together with the evidence and testimony received from the Board's staff, Shell, and other interested persons regarding SCAQMD's permit decision;

WHEREAS, the Board finds that the predominant wind flow will transport emissions from sources within California Coastal Waters adjacent to the South Coast District, including the Shell Beta project, to the South Coast Air Basin, and thus such sources will contribute to violations of state and federal ambient air quality standards;

WHEREAS, the Board finds that the SCAQMD has not made efforts to control the substantial amounts of emissions from platforms associated with the Shell Beta project and located within California Coastal Waters;

WHEREAS, the Board finds that emissions from the platforms will prevent or interfere with the attainment and maintenance of state and federal air quality standards;

WHEREAS, the Board finds that the District's permit decision is inconsistent with the policies applied by the District to other permit applications involving substantially similar issues; and

WHEREAS, the Board finds that the SCAQMD's permit decision and other actions regarding the Shell Beta project is inconsistent with the purposes of Division 26 of the Health and Safety Code;

NOW, THEREFORE BE IT RESOLVED, that the Board, pursuant to Health and Safety Code Sections 40451 and 40452, makes additions to the Permit to Construct issued by the District (Number C-21648) to include the offset package and permit conditions described in Exhibit A consistent with the District's rules and regulations. The ARB shall publish pursuant to Rule 213 the tradeoff package approved by the Board today and delegates to the Executive Officer the authority to issue the permit additions after the 30-day comment period has run. The additions to the permit shall contain an appropriate savings and severability clause to ensure that in the event of any successful judicial challenge to the ARB additions to the permit, the original underlying permit issued by the SCAQMD shall be unaffected.

This is to certify that this is a true and correct copy of Resolution 79-28 as passed by the Air Resourced Board.

Joan Gilpin, Board Secretary

EXHIBIT A

Additional Permit Conditions for Shell Beta Project

4. Shell shall limit Beta project emissions (from the sources listed in Table 1) to a maximum of 363 tons/year of NOx, 84 tons/year HC, 37 tons/year of SOx and 18 tons/year of PM. These emission limits are based on the maximum projected emission levels for Beta project through the thirteenth year of the project's operational phase. Prior to the beginning of the thirteenth year of the project's operational phase, Shell shall provide the Executive Officer of the SCAQMD with one of the following:

   (a) An analysis demonstrating to the reasonable satisfaction of the Executive Officer of the SCAQMD that the above emission levels will continue to be the maximum projected emission levels for Beta project after the thirteenth year of the project's operational phase; or

   (b) A revised analysis of emissions from Beta project for years after the thirteenth year of the project's operational phase, and proposed mitigation measures for any net increases in emissions above the maximum projected emissions levels allowed pursuant to this permit, to the extent such mitigation is required by applicable new source review rules.

5. If other companies, by means of other platforms, develop tracts 254, 255 and 268 of the Beta Unit, the crude oil produced from such platforms shall not be moved through the onshore facility for which this permit is issued, unless this permit or the operating permit then in effect for said facility is amended to authorize such use.

6. Shell shall limit the oxides of nitrogen emissions from gas fired turbines and from diesel fuel fired turbines on Platform Elly to 0.413 and 0.49 pounds per million BTU, respectively.

7. The sulfur content of diesel fuel used in the turbines and drilling rigs shall not exceed 0.20% by weight through the thirteenth year of the project's operational phase and shall not exceed 0.1% by weight after the thirteenth year of the project's operational phase.

8. Natural gas H_2S content shall not exceed 2,000 grans per million standard cubic feet.

9. Shell shall limit total fuel consumption by the 10 turbines installed on Platform Elly to 124 barrels of diesel fuel per day plus 122 million BTU heat input per hour of natural gas. Notwithstanding the foregoing, if no diesel fuel is burned in the turbines on a given day, natural gas consumption by the turbines shall not exceed 170 million BTU heat input per hour for that day.

10. Shell shall record the daily fuel consumption rate for turbines and diesel engines and provide such record to the SCAQMD and ARB annually. Shell shall maintain these records for a period of two years.

11. Shell shall reduce emissions from existing stationary sources adequately to demonstrate a net air quality benefit within the South Coast Air Basin. Compliance with conditions (12) and (13) below will satisfy this requirement.

12. Shell shall reduce emissions by 251 tons HC/year and 1221 tons NOx/year from Shell's Ventura Oil field. The following conditions are required and sufficient to achieve these reductions:

    (a) Shell shall surrender its Permit to Operate (Number 00221) a natural gas plant in Ventura to the Ventura County Air Pollution Control District (VCAPCD).

    (b) Shell shall curtail fuel usage for waterflood plant engines and gas lift compressors in the Ventura Oil field. A list of waterflood plant engines and gas lift compressors included in the natural gas curtailment program is tabulated in Table 2. Shell shall not consume more than a total of 700 million cubic feet of natural gas during any year in the units listed in Table 2. No fuel other than natural gas shall be burned in the units listed in Table 2.

    (c) Shell shall meter the fuel consumption rate for those units listed in Table 2 and provide such records to the ARB, VCAPCD, and SCAQMD annually.

    (d) Shell shall provide the Executive Officer of the SCAQMD with a letter from the VCAPCD verifying that Shell has surrendered the permit to Operate (Number 00221) to natural gas plant and submitted a list of equipment included in the natural gas curtailment program.

13. Shell shall provide emission reductions of 60 tons SOx/year and 140.6 tons NOx/year from Aminoil's Huntington Beach oil field. The following steps shall be sufficient to satisfy this requirement: Prior to Shell's receipt of a Permit to Operate the onshore facilities covered by this permit, (a) Aminoil obtains a Permit to Operate for the Stretford unit, and (b) gives up the right to reactivate its water injection plant #1 in the Huntington Beach oil field without going through the SCAQMD's New Source Review Procedures.

14. As an alternate to satisfying condition 11, Shell may provide other offset sources upon written approval from the Executive Officer of the SCAQMD.

TABLE 2

GAS LIFT COMPRESSORS AND WATERFLOOD ENGINES

INCLUDED IN THE NATURAL GAS CURTAILMENT PROGRAM

AREA I	Shell Unit No.	Engine Make/Model	Total Plant HP
Compressor Plant			
Taylor 18	7,8,9,10,11,12	Clark, HMA6, 265 HP	2250
	27	IR,SVG 12, 660 HP	
Taylor 9	33,39	IR,SVG 12, 660 HP	1320
Taylor 17	30,35,38	IR,SVG 12, 660 HP	2980
	41	Worthington, SLHC 1,000 HP	
Sub-Total	13 units		6,550 HP
AREA II			
Compressor Plant			
Taylor 22	44,45	CB, GMVH-12, 2400 HP	4800
Sub-Total	2 units		4800
AREA III			
Compressor Plant			
Taylor 14	24	Clark, HMA 10, 440 HP	2760
	28,31	IR, SVG 12, 660 HP	
	42	Worthington, SLHC 1,000 HP	
Taylor 19	32,37	IR, SVG 12, 660 HP	2320
	43	Worthington SLHC 1,000 HP	
Taylor 23	29,34	IR, SVG 12, 660 HP	2320
	40	Worthington, SLHC 1,000 HP	
Sub-Total	10 units		7400
AREA IV			
Compressor Plant			
Taylor 12	6	Clark, HMA 6, 265 HP	925
	36	IR, SVG 12, 660 HP	
Taylor 21	13,17	Clark, HMA 6, 265 HP	1310
	21	Clark, HMA 8, 340 HP	
	23	Clark, HMA 10, 440 HP	
Injection Plant			
Taylor 1	1,2	White, G-825-8, 625 HP	1250
Centrifugal Sys.		Bingham Pumps	
Taylor 2	1,2,3,4,5	White, G-825-8,625 HP	4375
Positive Disp.	6,7	Ajax Pumps	
Sys., 4500 psi			
Taylor 3	1,2	White, GT 825-12, 1500 HP	4875
Centrifugal Sys.		Bingham Pumps	
3000 psi	3,4,5	White G-825-8, 625 HP	
Sub-Total	20 units		12,735
Grand Total	45 units	Total HP	31,485

State of California
AIR RESOURCES BOARD

Resolution 79-29

May 9, 1979

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

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

C. WHEREAS, Sacramento County was designated nonattainment for carbon monoxide, and the Sacramento AQMA was designated nonattainment for oxidant under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Sacramento Regional Area Planning Commission (SRAPC) was designated by the ARB on April 3, 1978 as the local lead agency for the preparation of the 1979 oxidant and carbon monoxide nonattainment plan for the Sacramento AQMA;

E. WHEREAS, the SRAPC AQMP/NAP (SRAPC Plan) was prepared under the guidance of the Environmental Management Policy Committee;

F. WHEREAS, the SRAPC Plan was reviewed by the cities of the region, the County Boards of Supervisors, the Air Pollution Control Boards, other interested organizations, and the public;

G. WHEREAS, the SRAPC Plan was adopted by most cities and all of the counties of the AQMA, the Sacramento County Air Pollution Control Board (SCAPCB), the Placer County Air Pollution Control Board (PCAPCB), the Yolo-Solano Air Pollution Control Board (YSAPCB), and SRAPC to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearing;

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

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

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

LEAD AGENCY AND AREA DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs in the SRAPC Plan request for continued designation of SRAPC as the lead agency for nonattainment area planning in the AQMA subject to agreement between ARB, SRAPC, the City of Sacramento, the SCAPCB, the PCAPCB, and the YSAPCB upon Division of Responsibilities required by Section 174 of the Clean Air Act. The Board finds further that the Division of Responsibilities should take the form of a detailed work program and an interagency memorandum of understanding for air quality planning in the AQMA. The Board directs the Executive Officer to forward a designation of SRAPC as the continuing lead agency to the EPA upon completion of the aforementioned agreements;

2. BE IT FURTHER RESOLVED, that the Board recommends that SRAPC, the Sacramento County Air Pollution Control District (SCAPCD), the Yolo-Solano Air Pollution Control District (YSAPCD) and the Placer County Air Pollution Control District (PCAPCD) work with the other nonattainment lead agencies in the Sacramento Valley Air Basin and with the Sacramento Valley Air Basin Control Council in developing basinwide control strategies where appropriate for consideration for the 1982 plan;

AIR QUALITY ANALYSES

3. BE IT FURTHER RESOLVED, that the Board finds that the SRAPC Plan does not include an analysis of the effect of the recent EPA action to adopt a 1-hour ozone standard as a revision to the former 1-hour oxidant standard, and directs the Executive Officer to amend the plan with the analysis included in the ARB staff report (Figure 2 on page 17 and Appendix C);

4. BE IT FURTHER RESOLVED, that the Board finds that additional effort is needed to comply with the Clean Air Act requirements for demonstrating the attainment and maintenance of the carbon monoxide and ozone standards and that the following work must be completed by September 30, 1979 for submission to the ARB: completion by the SRAPC of a satisfactory work plan for the development of the 1982 NAP submittal. The Board directs the Executive Officer to work with SRAPC to develop this work plan;

5. BE IT FURTHER RESOLVED, that the Board finds that further effort to develop and apply areawide photochemical simulation modeling to analyze oxidant formation and the impact of control measures is

necessary and desirable, and directs the Executive Officer to complete a feasibility study in cooperation with SRAPC, the local APCDs, and other appropriate public entities;

REASONABLY AVAILABLE CONTROL MEASURES

6. BE IT FURTHER RESOLVED, that the Board finds that the adoption of the federally and state required RACMs for the PCAPCD and the SCAPCD, including controls for architectural coatings, Stage I and II vapor recovery, organic liquid storage, degreasing, cutback asphalt, and, in addition for the SCAPCD, can and coil coating, manufactured metal parts and products coating, and valves and flanges at chemical plants, is necessary to make reasonable further progress toward attainment of the ozone NAAQS and to provide a plan for the Sacramento AQMA which meets CAA requirements. The Board finds further that the commitments of the SCAPCB and PCAPCB should be accompanied by adoption of these RACMs to meet the requirements of Section 172(b)(10) of the CAA. The Executive Officer is delegated the authority to adopt, after hearing, a rule for each of those RACMs if he determines that the respective district has not adopted and will not adopt by June 30, 1979 a rule as effective as the ARB model rule for each RACM. The Executive Officer is authorized to submit such rules to the EPA as a SIP revision;

7. BE IT FURTHER RESOLVED, that the Board finds that the adoption of the federally and state required RACMs for the YSAPCD (including controls for architectural coatings, Stage I and II vapor recovery, organic liquid storage, degreasing, cutback asphalt, and metal parts and products coatings) is necessary to make reasonable further progress toward attainment of the ozone NAAQS and to provide a plan for the Sacramento AQMA which meets CAA requirements. The Board finds further that the commitments and actions of the YSAPCB to adopt these RACMs do not meet the requirements of Section 172(b)(10) of the Clean Air Act. The Executive Officer is delegated the authority to adopt, after hearing, a rule for each of those RACMs if he determines that the district has not adopted, and will not adopt by June 30, 1979 a rule as effective as the ARB model rule for each RACM. The Executive Officer is authorized to submit such rules to the EPA as a SIP revision;

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

9. BE IT FURTHER RESOLVED, that the Board finds that various stationary source control measures require further study (see the ARB staff report, Tables 2 & 3 on pages 13 & 14) and directs the Executive Officer study these measures further;

MOTOR VEHICLE INSPECTION PROGRAM

10. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone standard, the Sacramento AQMA must commit to an Inspection and Maintenance program. The Board finds that the local government resolutions adopting the SRAPC Plan demonstrate local commitment to an adequate Inspection and Maintenance program, and the Board supports legislative authorization of such a program for the Sacramento AQMA;

TRANSPORTATION CONTROL MEASURES

11. BE IT FURTHER RESOLVED, that the Board finds that the 75% increase in vehicle miles of travel (VMT) which is projected in the Plan to occur between 1976 and 1995 will interfere with the attainment and maintenance of the NAAQS for ozone and carbon monoxide unless additional mitigation measures are provided. The Board finds that significant reductions in transportation emissions will be necessary to project attainment of the NAAQS by no later than 1987;

12. BE IT FURTHER RESOLVED, the Board finds that the Clean Air Act requires a commitment to assure the adoption and implementation of measures by the legally responsible agencies. The Board requires SRAPC to submit, by September 30, 1979, resolutions of commitment to the specific transportation control measures included in the locally adopted plan by SRAPC, the City of Sacramento, the County of Sacramento, and the Sacramento Regional Transit District. These resolutions should reflect a clear policy level commitment to achieve the emission reductions included in the locally adopted plan for Transportation Control Package "A", and should identify financial and personnel resources which will be used for the analysis of these measures;

13. BE IT FURTHER RESOLVED, that the Board finds that as part of the required September 30, 1979 submittal to ARB of a work plan for development of the 1982 NAP, SRAPC must include planning targets for area-wide emission reductions, motor vehicle trips and VMT reductions, and reduction targets for specific major projects. The work plan targets should be adopted by SRAPC and the respective implementing agencies. The Board further finds that based on the present air quality analysis and on the testimony received at this hearing, that the necessary area-wide targets may be as large as 10 tons per day reduction in 1987 Reactive Organic Gases (ROG), equivalent to approximately a 40% area-wide reduction in projected 1987 motor vehicle trips and VMT. To accomplish this goal, the Board requires SRAPC to develop cooperatively, with the responsible local and state implementing agencies, a work plan which considers at least the following specific project mitigation targets:

	PROJECT		TARGET
a.	Downtown Parking Management	a.	Reduction in the 1987 parking supply for single-occupant automobiles and provision for alternative means of transportation.
b.	Sacramento Metro Airport Expansion	b.	Add transit and parking management to reduce projected 1987 single-auto travel.
c.	I-80 Corridor Study	c.	Construction of a facility devoted exclusively to High Occupancy Vehicles.
d.	Sacramento-Stockton Corridor Study	d.	Reduction of projected 1987 single-auto trips/VMT.
e.	Folsom Corridor Light Rail Study	e.	A light rail system.
f.	Regional Transit General Plan	f.	100% or greater expansion of the SRTD bus fleet.
g.	Sacramento County Transportation Study	g.	40% reduction of projected 1987 single-auto trips/VMT.
h.	Natomas Station Development	h.	Light rail service.
i.	Freeport Shores Development	i.	Light rail service.
j.	Existing Large Shopping Centers	j.	Timed transfer transit service.
k.	Natomas Sewer Service Area Developments	k.	Reduction in projected 1987 single-auto trips/VMT.
l.	Transit Passes	l.	Fund 100% employee transit passes for city and county employees.
m.	New Major Residential Areas	m.	Transit Service/Transit Impact Fee.
n.	McClellan AFB (MAFB)	n.	Transit for journey-to-work between the northeast area and MFAB.

The work plan to be submitted by September 30, 1979 must contain specific target reductions to be achieved by each of the measures including those listed above;

14. BE IT FURTHER RESOLVED, that the Board accepts the commitments given in the SRAPC Plan to the implementation of the following transportation control measures: Employer-Subsidized Transit Passes, Ride-Sharing Incentives, Pedestrian Controls and Amenities, Education Programs, and Increased Parking Fees;

15. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to include the vehicle-related emission control tactics in the SRAPC Plan for further study and to determine as soon as feasible what emission reductions should be attributed to each tactic. The Board further directs the Executive Officer to amend the SIP submission in accordance with this direction;

16. BE IT FURTHER RESOLVED, that the Board finds that the CAA requires public involvement in the development of nonattainment area plans and recommends that SRAPC establish mechanisms to assure extensive public involvement as part of its program to develop the 1982 NAP submission;

OTHER MEASURES

17. BE IT FURTHER RESOLVED, the Board finds that the plan, as modified by the ARB, identifies specific categories of measures for further study of stationary and transportation controls by SRAPC, the local APCDs, the City and County of Sacramento, and the ARB. The ARB commits to study and develop additional mobile source control tactics. The Plan also includes an overall commitment to develop expeditiously a plan containing revised air quality analyses and additional control measures to be submitted to the EPA by July 1, 1982. The Board finds that these actions, when carried out, will be sufficient to provide for attainment and maintenance of the NAAQS for ozone and CO, and collectively meet Section 172(b)(11)(C) of the Clean Air Act which requires the identification of those measures needed to attain CO and ozone standards prior to December 31, 1987;

REQUEST FOR EXTENSION

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

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

20. BE IT FURTHER RESOLVED, that the Board approves the request of the local agencies for such an extension for attainment of the ozone and CO standards;

EMISSIONS GROWTH - NEW SOURCE REVIEW

21. BE IT FURTHER RESOLVED, that the Board delegates to the ARB Executive Officer the authority to adopt, after hearing, the ARB model New Source Review rule for the SCAPCD, PCAPCD, and YSAPCD if he determines that the respective District has not adopted, and will not adopt by June 30, 1979, a rule as effective as the ARB model rule. The Executive Officer is authorized to submit such a rule to the EPA as an SIP revision;

REASONABLE FURTHER PROGRESS

22. BE IT FURTHER RESOLVED, the Board finds that the adopted measures in the Plan are adequate to meet the Clean Air Act requirements to maintain Reasonable Further Progress in reducing carbon monoxide and the emission of ozone precursors until such time that a revised plan can be prepared;

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

POPULATION GROWTH AND CONSISTENCY

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

25. BE IT FURTHER RESOLVED, the Board finds that further work is needed before the SRAPC Plan is adequate to provide for increased emissions which may reasonably be anticipated to result from federally assisted projects and federal permit activities. The Board requests SRAPC to develop a work plan by September 30, 1979 to design mechanisms acceptable to ARB and consistent with Sections 176(c) and 316(b) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are compatible with reasonable further progress toward attainment and maintenance of NAAQS. Until such mechanisms are operational, individual projects will be reviewed expeditiously by the ARB;

PRE-PERMIT REVIEW

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

BOARD ADOPTION

27. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the SRAPC Plan contains the elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements of the SRAPC Plan, except as modified above, and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

I certify that the above is a true and correct copy of Resolution 79-29 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

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

Public
Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing
Authority: Executive Officer

Comment: Suzanne Butterfield, representing the Sacramento Lung Association, indicated that there would be adverse environmental impacts due to growth of transportation activity which is encompassed in the Plan's projections.

Response: This comment was answered in Items 11-14 of the adopted resolution where ARB establishes targets for reduction of transportation activities. These targets, which are to be used in the Region's air quality-related transportation planning, provide mitigation of the adverse impacts discussed.

CERTIFIED: Joan Gilpin
Board Secretary

DATE: May 18, 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : May 30, 1979

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

From : Air Resources Board

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

Joan Gilpin
Board Secretary

Attachments

Resolution No. 79-8
79-9
79-11
79-12
79-13
79-14
79-15
79-27
79-29

State of California
AIR RESOURCES BOARD

Resolution 79-30

May 9, 1979

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

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

C. WHEREAS, Shasta County was designated nonattainment for oxidant and the secondary standard for particulate matter by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Shasta County Air Pollution Control Board was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Shasta County;

E. WHEREAS the Shasta County Air Pollution Control Board held a public hearing on March 26, 1979 and adopted a nonattainment plan for Shasta County;

F. WHEREAS, Shasta County on March 30, 1979 transmitted the "Shasta County Nonattainment Plan" (Shasta Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds because: the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard; there were no violations of the revised ozone standard in 1978, and; EPA requires eight consecutive quarters of violation-free air quality

monitoring data to support an attainment designation for an area, Shasta County is unclassifiable for ozone. The Board directs the Executive Officer to notify the EPA of such change in the designation status of Shasta County;

2. BE IT FURTHER RESOLVED, that the Board finds because Shasta County recorded one exceedance of the national ozone standard in 1978, is one of the fastest growing counties in the state, and has a rate of growth and development likely to cause locally generated organic gas emissions to increase and result in violations of the ozone standard in the near future if no further control measures are implemented, the Reasonably Available Control Measures (RACMs) in the Shasta Plan should be implemented as part of a maintenance strategy pursuant to Sections 110(a)(2)(B) and (D) of the Clean Air Act;

3. BE IT FURTHER RESOLVED, that the Board finds Shasta County should adopt as a maintenance strategy by January 1, 1980, rules for Stage I Vapor Recovery, Architectural Coatings, Dry Cleaning, Degreasing, and Cutback Asphalt;

4. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to review by February 1, 1980 the 1979 air quality monitoring data for Shasta County and determine if Shasta County is to be redesignated attainment or nonattainment for ozone. The Board finds that if Shasta County is found to be nonattainment for ozone, the County is to adopt by July 1, 1980 a plan meeting requirements of Part D of the Clean Air Act;

5. BE IT FURTHER RESOLVED, that the Board finds that if Shasta County is found to be attainment for ozone, the County is to submit by July 1, 1980 a long-term maintenance plan. Furthermore, Shasta County shall submit an annual report to the ARB on progress in maintaining the national ambient air quality standards (NAAQS). The first annual report shall be due July 1, 1981;

6. BE IT FURTHER RESOLVED, that the Board finds that while Shasta Plan contains a discussion of the potential impact of pollutant transport from sources outside Shasta County and a request for ARB to conduct a comprehensive pollutant transport analysis, the County does not commit to participation in such studies. Therefore, Shasta County should commit to participate actively in a pollutant transport study for the Sacramento Valley;

7. BE IT FURTHER RESOLVED, that the Board finds the emission inventory for particulate matter in the Shasta Plan differs substantially from the ARB emission inventory and these differences need to be resolved to clarify areas of potential further reduction. Therefore, Shasta County should commit to work with the ARB to resolve current inconsistencies in the emission inventory for particulate matter;

8. BE IT FURTHER RESOLVED, that the Board finds that particulate emissions from point sources are well controlled at present, and that the air quality analysis for total suspended particulates does not demonstrate progress toward attainment of the secondary standard because of the overwhelming influence of fugitive dust emissions. Therefore, the Board finds Shasta County qualifies under EPA policy for an 18-month extension for submittal of a plan for achieving the secondary standard for particulate matter, and directs the Executive Officer to submit such a request to the EPA. The Board also finds Shasta County should commit to study further the contribution of fugitive dust to violations of the standard;

9. BE IT FURTHER RESOLVED, that the Board finds the Shasta County Air Pollution Control District's (APCD) New Source Review (NSR) rule does not comply with requirements in Section 110(a)(2)(B) and (D) of the Clean Air Act. Shasta County has committed to consider for adoption an NSR rule consistent with an outdated ARB model rule, but needs to adopt an NSR rule as effective as the current revised ARB model NSR rule. The Board commits to include in the Shasta SIP submission an adequate NSR rule and delegates to the Executive Officer the authority to adopt, after hearing, an NSR rule for Shasta County if he determines that the Shasta County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

10. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Shasta Plan to conform to this resolution and to submit the appropriate portions to the EPA as a SIP revision.

I certify that the above is a true and correct copy of Resolution 79-30 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

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

Resolution Number: 79-30

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin

Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, 79-33,
79-34, 79-35, 79-36,
79-49, 79-50

From : Air Resources Board
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-31

May 9, 1979

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

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

C. WHEREAS, Tehama County was designated nonattainment for oxidant and for the secondary standard for particulate matter by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Tehama County Air Pollution Control Board was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Tehama County;

E. WHEREAS, the Tehama County Air Pollution Control Board held a public hearing on December 5, 1978 and adopted a nonattainment plan for Tehama County;

F. WHEREAS, Tehama County on January 2, 1979 transmitted the "Tehama County Nonattainment Plan" (Tehama Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds that because the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard and there have been no violations of the revised ozone standard within the

last three years, Tehama County is now an attainment area for ozone. The Board directs the Executive Officer to notify the EPA of such change in the designation status of Tehama County;

2. BE IT FURTHER RESOLVED, that the Board finds that although Tehama County now qualifies as an attainment area for ozone, a maintenance strategy is considered desirable. Therefore, the RACM for vapor recovery as described in the plan can and should be implemented as part of a maintenance strategy;

3. BE IT FURTHER RESOLVED, that the Board finds Tehama County should commit to undertake and/or participate actively in studies to develop means for reducing emissions from pesticide usage and agricultural waste burning, and studies on photochemical oxidant formation and transport in the Sacramento Valley;

4. BE IT FURTHER RESOLVED, that the Board finds implementation of an NSR rule in Tehama County is needed to insure maintenance of ambient air quality standards pursuant to Section 110(a)(2)(B) and (D) of the Clean Air Act. The Tehama County Air Pollution Control District (APCD) has a permit program that contains a New Source Review (NSR) rule that does not comply with requirements of the Clean Air Act as amended in 1977. Therefore, authority is delegated to the Executive Officer to adopt, after hearing, an NSR rule for Tehama County if he determines that the Tehama County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

5. BE IT FURTHER RESOLVED, that the Board finds that although Tehama County is designated nonattainment for the secondary standard for particulate matter, the plan does not contain measures demonstrating attainment of the standard. However, an ARB-developed particulate matter control plan for the Sacramento Valley will be considered by the Board in June 1979, and therefore further consideration of a particulate matter plan for Tehama County is deferred until that time;

6. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Tehama Plan to conform to this resolution and submit the appropriate portions to the EPA as a SIP revision.

I certify that the above is a true and correct copy of Resolution 79-31 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

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

Resolution Number: 79-31

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject : ARB Hearings
Resolutions 79-30, 79-31, 79-32, 79-33, 79-34, 79-35, 79-36, 79-49, 79-50

From : **Air Resources Board**
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-32

May 9, 1979

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

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

C. WHEREAS, Glenn County was designated nonattainment for oxidant by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Glenn County Air Pollution Control Board was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Glenn County;

E. WHEREAS the Glenn County Air Pollution Control Board held a public hearing on November 21, 1978 and adopted a nonattainment plan for Glenn County;

F. WHEREAS, Glenn County on December 7, 1978 transmitted the "Glenn County Plan to Attain National Ambient Air Quality Oxidant Standard" (Glenn Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

I. NOW, THEREFORE BE IT RESOLVED, that the Board finds because the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard; there were no violations of the revised ozone standard in 1978, and; EPA

requires eight consecutive quarters of violation-free air quality monitoring data to support an attainment designation for an area, Glenn County is unclassifiable for ozone. Furthermore, the Board directs the Executive Officer to notify the EPA of such change in the designation status of Glenn County;

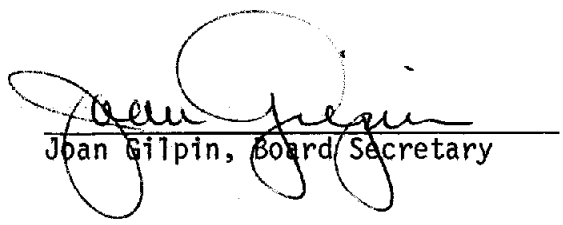
2. BE IT FURTHER RESOLVED, that the Board finds Glenn County recorded one exceedance of the national ozone standard in 1978 and measures to prevent increases of locally-generated organic emissions are desirable as part of a maintenance strategy. Therefore, the Reasonably Available Control Measures (RACMs) in the Glenn Plan can and should be implemented as part of a maintenance strategy;

3. BE IT FURTHER RESOLVED, that the Board finds Glenn County should commit to undertake and/or participate actively in studies to develop means for reducing emissions from pesticide usage and agricultural waste burning, and studies on photochemical oxidant formation and transport in the Sacramento Valley;

4. BE IT FURTHER RESOLVED, that the Board finds the Glenn County Air Pollution Control District's (APCD) New Source Review (NSR) rule does not comply with requirements in Section 110(a)(2)(B) and (D) of the Clean Air Act, and Glenn County needs to adopt an NSR rule consistent with the current ARB model NSR rule. The Board delegates to the Executive Officer the authority to adopt, after hearing, an NSR rule for Glenn County if he determines that the Glenn County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

5. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Glenn County Plan to conform to this resolution and to submit the appropriate portions to the EPA as a SIP revision.

I certify that the above is a true and correct copy of Resolution 79-32 as passed by the Air Resources Board.



Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Adoption of the Glenn County Plan to Attain National Ambient Air Quality Oxidant Standard as a Revision to the State Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

Resolution Number: 79-32

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, [redacted], 79-33,
79-34, 79-35, 79-36,
79-49, 79-50

From : **Air Resources Board**
Joan Gilpin
Board Secretary

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

Attachments

May 9, 1979
Colusa County

State of California
AIR RESOURCES BOARD

Resolution 79-33

May 8, 1979

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

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

C. WHEREAS, Colusa County was designated nonattainment for oxidant by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Colusa County Board of Supervisors was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Colusa County;

E. WHEREAS, the Colusa County Air Pollution Control Board held a public hearing on October 24, 1978 and adopted a nonattainment plan for Colusa County;

F. WHEREAS, Colusa County on November 1, 1978 transmitted the "Colusa County Federal Clean Air Act Nonattainment Plan" (Colusa Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds that because the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard, the areawide ozone nonattainment designation is no longer appropriate, and; there has been no air quality monitoring performed in Colusa County within the last three years, Colusa County is unclassifiable for ozone. Furthermore, the Board directs the Executive Officer to notify the EPA of such change in the designation status of Colusa County;

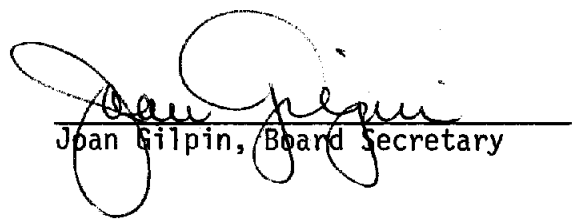
2. BE IT FURTHER RESOLVED, that the Board finds that although Colusa County now is unclassifiable for ozone, a maintenance strategy is desirable. Therefore, the proposed model vapor recovery rule developed by the Sacramento Valley Air Basin Control Council which has been committed to for adoption by all other counties in the Northern Sacramento Valley, should also be adopted by Colusa County and implemented as part of a maintenance strategy;

3. BE IT FURTHER RESOLVED, that the Board finds Colusa County should commit to undertake and/or participate actively in studies to develop means for reducing emissions from pesticide usage and agricultural waste burning, and studies on photochemical oxidant formation and transport in the Sacramento Valley;

4. BE IT FURTHER RESOLVED, that the Board finds implementation of an NSR rule in Colusa County is needed to insure maintenance of ambient air quality standards pursuant to Section 110(a)(2)(B) and (D) of the Clean Air Act. The Colusa County Air Pollution Control District (APCD) has a permit program that does not contain a New Source Review (NSR) rule as required by the Clean Air Act as amended in 1977. The Executive Officer is delegated the authority to adopt, after hearing, an NSR rule for Colusa County if he determines that the Colusa County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule.

5. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Colusa County Plan to conform to this resolution and to submit the appropriate portions to the EPA as a SIP revision.

I certify that the above is a true and correct copy of Resolution 79-33 as passed by the Air Resources Board.



Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Colusa County Federal Clean Air Act Nonattainment Plan as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

Resolution Number: 79-33

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin

Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, [redacted],
79-34, 79-35, 79-36,
79-49, 79-50

From : **Air Resources Board**
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-34

May 9, 1979

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

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

C. WHEREAS, Butte County was designated nonattainment for oxidant, carbon monoxide, and particulate matter by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Butte County Association of Governments was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Butte County;

E. WHEREAS the Butte County Association of Governments held a public hearing on January 17, 1979 and adopted a nonattainment plan for Butte County;

F. WHEREAS, Butte County on February 16, 1979 transmitted the "Butte County Nonattainment Plan" (Butte Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds although the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard, air quality monitoring conducted in Butte County during 1978 revealed

violations of the ozone standard, such that the designation of non-attainment for ozone is continued in Butte County;

2. BE IT FURTHER RESOLVED, that the Board finds Butte County a rural area as defined by EPA policy on rural area nonattainment plans and therefore not required to conduct an air quality analysis for ozone nor demonstrate reasonable further progress;

3. BE IT FURTHER RESOLVED, that the Board finds the air quality analysis for carbon monoxide in the Butte Plan showing the effect of federally mandated motor vehicle emission standards will be sufficient to demonstrate attainment of the NAAQS for CO by 1982 to be adequate, and, therefore, no RACMs for CO are required;

4. BE IT FURTHER RESOLVED, that the Board finds the Sacramento Valley Air Basin Control Council (SVABCC) model vapor recovery rule, although not as stringent as the ARB model vapor recovery rule, is adequate for Butte County to comply with requirements for a RACM for Stage I vapor recovery systems. The Board, furthermore, finds the County should commit to study the feasibility of adopting vapor recovery rules consistent with the ARB model rules;

5. BE IT FURTHER RESOLVED, that the Board finds credit for emissions reduction from controls on solvent based architectural coatings cannot be taken unless the County commits to adopt a rule implementing such control. The Board commits to include in the Butte SIP submission an architectural coatings rule. The Executive Officer is delegated the authority to adopt, after hearing, a rule for the County if he determines the County has not adopted and will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

6. BE IT FURTHER RESOLVED, that the Board finds emissions from degreasing activities in Butte County are approximately 100 tons per year and the SVABCC model degreasing rule is not adequate for Butte County to comply with RACM requirements. The Board commits to include in the Butte SIP submission rules for cold and vapor degreasing. The Executive Officer is delegated the authority to adopt, after hearing, a rule for the County if he determines the County has not adopted and will not adopt by September 30, 1979 a rule as effective as the ARB model rule;

7. BE IT FURTHER RESOLVED, that the Board finds the Plan fails to include a rule for control of cutback asphalt although it is a RACM Category I and EPA Control Technique Guidance I and commits to include in the Butte SIP submission a cutback asphalt rule. The Executive Officer is delegated the authority to adopt, after hearing, a rule for the County if he determines the County has not adopted and will not adopt by September 30, 1979 a rule as effective as the ARB model rule;

8. BE IT FURTHER RESOLVED, that the Board finds the Butte County commitment to adopt the SVABCC proposed model rule for petroleum dry cleaners to be acceptable, but Butte County should also commit to study the feasibility of adopting a dry cleaning rule that is consistent with the ARB model rule;

9. BE IT FURTHER RESOLVED, that the Board finds Butte County should, as part of a continuing planning program, commit to undertake and/or participate actively in studies to develop means for reducing emissions from pesticide usage and agricultural waste burning, and studies on photochemical oxidant formation and transport in the Sacramento Valley;

10. BE IT FURTHER RESOLVED, that the Board finds the SVABCC model New Source Review (NSR) rule, which Butte County has committed to adopt, fails to comply with requirements of Section 173 of the Clean Air Act as amended. The Board commits to include in the Butte SIP submission an adequate NSR rule and delegates to the Executive Officer the authority to adopt, after hearing, a NSR rule for Butte County if he determines that the Butte County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

11. BE IT FURTHER RESOLVED, that the Board finds an ARB-developed particulate matter control plan for the Sacramento Valley will be considered in June 1979, and therefore further consideration of a particulate matter plan for Butte County is deferred until that time;

12. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Butte Plan to conform to this resolution and submit the appropriate portions to the EPA as an SIP revision.

I certify that the above is a true and correct copy of Resolution 79-34 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

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

Resolution Number: 79-34

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, 79-33,
79-34, 79-35, 79-36,
79-49, 79-50

From : **Air Resources Board**
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-35

May 9, 1979

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

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

C. WHEREAS, Yuba County was designated nonattainment for oxidant and the secondary standard for particulate matter by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Yuba County Air Pollution Control Board was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Yuba County;

E. WHEREAS the Yuba County Air Pollution Control Board held a public hearing on February 13, 1979 and adopted a nonattainment plan for Yuba County;

F. WHEREAS, Yuba County on March 6, 1979 transmitted the "Yuba County Air Quality Plan (Nonattainment Area Plan for Ozone)" (Yuba Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds although the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard, air quality monitoring conducted in Yuba County during 1978 revealed

violations of the ozone standard such that the designation of nonattainment for ozone is continued in Yuba County;

2. BE IT FURTHER RESOLVED, that the Board finds Yuba County a rural area as defined by EPA policy on rural area nonattainment plans and therefore not required to conduct an air quality analysis for ozone nor demonstrate reasonable further progress;

3. BE IT FURTHER RESOLVED, that the Board finds the Sacramento Valley Air Basin Control Council (SVABCC) model vapor recovery rule, although not as stringent as the ARB model vapor recovery rule, is adequate for Yuba County to comply with requirements to implement the RACM for Stage I vapor recovery systems. The Board further finds the County should commit to study the feasibility of adopting vapor recovery rules consistent with the ARB model rules;

4. BE IT FURTHER RESOLVED, that the Board finds there are floating roof tanks in Yuba County presently not subject to the level of emissions control available under the ARB model rule. The Board commits to include in the Yuba SIP submission a rule to control emissions from floating roof tanks, and the Executive Officer is delegated the authority to adopt, after hearing, a rule for the County which is as effective as the ARB model rule unless, by September 30, 1979, the County either adopts a rule which is as effective as the ARB model rule or otherwise insures that the emissions from all floating roof tanks in the County will be controlled in a manner which the Executive Officer finds to be equivalent to the controls required by the ARB model rules;

5. BE IT FURTHER RESOLVED, that the Board finds credit for emissions reduction from controls on solvent based architectural coatings cannot be taken unless the County commits to adopt a rule implementing such control. The Board commits to include in the Yuba SIP submission an architectural coatings rule and the Executive Officer is delegated the authority to adopt, after hearing, a rule for the County if he determines the County has not adopted and will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

6. BE IT FURTHER RESOLVED, that the Board finds the SVABCC model degreasing rule is adequate at present for Yuba County to comply with requirements for control of emissions from degreasing activities, but Yuba County should also commit to consider a degreasing rule consistent with the ARB model rule;

7. BE IT FURTHER RESOLVED, that the Board finds the Plan fails to include a rule for control of cutback asphalt although it is a RACM Category I (and EPA Control Technology Guidance Category I) and commits to include in the Yuba SIP submission a cutback asphalt rule. The Executive Officer is delegated the authority to adopt, after hearing,

a rule for the County if he determines the County has not adopted and will not adopt by September 30, 1979 a rule as effective as the ARB model rule;

8. BE IT FURTHER RESOLVED, that the Board finds Yuba County should, as part of a continuing planning program, commit to undertake and/or participate actively in studies to develop means for reducing emissions from pesticide usage and agricultural waste burning, and studies on photochemical oxidant formation and transport in the Sacramento Valley;

9. BE IT FURTHER RESOLVED, that the Board finds the SVABCC model New Source Review (NSR) rule, which Yuba County has committed to adopt, fails to comply with requirements of Section 173 of the Clean Air Act as amended. The Board commits to include in the Yuba SIP submission an adequate NSR rule and delegates to the Executive Officer the authority to adopt, after hearing, a NSR rule for Yuba County if he determines that the Yuba County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

10. BE IT FURTHER RESOLVED, that the Board finds an ARB-developed particulate matter control plan for the Sacramento Valley will be considered in June 1979, and therefore further consideration of a particulate matter plan for Yuba County is deferred until that time;

11. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Yuba Plan to conform to this resolution and submit the appropriate portions to the EPA as an SIP revision.

I certify that the above is a true and correct copy of Resolution 79-35 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Yuba County Air Quality Plan (Nonattainment Area Plan for Ozone) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

Resolution Number: 79-35

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: _____
Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, 79-33,
79-34, [redacted], 79-36,
79-49, 79-50

From : **Air Resources Board**
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-36

May 9, 1979

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

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

C. WHEREAS, Sutter County was designated nonattainment for oxidant and particulate matter by the ARB under the provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Sutter County Air Pollution Control Board was designated and certified by the ARB on April 4, 1978 as the local lead planning agency for the preparation of the 1979 nonattainment plan for Sutter County;

E. WHEREAS the Sutter County Air Pollution Control Board held a public hearing on February 13, 1979 and adopted a nonattainment plan for Sutter County;

F. WHEREAS, Sutter County on February 23, 1979 transmitted the "Sutter County Air Quality Plan (Nonattainment Area Plan for Ozone)" (Sutter Plan) to the ARB for approval as a revision to the SIP;

G. WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that revisions to the SIP be adopted at a public hearing for which 30 days notice to the public has been provided;

H. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean Air Act and the provisions of the Administrative Procedures Act (California Government Code Sections 11371 et seq.);

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds although the U.S. Environmental Protection Agency (EPA) promulgated a change in the 0.08 ppm oxidant standard to a 0.12 ppm ozone standard, the geographic location of Sutter County and the violations of the 0.12 ppm ozone standard recorded at a Yuba County site immediately adjacent to Sutter County provide the basis for continuing the ozone nonattainment designation for Sutter County;

2. BE IT FURTHER RESOLVED, that the Board finds Sutter County a rural area as defined by EPA policy on rural area nonattainment plans and therefore not required to conduct an air quality analysis for ozone nor demonstrate reasonable further progress;

3. BE IT FURTHER RESOLVED, that the Board finds the Sacramento Valley Air Basin Control Council (SVABCC) model vapor recovery rule, although not as stringent as the ARB model vapor recovery rule, is adequate for Sutter County to comply with requirements for a RACM for Stage I vapor recovery systems. The Board further finds the County should commit to study the feasibility of adopting vapor recovery rules consistent with the ARB model rules;

4. BE IT FURTHER RESOLVED, that the Board finds credit for emissions reduction from controls on solvent based architectural coatings cannot be taken unless the County commits to adopt a rule implementing such control. The Board commits to include in the Sutter SIP submission an architectural coatings rule. The Executive Officer is delegated the authority to adopt, after hearing, a rule for the County if he determines the County has not adopted and will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

5. BE IT FURTHER RESOLVED, that the Board finds the SVABCC model degreasing rule is adequate at present for Sutter County to comply with requirements for control of emissions from degreasing activities, but Sutter County should also commit to consider a degreasing rule consistent with the ARB model rule;

6. BE IT FURTHER RESOLVED, that the Board finds the Plan fails to include a rule for control of cutback asphalt although it is a RACM Category I and EPA Control Technology Guidance Category I and commits to include in the Sutter SIP submission a cutback asphalt rule. The Executive Officer is delegated the authority to adopt, after hearing, a rule for the County if he determines the County has not adopted and will not adopt by September 30, 1979 a rule as effective as the ARB model rule;

7. BE IT FURTHER RESOLVED, that the Board finds Sutter County should, as part of a continuing planning program, commit to undertake and/or participate actively in studies to develop means for reducing emissions from pesticide usage and agricultural waste burning, and studies on photochemical oxidant formation and transport in the Sacramento Valley;

8. BE IT FURTHER RESOLVED, that the Board finds the SVABCC model New Source Review (NSR) rule, which Sutter County has committed to adopt, fails to comply with requirements of Section 173 of the Clean Air Act as amended. The Board commits to include in the Sutter Plan an adequate NSR rule and delegates to the Executive Officer the authority to adopt, after hearing, a NSR rule for Sutter County if he determines that the Sutter County APCD has not adopted or will not adopt by June 30, 1979 a rule as effective as the ARB model rule;

9. BE IT FURTHER RESOLVED, that the Board finds an ARB-developed particulate matter control plan for the Sacramento Valley will be considered by the Board in June 1979, and therefore further consideration of a particulate matter plan for Sutter County is deferred until that time;

10. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the Sutter Plan to conform to this resolution and submit the appropriate portions to the EPA as an SIP revision.

I certify that the above is a true and correct copy of Resolution 79-36 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Sutter County Air Quality Plan (Nonattainment Area Plan for Ozone) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

Resolution Number: 79-36

Public Hearing Date: May 8, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: _____
Joan Gilpin
Board Secretary

DATE: JUN 6 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, 79-33,
79-34, 79-35, [redacted],
79-49, 79-50

From : **Air Resources Board**
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-37
May 9, 1979

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

B. WHEREAS, the CAA as amended in 1977 mandates the revision of the SIP in designated nonattainment areas of the state in order to assure the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) by specified deadlines;

C. WHEREAS, the California and Nevada portions of the Lake Tahoe Basin were designated nonattainment for carbon monoxide and oxidant under Section 107(b) of the CAA;

D. WHEREAS, the ARB, pursuant to authority delegated to it by the Governor, certified on June 7, 1978 that it retains the lead agency responsibility for the preparation of the 1979 carbon monoxide and oxidant nonattainment plan for the California portion of the Lake Tahoe Basin;

E. WHEREAS, the ARB as lead agency for the California portion of the basin and Tahoe Regional Planning Agency (TRPA) as lead agency for the Nevada portion of the basin, committed themselves to a coordinated program for the development of a bi-state plan with the active participation of agencies possessing resources and expertise in the air quality and transportation fields;

F. WHEREAS, the vehicle for this coordinated effort to develop a bi-state plan is the Tahoe Air Program Ad Hoc Committee (Ad Hoc Committee) formed jointly by the ARB and the Nevada Department of Environmental Protection (NDEP) in 1976 and consisting of members from the agencies indicated in E;

G. WHEREAS, the Lake Tahoe Basin Nonattainment Plan (NAP) was prepared by the Ad Hoc Committee;

H. WHEREAS, the Lake Tahoe Basin NAP received review and comment by interested organizations and the public and was subsequently reviewed and approved or adopted, in part or whole, by the Ad Hoc Committee, City of South Lake Tahoe, El Dorado County APCD, California Tahoe Regional Planning Agency, and the Tahoe Regional Planning Agency;

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

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

K. WHEREAS, the Executive Officer has denied the Placer County Board of Supervisor's request to amend the designation of the Lake Tahoe portion of Placer County from nonattainment to attainment for ozone and carbon monoxide;

L. WHEREAS, the ARB recognizes the unique national significance of the Lake Tahoe Basin and the need to preserve and enhance the Basin's environmental quality, and has established a special 30 mile visibility standard applicable in the Basin;

M. WHEREAS, because at higher elevations humans are susceptible to adverse health impacts at lower concentrations of ambient carbon monoxide, the ARB has established an 8-hour carbon monoxide ambient air quality standard of 6 ppm for the Lake Tahoe Air Basin which is more stringent than for the remainder of the state;

N. WHEREAS, the State of Nevada has established state ambient air quality standards for carbon monoxide, oxidant and visibility which are identical to California's standards for the Tahoe Basin;

O. WHEREAS, while there are no recorded violations of the new national .12 ppm ozone standard in the Lake Tahoe Basin, Tahoe's national significance requires special consideration and the Executive Officer has directed that an air quality simulation analysis of current ozone projections be performed before considering redesignation to attainment for ozone;

P. WHEREAS, the ARB recognizes that certain activities in the Nevada portion of the Lake Tahoe Basin impact air quality problems in the California portion of the Basin and that Nevada must cooperate with California to assure basinwide attainment of air quality standards;

Q. WHEREAS, the NAP process has functioned satisfactorily with the ARB serving as lead agency in working with the Ad Hoc Committee;

AREA AND LEAD AGENCY DESIGNATIONS

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs with the Executive Officer that the Lake Tahoe portion of Placer County shall not be redesignated from nonattainment to attainment for carbon monoxide, and pending further analysis, shall retain its nonattainment designation for ozone;

2. BE IT FURTHER RESOLVED, that the Board reaffirms that retention of the ARB as lead agency, working with local and regional governments and the Ad Hoc Committee, is the best short term solution for the nonattainment planning process. The Board will reconsider the designation of TRPA as lead agency if and when the bi-state compact is revised to assure that TRPA will be more responsive to environmental concerns;

AIR QUALITY ANALYSIS

3. BE IT FURTHER RESOLVED, that the Board finds that further analysis of basinwide oxidant formation is necessary and directs staff to perform further basinwide photochemical simulation modeling in order to analyze the oxidant formation mechanism and the impact of control measures;

CONTINUING PLANNING AND IMPLEMENTATION PROGRAM

4. BE IT FURTHER RESOLVED, that the Board finds that additional effort is needed to comply with the CAA requirements for demonstrating attainment and maintenance of the carbon monoxide standard and that control measures relegated to further study be studied and scheduled for implementation according to the schedule for "further analysis or reanalysis" included as Appendix E of the NAP as amended by Board action reflected in this resolution;

5. BE IT FURTHER RESOLVED, that the Board directs staff to continue to coordinate and work with other governmental entities in California and Nevada to develop and implement appropriate basinwide control strategies for attainment of air quality standards;

REQUEST FOR EXTENSION

6. BE IT FURTHER RESOLVED, that the Board finds that the Lake Tahoe Plan does not demonstrate attainment of the national standard for carbon monoxide by December 31, 1982 despite the implementation of all reasonably available control measures;

7. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for receiving an extension for attaining the national carbon monoxide standard, the Lake Tahoe Basin must commit to an Inspection and Maintenance Program. The Board finds that the

inclusion of Inspection and Maintenance (T-1) demonstrates initial local commitment to an adequate Inspection and Maintenance Program, and the Board supports legislative authorization of such a program for the Lake Tahoe area;

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

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

POPULATION GROWTH AND CONSISTENCY

10. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for consistency of the SIP and other planning programs, all jurisdictions in the Basin need to commit to develop a well-defined process and schedules to bring regional plan/population forecasts into consistency as part of the continuing planning and implementation program. Appropriate agencies should commit to and schedule for the completion of this task in the work program for the NAP update;

11. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work in cooperation with appropriate agencies to develop mechanisms consistent with Sections 176(c) and 316(b) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are consistent with reasonable further progress toward attainment and maintenance of NAAQS. Until such mechanisms are adopted, the ARB shall make such determinations on a project-by-project basis and transmit them with an appropriate recommendation to the relevant local, state, and federal agencies. The Board further finds that future federally funded projects which enable population growth beyond that projected to occur in the Tahoe plan should be required to provide for additional mitigation measures necessary to maintain RFP and/or the NAAQS depending upon the condition at the time;

ADOPTION

12. BE IT FURTHER RESOLVED, that the Board adopts the Lake Tahoe Plan as amended by its action at its May 9, 1979 public hearing on this matter. As such, the Board specifically adopts the following measures: T-1, T-4, T-5, T-6, T-7, T-9, T-10, T-11, T-12, T-14, T-15,

T-17, T-18, T-20, T-21, T-22, T-23, T-25, T-26, T-27, L-1, L-3, L-4, S-1, S-2, and S-10. These measures are necessary to meet the requirements of Part D of the Clean Air Act. The Board further resolves that those measures adopted by the Board which constitute a total basinwide public transportation system, specifically T-5, T-10, T-12, T-14, T-15, T-17, T-18, T-20, T-21, T-25, T-26, and T-27 are deemed essential to the attainment and maintenance of National Ambient Air Quality Standards for CO. The Board further resolves that implementation of some of those measures, specifically T-5, T-15, T-17, T-18, T-26, and T-27, will be replaced by any set of equally effective measures which may be adopted by TRPA or adopted pursuant to changes in the bi-state compact currently being considered by the California and Nevada State Legislatures. The Board further resolves that in the event the bi-state compact is not adequately revised, and a legally enforceable commitment to adopt and require basinwide implementation of equally effective alternative measures timely received, the implementation of the measures constituting a public transportation system in the California portion of the basin are to be initiated as expeditiously as practicable but no later than January 1, 1981. The Board approves the plan as amended above and directs the Executive Officer to submit the plan to EPA for approval, together will all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D;

13. BE IT FURTHER RESOLVED, that pursuant to Section 127 of the Clean Air Act, the ARB commits to implement an intensive public information program, utilizing the mass media, to advise the public of the special health hazards associated with levels of CO in excess of ambient standards at high altitudes and to encourage the public to participate in regulatory efforts to improve air quality at Lake Tahoe and requests the State of Nevada to do the same. The Board further requests the EPA to fund this program pursuant to provisions of Clean Air Act Section 127(b);

14. BE IT FURTHER RESOLVED, that the Board authorizes the Executive Officer to amend the SIP submission in accordance with the supplement to the staff report and other direction provided by the Board during the public hearing;

15. BE IT FURTHER RESOLVED, that the Board requires the appropriate responsible local and regional implementing agencies to adopt by September 1, 1979 in regulatory format (e.g., ordinances, rules, or regulations) those measures which are adopted as part of this plan but which are not presently in such format.

I certify that the above is a true and correct copy of Resolution 79-37 as passed by the Air Resources Board.

Joan Gilpin

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Lake Tahoe Basin Nonattainment Plan Staff Report.

Public Hearing Date: May 9, 1979

Response Date: May 9, 1979

Issuing Authority: Air Resources Board

Comment: Representatives of the California Tahoe Regional Planning Agency and the League to Save Lake Tahoe commented that the staff proposed nonattainment plan as developed by the Lake Tahoe Ad Hoc Committee did not contain sufficient transportation control measures to attain and maintain the ambient air quality standard.

Response: The Board responded by adopting an extensive array of transportation control measures which are identified in item number 12 of the Board's Resolution, 79-37 dated May 9, 1979.

CERTIFIED: _____

Joan Gilpin
Board Secretary

DATE: June 15, 1979

Resolution No.: 79-37

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 20, 1979

Subject: Filing of Notice of Decision for the Air Resources Board Resolution #79-37

From : Joan Gilpin
Board Secretary

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

Attachment

State of California
AIR RESOURCES BOARD

Resolution 79-38
April 25, 1979

WHEREAS, an unsolicited research Proposal Number 848-70 entitled "Investigation of the Role of Natural Hydrocarbons In Photochemical Smog Formation in California" has been submitted by the University of California, Riverside, 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 848-70 entitled "Investigation of the Role of Natural Hydrocarbons In Photochemical Smog Formation in California" submitted by the University of California, Riverside, for an amount not to exceed $128,222;

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 848-70 entitled "Investigation of the Role of Natural Hydrocarbons In Photochemical Smog Formation in California" submitted by the University of California, Riverside, for an amount not to exceed $128,222,

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 $128,222.

I certify that the above is
a true and correct copy of
Resolution 79-38 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO.: 79-8-5b (1)
DATE: April 25, 1979

ITEM: Research Proposal No. 848-70 entitled "Investigation of the Role of Natural Hydrocarbons in Photochemical Smog Formation in California".

RECOMMENDATION: Adopt Resolution 79-38 approving Research Proposal No. 848-70 for funding in an amount not to exceed $128,222.

SUMMARY:

Recent reports in the literature have advanced the hypothesis that a significant relationship exists between enhanced emissions attributable to biomass increases resulting from wet winters and abnormally high ozone levels during the following summer. Naturally-occurring hydrocarbons volatilized from supposedly larger biomass were suggested as the primary factor responsible for the observed increase in days with ozone concentrations exceeding the federal air quality standard.

One of the weakest links in the biomass hydrocarbon-ozone hypothesis is that no evidence is available to show whether reactive hydrocarbons of biomass origin are actually accumulating to a concentration sufficiently high to cause greater ambient ozone levels in locations such as the South Coast and Bay Area Air Basins. While a substantial amount of data gathered under ambient conditions suggests that biomass hydrocarbons do not accumulate to concentrations that would have a significant effect on ozone production, such conclusions have been challenged in the published literature and the issue remains unresolved.

The objective of this investigation by the Statewide Air Pollution Research Center at U.C. Riverside will be to determine whether there are circumstances under which common types of California vegetation emit sufficient hydrocarbons to result in significant changes in oxidant concentrations in the ambient atmosphere.

The staff and the Research Screening Committee believe that the question concerning the importance of natural

State of California

AIR RESOURCES BOARD

Resolution 79-39

April 25, 1979

WHEREAS, a solicited research Proposal Number 847-70 entitled "Effects of Acid Rain on Plants and Soils in California", has been submitted by the University of California, Berkeley, 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 847-70 entitled "Effects of Acid Rain on Plants and Soils in California", submitted by the University of California, Berkeley, for an amount not to exceed $83,771;

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 847-70 entitled "Effects of Acid Rain on Plants and Soils in California", submitted by the University of California, Berkeley, for an amount not to exceed $83,771,

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 $83,771.

I certify that the above is
a true and correct copy of
Resolution 79-39 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(2)
DATE: April 25, 1979

ITEM: Research Proposal No. 847-70 entitled "Effects of Acid Rain on Plants and Soils in California"

RECOMMENDATION: Adopt Resolution 79-39 approving Research Proposal No. 847-70 for funding in an amount not to exceed $83,771.

SUMMARY:

The California Air Resources Board and staff became aware and concerned about the possible impact of acid deposition, resulting from SO_x and NO_x emissions, upon California plants, soils, aquatic biota and ecosystems. The Board considered the problem during hearings on the sulfate and sulfur dioxide ambient air standards. Testimony given at that time contended that acid rain was unlikely to occur in California, and that, should it occur in California, the soils and vegetation likely to experience such occurrence would not be detrimentally impacted. Since that time, primarily because of research funded by the ARB, we have found that precipitation events occur with significantly increased acidity (lower than the expected pH value of 5.65) over widespread areas of California. A low pH value of 2.7 has been measured in the South Coast Air Basin for one event. Events with low pH values such as 4.05 in the San Joaquin Valley, 3.7 at Lake Tahoe, 4.4 near the Napa Valley and 4.7 in the Plumas National Forest have also been reported.

The mean weighted annual pH of rain at Pasadena was measured at 4.05, some 50 times more acidic than expected. Increased pressures to use higher sulfur fuels and for increased industrial and tertiary oil recovery activity will no doubt result in further increases in deposition unless proper controls are utilized. Because of the above mentioned considerations it is both timely and important to gain a better understanding of the impact acid rain may have upon California soils and plants.

Research proposed by the University of California at Berkeley involves two major efforts: 1) the study of acid rain effects upon selected California soils; and 2) studies of selected California plants

including agricultural crops. The artificial acid rain is to consist of several actual acid rain constituents, reflecting California's rain which has been altered by air pollutant emissions. The same three treatment levels of acid rain are to be used for both plants and soils. These levels approximate severe, existing or average and unaffected conditions of rain.

California plant species selected include: fir, pine, barley, apple, grass, clover, sugar beets and grapes. Plants are to be studied under controlled but realistic field conditions in fertilized and unfertilized soils. They are to be potted or trayed and grown outdoors in a field facility which has a high plastic overhead to protect the plants from prevailing rainfall. Test plants will receive the acid rain treatments mentioned above at this field facility. Injury will be noted on short lived plants grown to maturity and effects upon growth of plant parts and thus yield determined. Special attention is also to be given to possible effects on leaf cuticles and suspected sensitive tissue such as overwintering buds.

As part of the soil effects studies, samples from the upper soil horizon will be gathered from approximately thirty-four "type locations" in California that have received designations from the USDA Soil Conservation Service. These soils will be tested to determine the effects of acid rain upon nutrient leaching and ion mobility using a standardized leaching device and procedures. These procedures are presently widely accepted and practiced. The acid rain treatments will be the same as those proposed for the plant studies. The large array of soils screened for sensitivity will be reduced to a smaller subset to study the effects of repetitive wetting/drying cycles, various acid inputs where ion constituents are varied, etc.

Leachates are to be analyzed for all major components of interest such as Na, Ca, Mg, K, electrical conductivity, acidity, alkalinity, pH, NO_3^-, $SO_4^=$ and possibly heavy metals. Interpretation of results will incorporate, as possible, considerations of effects likely to occur simultaneously to sensitive plants growing on sensitive soils.

State of California
AIR RESOURCES BOARD

Resolution 79-40
April 25, 1979

WHEREAS, an unsolicited research Proposal Number 840-69a entitled Adaptation to Ozone Exposure has been submitted by the University of California, Santa Barbara, 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 840-69a entitled Adaptation to Ozone Exposure submitted by the University of California, Santa Barbara, for an amount not to exceed $122,279;

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 840-69a entitled Adaptation to Ozone Exposure submitted by the University of California, Santa Barbara, for an amount not to exceed $122,279,

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 $122,279.

I certify that the above is
a true and correct copy of
Resolution 79-40 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO.: 79-8-5b (3)
DATE: April 25, 1979

ITEM: Research Proposal No. 840-69a entitled "Adaptation to Ozone Exposure"

RECOMMENDATION: Adopt Resolution 79-40 approving Research Proposal 840-69a for funding in an amount not to exceed $122,279.

SUMMARY:

A current controversy surrounding the health effects of ozone involves the question of whether humans exhibit tolerance or desensitization to repeated exposures. Studies conducted to date indicate that, over a period of about three days, decreased sensitivity, as measured by pulmonary function, seems to occur in some subjects tested. No one really knows the persistence of this adaptation or if intervening days of low ozone causes the phenomenon to reverse itself.

What is proposed by U.C. Santa Barbara in this study is a continuation of a current contract which began a two-year study into ozone-sulfur dioxide effects and ozone adaptation. Subjects of various ages and health status will be exposed sequentially to high, low and/or zero ozone levels while undergoing an intermittent moderate exercise protocol. The intent of the varying sequences is to study different facets of the functional adaptation. For example, there will be a test to check whether one or two days of exposure to low ozone levels between high exposure days will alter the response to subsequent high level ozone exposures. As many as 290 two-hour exposures will be carried out in these protocols.

The results of the proposed effort would help provide a final resolution to the issue of whether meaningful "protective" changes occur after repeated ozone exposure, as has been suggested by other researchers. The results will also point the way to a better physiological understanding of the body's overall response mechanism to ozone insult.

At that point, a reasonable assessment of the acute health implications of repeated ozone exposure, such as those occurring in urban areas, might be possible. Directions for other more basic studies should also be evident at the completion of the proposed effort.

State of California

AIR RESOURCES BOARD

Resolution 79-41

April 25, 1979

WHEREAS, a solicited research Proposal Number 806-68a entitled "Augmentation to the Sulfuric Acid-Nitric Acid Program", has been submitted by the California Department of Health Services, 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 806-68a entitled "Augmentation to the Sulfuric Acid-Nitric Acid Program", submitted by the California Department of Health Services, for an amount not to exceed $55,201;

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 806-68a entitled "Augmentation to the Sulfuric Acid-Nitric Acid Program", submitted by the California Department of Health Services, for an amount not to exceed $55,201,

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 $55,201.

I certify that the above is
a true and correct copy of
Resolution 79-41 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(4)
DATE: April 25, 1979

ITEM: Research Proposal No. 806-68a entitled "Augmentation to the Sulfuric Acid-Nitric Acid Program"

RECOMMENDATION: Adopt Resolution 79-41 approving Research Proposal No. 806-68a for funding in an amount not to exceed $55,201.

SUMMARY: California's significant harm level for airborne sulfate of 25 $\mu g/m^3$ 24-hour average, is based upon total water-soluble sulfate in high-volume filter samples. Such sulfate may include ammonium sulfate, ammonium acid sulfate and sulfuric acid as well as various metal and mixed metal-ammonium salts. Some of these are relatively harmful (e. g., sulfuric acid and ammonium acid sulfate). In part, the rationale for setting the California standard is based on the presumption that a significant mechanism for formation of the total water-soluble sulfate, as currently measured, involves sulfuric acid as an important constituent; but the actual levels of the acid in the atmosphere may vary substantially. As yet, no technique has been accorded general acceptance for determining sulfuric acid concentrations.

There exists a need for a validated technique to monitor sulfuric acid and nitric acid. There also exists a need for a field study to measure ambient concentrations of these strongly acidic respiratory irritants.

At the February 1, 1979 Research Screening Committee meeting, Proposal No. 806-68 entitled "Evaluation and Development of Procedures for Determination of Sulfuric Acid, Total Particle Phase Acidity and Nitric Acid in Ambient Air" was reviewed. The project was recommended for funding; however, because this project was not a budgeted item, only $62,000 of the requested $135,145 was awarded, with the understanding that additional funding would be considered if there were uncommitted funds at the end of the fiscal year.

The Board adopted resolution 79-6 at its February 20, 1979 meeting approving funding in the amount of $62,000.

State of California

AIR RESOURCES BOARD

Resolution 79-42

April 25, 1979

WHEREAS, an unsolicited research Proposal Number 852-70 entitled "A Study of Transferable Licenses to Emit Air Pollutants in the South Coast Air Basin", 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 852-70 entitled "A Study of Transferable Licenses to Emit Air Pollutants in the South Coast Air Basin", submitted by the California Institute of Technology, for an amount not to exceed $273,519;

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 852-70 entitled "A Study of Transferable Licenses to Emit Air Pollutants in the South Coast Air Basin", submitted by the California Institute of Technology, for an amount not to exceed $273,519,

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 $273,519.

I certify that the above is
a true and correct copy of
Resolution 79-42 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(5)
DATE: April 25, 1979

ITEM: Research Proposal 852-70 entitled "A Study of Transferable Licenses to Emit Air Pollutants in the South Coast Air Basin"

RECOMMENDATION: Adopt Resolution 79-42 approving Research Proposal 852-70 for funding in an amount not to exceed $273,519.

SUMMARY: This proposal from the California Institute of Technology opens up a new area of research for the Air Resources Board; that is, the investigation of economic incentives for air pollution abatement. This type of research is responsive to the public's demand for a cleaner environment and for a lower cost of government regulation. The contractor proposes to investigate and test a strategy for pollution abatement which when compared to current regulatory procedures could allow for greater growth in the California economy while meeting the air quality standards, and do it for less cost to both business and government.

The proposal comprises two major tasks. The first involves: 1) a complete technical description of the air pollution problem being addressed; 2) an economic analysis of the key industries affected, 3) an investigation of alternative systems of allocating "rights" to emit pollutants, and 4) an identification of the most promising allocation systems.

Given the technical air quality and economic description of the problem and the theoretical merits of the most promising systems, the second task would investigate the actual implementation of this innovative strategy. Careful testing of the most promising systems of rights allocation will be made to prevent any costly mistakes that might be made from implementing an untested approach. The testing will help to determine the most efficient systems, the effects on air quality and the cost of the rights to the polluters.

The objective of the study is to investigate a promising new system which would place a fixed upper limit on emissions, induce industries and

State of California
AIR RESOURCES BOARD

Resolution 79-43
April 25, 1979

WHEREAS, an unsolicited research Proposal Number 850-70 entitled "Proposed Additions to the Project 'Visibility in California'", has been submitted by the Technology Service Corporation, to the Air Resources Board; and

WHEREAS, the Research staff has reviewed and recommended Tasks, A, B and C of this proposal for approval; and

WHEREAS, the Research Screening Committee has reviewed and recommends for funding Tasks A, B and C of the proposal:

> Proposal Number 850-70 entitled "Proposed Additions to the Project 'Visibility in California'", submitted by the Technology Service Corporation, for an amount not to exceed $22,489 for this study or $115,938 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 850-70 entitled "Proposed Additions to the Project 'Visibility in California'", submitted by the Technology Service Corporation, for an amount not to exceed $22,489 for this study or $115,938 for the entire study,

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 $22,489 for this study or $115,938 for the entire study.

I certify that the above is
a true and correct copy of
Resolution 79-43 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO.: 79-8-5b (6)
DATE: April 25, 1979

ITEM: Research Proposal No. 850-70 entitled "Proposed Addition to the Project 'Visibility in California'"

RECOMMENDATION: Adopt Resolution 79-43 approving Research Proposal No. 850-70 for funding in an amount not to exceed $22,489.

SUMMARY:

The 1977 Clean Air Act requires an ARB program to prevent visibility deterioration in Class 1 areas of California. This will require California to identify sources of emissions that contribute to impairment of visibility in such areas, identify allowable emissions from these sources and develop schedules of compliance to meet these emission limits. In addition there is a need to acquire a fuller understanding of the relationship between visibility and particulate matter levels in urban areas of the State.

In order to devise compliance plans to meet the emission limitations,the staff will need to document existing baseline visibility levels and evaluate control strategies designed to prevent impairment of visibility. In addition, it will be necessary to identify local sources and sources associated with long-range transport and the degree to which these sources contribute to visibility degradation.

In response to these needs, Technology Services Corporation (TSC) has completed the first phase of a comprehensive study to characterize visibility in California. During the course of this first phase, the staff and the contractor have identified several areas where a small addition to the scope of work would significantly increase the probability that the results of the study would more clearly identify the sources of visibility degradation in California. The recommended addition includes three tasks:

Task A would provide four isopleth maps illustrating the spatial variation of median 1:00 p.m. visibilities in California for each season of the year. In addition, the seasonal variation in the spatial visibility patterns would be discussed. Also the time of occurrence of the lowest visibility and the magnitude of the lowest visibility would be determined.

As part of Task B, long-term visibility trends from 1948-1976 would be determined separately for each quarter. This analysis will include 10 to 15 locations and the results would be used to help identify the types of sources or controls responsible for the major long-term changes in seasonal visibilities.

Task C would result in a definition of general meteorological classes to help isolate air quality effects at various locations from climatological effects. Existing visibility levels would be stratified according to these meteorological classes for approximately 15 locations. The portion of the spatial gradients in California visibility that are due to aerosol concentrations could then be distinguished from that due to climatology.

State of California

AIR RESOURCES BOARD

Resolution 79-44

April 25, 1979

WHEREAS, an unsolicited research Proposal Number 851-70 entitled "Source-Receptor Reconciliation of South Coast Air Basin Particulate Air Quality Data", has been submitted by the Consultants on Air Pollution Control, 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 851-70 entitled "Source-Receptor Reconciliation of South Coast Air Basin Particulate Air Quality Data", submitted by the Consultants on Air Pollution Control, for an amount not to exceed $59,731;

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 851-70 entitled "Source-Receptor Reconciliation of South Coast Air Basin Particulate Air Quality Data", submitted by the Consultants on Air Pollution Control, for an amount not to exceed $59,731,

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 $59,731.

I certify that the above is
a true and correct copy of
Resolution 79-44 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(7)
DATE: April 25, 1979

ITEM: Research Proposal No. 851-70 entitled "Source Receptor Reconciliation of South Coast Air Basin Particulate Air Quality Data"

RECOMMENDATION: Adopt Resolution 79-44 approving Research Proposal No. 851-70 for funding in an amount not to exceed $59,731.

SUMMARY: State and federal long-term air quality standards for total suspended particulate matter, 60 and 75 $\mu gm/m^3$ annual geometric mean respectively, are exceeded by roughly a factor of two in many parts of the South Coast Air Basin. The constituents of this total suspended particulate matter burden include an unusual high fraction of very fine particles of diameter less than one micrometer. These aerosols are largely responsible for the well-known visibility problem in the South Coast Air Basin, and they are easily respirable.

This proposal from Glenn Cass and Gregory McRae would provide source/receptor relationships for particulate matter in the South Coast Air Basin. This would be accomplished through a trace metal balance approach for allocating South Coast Air Basin ambient particulate matter among emission sources. The proponents would:

1) Perform an analysis and presentation of South Coast Air Basin trace metal air quality data;

2) Prepare South Coast Air Basin particulate matter source signatures; and

3) Trace the relative contribution of different source types to the ambient particulate matter observed at selected monitoring sites.

This proposal presents an opportunity to employ newly-gained emissions and air quality data sets in a way that will assist the staff in the development of control strategies for particulate matter.

State of California

AIR RESOURCES BOARD

Resolution 79-45

April 25, 1979

WHEREAS, an unsolicited research Proposal Number 855-70 entitled "Toxicological Investigation of Fine Particle Emissions From Oil-Fired Power Plants" has been submitted by the University of California at Davis 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:

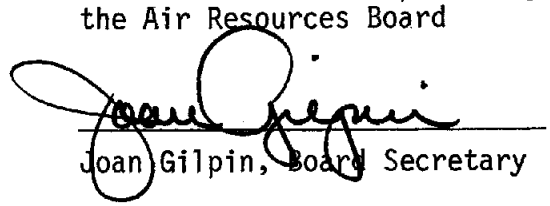
> Proposal Number 855-70 entitled "Toxicological Investigation of Fine Particle Emissions from Oil-Fired Power Plants", submitted by the University of California at Davis for an amount not to exceed $132,527;

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 855-70 entitled "Toxicological Investigation of Fine Particle Emissions from Oil-Fired Power Plants", submitted by the University of California at Davis, for an amount not to exceed $132,527,

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 $132,527.

I certify that the above is
a true and correct copy of
Resolution 79-45 as passed by
the Air Resources Board



Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(8)
DATE: April 25, 1979

ITEM: Research Proposal No. 855-70 entitled "Toxicological Investigation of Fine Particle Emissions from Oil-Fired Power Plants"

RECOMMENDATION: Adopt Resolution 79-45 approving Research Proposal 855-70 for funding in an amount not to exceed $132,527.

SUMMARY:

Oil-fired power plants produce the majority of combustion generated electricity in California. In the process they emit considerable amounts of fine particles in the respirable size range. Only a limited number of studies have been done on the physical and chemical nature of this material. None has been done on their toxic nature.

These limited data indicate that oil ash is different in many ways from other fly ashes, such as from coal. The overall distribution of particle sizes is shifted toward the smaller end of the spectrum for oil; trace-element enrichment and particle morphology also differ for coal. The trace elements present in oil ash include some believed to be harmful in very low concentrations. Previous studies on the analysis of such ashes suggests their presence but the method of analysis leaves questions on the elements of concern as well as the size distribution of over 85% of the particles. They were too fine to be separated with the methods used in these studies.

The main objective of this study by U.C. Davis is to evaluate the relative biological hazards of ashes from oil-fired power plants in terms of their mutagenic and toxicological properties. These findings will be compared with what is already known about ash from coal fired plants and data that will become available to compare with wet-scrubbed, baghouse-filtered coal plants that are expected to be constructed in California.

The Board and other state and local regulatory agencies will be faced with decisions on trade-offs dealing with coal- and oil-fired plants in

State of California

AIR RESOURCES BOARD

Resolution 79-46

April 25, 1979

WHEREAS, an unsolicited research Proposal Number 856-70 entitled "Chemical Consequences of Air Quality Standards and of Control Implementation Plans", has been submitted by the University of California, Riverside, 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 856-70 entitled "Chemical Consequences of Air Quality Standards and of Control Implementation Plans", submitted by the University of California, Riverside, for an amount not to exceed $124,886;

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 856-70 entitled "Chemical Consequences of Air Quality Standards and of Control Implementation Plans", submitted by the University of California, Riverside, for an amount not to exceed $124,886,

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 $124,886.

I certify that the above is
a true and correct copy of
Resolution 79-46 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(9)
DATE: April 25, 1979

ITEM: Research Proposal No. 856-70 entitled "Chemical Consequences of Air Quality Standards and of Control Implementation Plans"

RECOMMENDATION: Adopt Resolution 79-46 approving Research Proposal No. 856-70 for funding in an amount not to exceed $124,886.

SUMMARY: This proposal from the Statewide Air Pollution Research Center at the University of California, Riverside consists of three major program elements:

1. Effects of Relative Humidity on Photochemical Smog Formation.

   Although temperature and relative humidity are anticipated to significantly affect smog formation, the amount of well-defined and unambiguous data relating ozone build up to these variables is extremely limited. In order to address the need for well characterized data concerning these effects, the investigators are presently conducting a number of variable-temperature smog chamber experiments. For the coming year it is proposed to extend this temperature effects study to an examination of effects of humidity on smog chamber simulations of photochemical air pollution over a range of temperatures.

2. Atmospheric Reactions of Selected Pesticides.

   Increasing attention is being focused on the environmental hazards posed by pesticide materials and their transformation products in soil, water and air. The yearly application of pesticide chemicals in the United States now exceeds one billion pounds and estimates of pesticide use in California amount to as much as 20 percent of the national use.

   Recently, the California Air Resources Board has been concerned with reactive organic emissions from pesticide formulations and their possible contributions to oxidant

formation in the California central valleys. A further concern is the potential adverse health effects associated with the exposure of humans to pesticide ingredients and the related compounds resulting from smog-induced decomposition in the atmosphere.

This element of the proposal focuses on two insecticides which are widely used in California: Carbaryl and Phorate. They are representative of the two important classes of compounds, carbamates and organo-phosphates, which are increasingly displacing organo-chlorine compounds. The atmospheric products generated under photoreactive conditions as well as in clean air will be investigated. Carbamates, for example, have the potential to form highly carcinogenic nitrosamines when incorporated in NO_x-rich photochemical smog. Carbaryl has already been demonstrated to react with sodium nitrite in acid solution to form nitroso-carbaryl which is a mutagen in an in vitro bacterial test system.

3. Atmospheric Fate of Nitrogeneous Compounds Anticipated from Ammonia Injection at Power Plants.

Ammonia injection is being considered to reduce NO_x emissions from stationary fuel burning facilities such as electric utility power plants. Because of this, it is important to establish whether significant emissions of NH_3 may occur and whether secondary products may be formed which in themselves may constitute a hazard or which under atmospheric transformations may lead to the formation of toxic species.

The major thrust of this program element will be an investigation of the atmospheric reactions of the nitrogen-containing organic trace products which are anticipated to be formed in the NH_3-NO reduction process and for which, to our knowledge, virtually no information concerning their atmospheric reaction chemistry is available.

State of California

AIR RESOURCES BOARD

Resolution 79-47

April 25, 1979

WHEREAS, an unsolicited research Proposal Number 861-70 entitled "The Selective Reduction of NO Through Ammonia Addition: Application to the Combustion of Oil Fuels", has been submitted by the Lawrence Berkeley Laboratory, 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 861-70 entitled "The Selective Reduction of NO Through Ammonia Addition: Application to the Combustion of Oil Fuels", submitted by the Lawrence Berkeley Laboratory, for an amount not to exceed $100,000;

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 861-70 entitled "The Selective Reduction of NO Through Ammonia Addition: Application to the Combustion of Oil Fuels", submitted by the Lawrence Berkeley Laboratory, 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 79-47 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(10)
DATE: April 25, 1979

ITEM: Research Proposal No. 861-70 entitled "The Selective Reduction of NO Through Ammonia Addition: Application to the Combustion of Oil Fuels"

RECOMMENDATION: Adopt Resolution 79-47 approving Research Proposal No. 861-70 for funding in an amount not to exceed $100,000

SUMMARY: The ammonia injection method of controlling NO_x emissions from large stationary sources is currently being considered as a control measure in California. During a research project that is now nearing completion, these investigators have studied the ammonia-related combustion products from a laboratory burner, using propane as the fuel. Trace compounds formed in the ammonia denox process will be identified and measured as a function of: 1) equivalence ratio, 2) ammonia concentration, 3) NO concentration, and 4) temperature of combustion products at the point of ammonia injection. These compounds include, in addition to ammonia, hydrogen cyanide, low molecular weight amines and nitriles.

The purpose of the new project proposed by the University of California at Berkeley is to extend this work to fuel oils, to identify products resulting from combustion of fuel-bound nitrogen and to investigate the influences of sulfur oxides. In this project, special analyses for nitrosamines will be made through a cooperative arrangement with the Statewide Air Pollution Research Center at the University of California, Riverside. All products will be evaluated for photochemical reactivity to determine whether they might react with polluted air to form other hazardous compounds such as nitrosamines or nitramines or promote oxidant or aerosol formation.

State of California

AIR RESOURCES BOARD

Resolution 79-48

April 25, 1979

WHEREAS, a solicited research Proposal Number 845-70 entitled "Alternatives to Agricultural Waste Burning of Rice Straw in California", has been submitted by the Copley International 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 845-70 entitled "Alternatives to Agricultural Waste Burning of Rice Straw in California", submitted by the Copley International Corporations, for an amount not to exceed $59,477;

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 845-70 entitled "Alternatives to Agricultural Waste Burning of Rice Straw in California", submitted by the Copley International Corporation , for an amount not to exceed $59,477,

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 $59,477.

I certify that the above is
a true and correct copy of
Resolution 79-48 as passed by
the Air Resources Board

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

ITEM NO: 79-8-5b(11)
DATE: April 25, 1979

ITEM: Research Proposal No. 845-70 entitled "Alternatives to Agricultural Waste Burning of Rice Straw in California"

RECOMMENDATION: Adopt Resolution 79-48 approving Research Proposal No. 845-70 for funding in an amount not to exceed $59,477.

SUMMARY: This project is intended to provide the Air Resources Board with information on the technical and economic feasibility of short-term alternatives to the burning of rice straw in the Sacramento Valley and San Joaquin Valley Air Basins with emphasis on incorporating the rice straw into the soil and on the implications for stem rot control.

Four proposals were submitted in response to the Request for Proposals for this study. The proposal submitted by Copley International Corporation was judged by the Research Screening Committee and the staff to be the best proposal and most likely to provide the ARB with the requested economic and technical details on incorporation, the stem rot problem, and related issues.

Prominent features of the study are the focus on the economics in addition to the technical aspects of alternatives to the open burning of rice straw, and a survey of all rice growers in the Sacramento and San Joaquin Valleys. All reasonable alternatives to rice straw burning will be considered in terms of small, medium and large rice farms. A technical evaluation committee composed of recognized experts in this field will be employed to comment on the literature review, on information voids, and on the various alternatives to burning.

State of California
AIR RESOURCES BOARD

Resolution 79-49

May 24, 1979

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

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

C. WHEREAS, Ventura County was designated nonattainment for oxidant and total suspended particulates under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Ventura County Board of Supervisors and the Southern California Association of Governments (SCAG) were designated by the ARB as the local lead agencies for the preparation of the 1979 nonattainment plan for Ventura County;

E. WHEREAS, the Ventura County Air Quality Management Plan (AQMP) was reviewed by the cities of the county, other interested organizations, and the public;

F. WHEREAS, the AQMP was adopted by the Ventura County Board of Supervisors on May 27, 1979 to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearing;

G. WHEREAS, the Ventura County Air Pollution Control District (VCAPCD) deferred to the ARB the adoption of the proposed Rule 59.1 for electric power generating equipment, oxides of nitrogen emissions;

H. WHEREAS, the County Board of Supervisors transmitted the AQMP to the ARB for approval as a revision to the SIP;

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

J. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings have been held in accordance with the Clean

Air Act and the provisions of the Administrative Procedures Act (California Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

K. WHEREAS, the Board has received testimony that certain modifications to the AQMP are needed to make the plan conform with requirements of Part D of the Clean Air Act, as amended;

LEAD AGENCY DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, the Board recommends the continued designation of the Ventura County Board of Supervisors and the SCAG as the local lead agencies for nonattainment area planning in Ventura County subject to agreement between the Ventura County Board of Supervisors, SCAG, and ARB upon a division of responsibilities for continued planning as required by Section 174 of the Clean Air Act. The Board further finds that the division of responsibilities should take the form of a detailed work program for air quality planning in Ventura County and a Memorandum of Understanding (MOU) between ARB and the local lead agencies;

INCLUSION OF EPA CONTROL TECHNOLOGY GUIDANCE I (CTG) AND ARB CATEGORY I REASONABLY AVAILABLE CONTROL MEASURES

2. BE IT FURTHER RESOLVED, the Board accepts the VCAPCD commitments to adopt enforceable regulations to implement the federally required CTG I and state required Category I RACMs (including controls for architectural coatings, dry cleaning, floating roof tanks, valves and flanges at oil refineries, cutback asphalt, degreasing, paper and fabric coatings, refinery vacuum producing equipment, oil/water gravity separation devices, and process turnarounds at refineries and other facilities). The Executive Officer is delegated the authority to adopt, after public hearings, enforceable regulations for the VCAPCD if the District has not adopted rules as effective as the ARB model or suggested rules by June 30, 1979. The Executive Officer is authorized to submit such adopted rules to the EPA as an SIP revision;

3. BE IT FURTHER RESOLVED, the Board directs the ARB staff to work with the VCAPCD staff to determine whether the District's vapor recovery rules are as effective as the ARB model rules. If the Executive Officer determines, after consultation with the District, that the rules are not as effective as the ARB model rules, and that the District will not adopt acceptable rules by June 30, 1979, the Executive Officer shall adopt for Ventura County, after public hearings, rules as effective as the ARB model rules for vapor recovery;

4. BE IT FURTHER RESOLVED, the Executive Officer is directed to continue working with the Department of Interior and other federal

agencies to resolve questions regarding the regulation of emissions from marine lightering and to work with the VCAPCD and other California coastal districts to recommend to the Board revisions to the ARB model rules for lightering as necessary to make the model rule at least as effective as the federal requirements. The Executive Officer is furthter directed to work with the VCAPCD to effect the adoption of a rule which is as effective as this model rule. The Board further directs the Executive Officer to forward such rule to the EPA as an SIP revision if he finds the rule to be consistent with the ARB model rule;

5. BE IT FURTHER RESOLVED, the Board finds that the AQMP includes credit for emission reductions which would result from the implementation of the proposed Rule 59.1 for the control of nitrogen dioxide from power plants. The Board also finds that the AQMP does not project attainment of the ozone National Ambient Air Quality Standards (NAAQS) by 1982. Rule 59.1 would be effective in helping to attain the standard by 1987. The Board adopts Rule 59.1, electric power generating equipment, oxides of nitrogen emissions, as proposed for the VCAPCD. The Executive Officer is directed to delay the forwarding of Rule 59.1 to EPA until August 31, 1979. Prior to August 31, 1979, the Executive Officer is directed to work with the VCAPCD to develop amendments to Rules 59 and 59.1 which incorporate the terms of the existing variance on the Southern California Edison Ormond Beach facility. The Executive Officer shall forward modified versions of 59 and 59.1 reflecting amendments made by the VCAPCD providing the Executive Officer has determined the modified rules result in an air quality benefit;

NEW SOURCE REVIEW

6. BE IT FURTHER RESOLVED, the Board finds that the District's current New Source Review (NSR) rules are neither consistent with Section 173 of the Clean Air Act nor as effective as the ARB model NSR rules. The Board further finds that the District has committed to adopt by June 30, 1979, NSR rules which (1) are consistent with the Clean Air Act, (2) are as effective as the ARB model NSR rules, and (3) implement the emission growth allocation system described in the AQMP. The Board accepts the District's commitment to adopt such rules, provided that proposed large sources be required to tradeoff emission increases in a manner consistent with the requirements of the ARB model NSR rules instead of following the requirements of Ventura's emission allocation system. However, the VCAPCD rules may permit the construction of a large source under the provisions of their emission allocation system if the VCAPCD determines, after public and ARB notice similar to that required for major sources under the ARB model NSR rules, that the source will not adversely affect the employment or services that would have resulted had the allocations been used by other than large sources. For

the purposes of this resolution, a large source is: (1) a new source which will emit at least 250 pounds per day of oxides of nitrogen or volatile organic compounds or (2) an existing source which due to modification will increase its emissions of oxides of nitrogen or volatile organic compounds by at least 250 pounds per day.

Further, the Board delegates to the Executive Officer the authority to adopt, after public hearings, appropriate NSR rules if the District has not done so by June 30, 1979;

7. BE IT FURTHER RESOLVED, that the Board finds that increased petroleum development in the Outer Continental Shelf which results in an adverse impact on air quality in Ventura County is not in conformance with the SIP. The Executive Officer is directed to pursue aggressively all available legal remedies to prevent unmitigated emission increases from occurring on the Outer Continental Shelf;

AIR QUALITY ANALYSIS

8. BE IT FURTHER RESOLVED, the Board finds the VCAPCD has submitted to the ARB a revised air quality analysis which the Board finds acceptable for the 1979 SIP submission. The Board directs the Executive Officer to amend the plan to replace the air quality analysis with this revised district analysis;

9. BE IT FURTHER RESOLVED, the Board finds that the methods of analyses used in the AQMP to estimate the impact on ambient air quality of control strategies for ozone and total suspended particulates must be improved as part of the effort to develop revised strategies which demonstrate attainment and maintenance of these standards. The Board directs the ARB staff to participate with the VCAPCD, SCAG, and the South Coast AQMD staff in the development of a work program by August 31, 1979 for utilizing appropriate modeling techniques for the 1982 submission for ozone and for further revisions of the total suspended particulate strategies. The Board further commits to utilizing a regional photochemical airshed model in cooperation with the VCAPCD, SCAG, and the South Coast AQMD to analyze the effectiveness of the control strategies and determine the degree of emission control required to attain the ozone standard;

TOTAL SUSPENDED PARTICULATES

10. BE IT FURTHER RESOLVED, the Board finds that all currently reasonably available controls to reduce ambient TSP levels have been

applied to traditional sources in Ventura County and that such controls are not sufficient to demonstrate attainment of the TSP standards. The Board adds to the SIP submission a commitment to study further a rule for controlling particulate emissions from electric utility boilers. The Board requests Ventura County to develop a work program by June 30, 1979 to study the TSP problem. The work program should include a schedule to develop, submit, and implement the necessary regulations for controlling non-traditional particulate matter sources to attain the NAAQS by December 31, 1982 and maintain thereafter.

The Board requests that EPA accept the present plan, along with the commitments to revise the TSP strategy as adequate for the 1979 submission. The Board approves the requests contained in the Ventura County Plan for an 18-month extension to develop control strategies for the attainment of the secondary standards for TSP;

TRANSPORTATION CONTROL MEASURES

11. BE IT FURTHER RESOLVED, the Board finds that a program for further evaluation of each of the 18 transportation control measures (TCMs) outlined in Section 108(f) of the Clean Air Act needs to be developed pursuant to the EPA/DOT Guidelines. The Board finds that Ventura County and SCAG need to submit by June 30, 1979 the resource commitments of each implementing agency identified in the AQMP for the development of TCMs and the implementation of those identified by the county as reasonably available;

12. BE IT FURTHER RESOLVED, the Board finds the Ventura AQMP recognizes the Clean Air Act Section 110(c)(5)(B)(i) requirement to establish, expand, and improve public transportation measures to meet basic transportation needs, but does not contain a satisfactory commitment to meet this requirement. The Board also finds that basic transportation needs include both those created by the implementation of TCMs and those transportation needs which currently exist. The Board requests Ventura County and SCAG to develop a work program by August 31, 1979 for the establishment and improvement of the public transportation system which will provide an acceptable level of mobility and an alternative to low occupancy vehicle transportation;

13. BE IT FURTHER RESOLVED, the Board also finds the use of the inspection and maintenance program to meet the 1982 emission reduction goal for transportation sources is not in conformance with EPA requirements and that the plan does not include transportation source emission reduction goal for 1987. The Board requests Ventura County and SCAG to develop a work program by August 31, 1979 which commits to schedules for

the development and implementation of additional TCMs. Consideration should be given to ambitious packages of measures to achieve an emissions reduction target or percent reduction to meet the requirements of the Clean Air Act for reasonable further progress and maintenance of the air quality standard for ozone;

LOCAL GENERAL PLAN CONFORMITY WITH THE SIP

14. BE IT FURTHER RESOLVED, the Board supports the AQMP emission allocation system as a mechanism to maintain consistency between regional air quality projections and AQMP growth forecasts and accepts the emission allocation system for inclusion in the 1979 SIP, provided the allocation system for stationary sources is modified to reflect provision No. 6 of this resolution and provided the VCAPCB submits by September 30, 1979 a method to monitor and report on: (1) the effectiveness of adopted control measures; (2) the consistency of local growth with the AQMP regional growth forecasts; and, (3) the conformance of actual emissions with the allocated emissions. This method will be utilized as a part of the annual reasonable further progress report, with the first report due January 31, 1980;

OTHER MEASURES

15. BE IT FURTHER RESOLVED, the ARB includes in the SIP revision a commitment to work with the VCAPCD to study further those stationary source control measures identified as appropriate for further study in Table 1 of the staff report, SIP Revision - Ventura County. The VCAPCD shall consider adoption of all such measures which these studies show to be RACMs;

16. BE IT FURTHER RESOLVED, the Board finds that the plan, as modified by the ARB, identifies specific categories of measures for further study of stationary and transportation controls by Ventura County, SCAG, and the ARB. The plan also includes an overall commitment to develop expeditiously a plan containing revised air quality analyses and additional control measures to be submitted to the EPA by July 1, 1982. The Board finds that these actions, when carried out, will be sufficient to provide for attainment and maintenance of the NAAQS for ozone and collectively meet Section 172(b)(11)(C) of the Clean Air Act which requires the identification of those measures needed to attain ozone standards prior to December 31, 1987;

17. BE IT FURTHER RESOLVED, the Board finds the commitment of the VCAPCD to implement control measures for pesticides and marine tanker loading is appropriate and includes these measures in the plan for further study. The emission reductions associated with these measures are appropriate as target reductions which will be defined upon further study.

Pending development and implementation of the rules necessary to achieve the estimated emission reductions, credit for these measures is deleted from the plan. The Board directs the Executive Officer to work with the VCAPCD to develop appropriate rules for these measures, and to modify the SIP to include appropriate emission reduction credits upon adoption of such rules by the VCAPCD;

MOTOR VEHICLE INSPECTION PROGRAM

18. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone standard, Ventura County must commit to an Inspection and Maintenance program. The Board finds that Ventura's request for "Motor Vehicle Inspection and Maintenance Program" demonstrates local commitment, and the Board supports legislative authorization of such a program for Ventura County;

REQUEST FOR EXTENSION

19. BE IT FURTHER RESOLVED, that the Board finds that the AQMP does not demonstrate attainment of the national standards for ozone by December 31, 1982 despite the implementation of all reasonably available control measures;

20. BE IT FURTHER RESOLVED, that the Board finds that an extension of the attainment date for the ozone national ambient air quality standard until no later than December 31, 1987 is justified;

21. BE IT FURTHER RESOLVED, the Board approves the request for an extension for attainment of the ozone standard;

REASONABLE FURTHER PROGRESS

22. BE IT FURTHER RESOLVED, the Board finds that the adopted measures in the AQMP are adequate to meet the Clean Air Act requirements to maintain Reasonable Further Progress in reducing the emission of ozone precursors until such time that a revised plan can be prepared;

23. BE IT FURTHER RESOLVED, that in order to monitor Reasonable Further Progress toward attainment of the NAAQS, the Board directs Ventura County in cooperation with SCAG to provide ARB with an annual analysis and verification of emission reductions and air quality improvements to demonstrate that Reasonable Further Progress is occurring;

PRE-PERMIT REVIEW

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

BOARD ADOPTION

25. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the AQMP contains the elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements of the Ventura County Plan, except as modified above, and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

I certify that the above is a true and correct copy of Resolution 79-49 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

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

Resolution Number: 79-49

Public Hearing Date: May 23 and 24, 1979

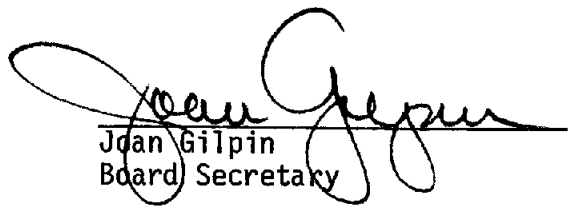
Response Date: May 24, 1979

Issuing Authority: Air Resources Board

Comment: Testimony was presented by Ms. Laurie Chisler of the Citizens Advisory Committee that the population growth projected in the Ventura plan is too high and will therefore have negative environmental impacts due to pollution associated with growth.

Response: The ARB is not a land use planning agency. What the ARB must require, however, is that the population projections of local planning agencies be consistent with each other so that pollutant emissions engendered by this growth will be adequately mitigated by control strategies sufficient to demonstrate reasonable further progress and to attain and maintain the National Ambient Air Quality Standards by the dates required by the Clean Air Act.

The air quality impacts of the growth projected in the Ventura County plan will be adequately compensated for through implementation of regulatory measures committed to in the adopted plan. Water quality impacts of increased population growth are not addressed in this plan, but will be addressed by the areawide 208 plan. Mitigation of other negative impacts of projected growth is a responsibility of local governments, ghrough continuing planning and during consideration of specific projects.

CERTIFIED: 

Joan Gilpin
Board Secretary

DATE: JUN 1 1 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, 79-33,
79-34, 79-35, 79-36,
[redacted], 79-50

From : Air Resources Board
Joan Gilpin
Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-50

May 24, 1979

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

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

C. WHEREAS, Santa Barbara County was designated nonattainment for oxidant, carbon monoxide, and total suspended particulates under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the Santa Barbara County Board of Supervisors was designated by the ARB on March 31, 1978 as the local lead agency for the preparation of the 1979 nonattainment plan for Santa Barbara County;

E. WHEREAS, the Santa Barbara County Air Quality Attainment Plan (AQAP) was reviewed by the cities of the region, other interested organizations, and the public;

F. WHEREAS, the Santa Barbara County AQAP was adopted by the Santa Barbara County Board of Supervisors on May 14, 1979 to meet the requirements of the Clean Air Act as amended in 1977 after noticed hearing;

G. WHEREAS, the Santa Barbara County Board of Supervisors transmitted the AQAP to the ARB for approval as a revision to the SIP;

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

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

J. WHEREAS, the Board has received testimony that certain modifications to the Santa Barbara County AQAP are needed to make the plan conform with requirements of Part D of the Clean Air Act, as amended;

LEAD AGENCY DESIGNATION

1. NOW, THEREFORE BE IT RESOLVED, that the Board recognizes Santa Barbara County's desire to independently pursue actions to protect and enhance air quality. The Board recommends the continued designation of the Santa Barbara County Board of Supervisors as the local lead agency for nonattainment area planning in Santa Barbara County subject to agreement between the Santa Barbara County Board of Supervisors and ARB upon a division of responsibilities for continued planning as required by Section 174 of the Clean Air Act. The Board further finds that the division of responsibilities should take the form of a detailed work program for air quality planning in Santa Barbara County and a Memorandum of Understanding (MOU) between ARB and the local lead agency;

INCLUSION OF EPA CONTROL TECHNOLOGY GUIDANCE I (CTG) AND ARB CATEGORY I REASONABLY AVAILABLE CONTROL MEASURES

2. BE IT FURTHER RESOLVED, that the Board accepts the Santa Barbara County Air Pollution Control District (APCD) commits to adopt enforceable regulations to implement the federally required CTG I and state required RACMs (including dry cleaning, degreasing, architectural surface coatings, valves and flanges at refineries, cutback asphalt, manufactured metal parts and products coatings, fixed and floating roof tanks, refinery vacuum producing equipment, oil/water gravity separation devices, and process turnarounds at refineries and other facilities). The Executive Officer is delegated the authority to adopt, after public hearing, enforceable regulations for the Santa Barbara APCD if the District has not adopted a rule as effective as the ARB rule or suggested rules by June 30, 1979. The Executive Officer is authorized to submit such adopted rules to the EPA as an SIP revision;

3. BE IT FURTHER RESOLVED, that the Board directs the ARB staff to work with the Santa Barbara County APCD to provide the District with all available information on field studies comparing various Phase II vapor recovery systems. This should include the on-going study in the South Coast Air Basin and any other similar studies. If such studies show that the assist systems have the claimed advantage in recovery efficiency, a significant advantage in areas such as reliability, customer acceptance, maintainability, and enforceability, and a reasonable cost effectiveness, the Executive Officer will work with the District to consider adoption of rules which will require the use of assist systems by 1982. The District will continue the immediate implementation of their current vapor recovery rule;

4. BE IT FURTHER RESOLVED, that the Executive Officer is directed to continue working with the Department of Interior and other federal agencies to resolve questions regarding the regulation of emissions from marine lightering and to work with the Santa Barbara County APCD and other California coastal districts to recommend to the

Board revisions to the ARB model rules for lightering as necessary to make the model rule at least as effective as the federal requirements. The Executive Officer is further directed to work with the Santa Barbara County APCD to effect the adoption of a rule which is as effective as this model rule. The Board further directs the Executive Officer to forward such rule to the EPA as an SIP revision if he finds the rule to be consistent with the ARB model rule;

OIL PRODUCTION DEVELOPMENT

5. BE IT FURTHER RESOLVED, that the Board finds that increased petroleum development in the California Coastal Waters off the coast of Santa Barbara County results in an adverse impact on air quality in Santa Barbara and is not in conformance with the SIP. The Executive Officer is directed to pursue aggressively all available legal remedies to prevent unmitigated emission increases from occurring on the Outer Continental Shelf;

6. BE IT FURTHER RESOLVED, that the Board recognizes the need for measures for effecting further reductions in the emissions of organic compounds from off-shore petroleum production facilities in order to attain and maintain the NAAQS for ozone in Santa Barbara County, and the Board commends the District for including Rule 327 in the AQAP. The Board directs the Executive Officer to determine whether the Santa Barbara County APCD's Rule 327 and the alternative measure of an oil transport pipeline are reasonably available measures for the control of emissions of organic compounds due to the transportation of petroleum from off-shore production fields en route to refineries. The Board further directs the Executive Officer to work with the Santa Barbara County APCD to effect the adoption of a rule to implement the pipeline measure, and to include these measures in the SIP to be submitted to EPA if he finds them to be reasonably available control measures. Also, the Board directs the Executive Officer to work with the District to determine the maximum feasible degree of control of emissions resulting from the on-loading and off-loading of organic compounds to and from marine tankers;

CARBON MONOXIDE CONTROL STRATEGY

7. BE IT FURTHER RESOLVED, that the Board finds the AQAP adequately demonstrates attainment of the carbon monoxide (CO) standards by 1982, largely through the emission reductions achieved by existing mobile source controls and an annual motor vehicle inspection and maintenance program. The Board finds the Santa Barbara plan for CO acceptable as a 1979 nonattainment plan and urge the Legislature to

provide the necessary authority to allow an enforceable commitment to an annual motor vehicle inspection program. The County should commit to monitor strategy effectiveness through the annual RFP reporting process to ensure attainment of the standards by 1982;

TOTAL SUSPENDED PARTICULATES

8. BE IT FURTHER RESOLVED, that the Board finds that all currently reasonably available controls to reduce ambient TSP levels have been applied to traditional sources in Santa Barbara County and that such controls are not sufficient to demonstrate attainment of the TSP standard. The Board accepts Santa Barbara County's commitment to develop a work program for TSP reanalysis and strategy development. The work program should be developed by June 30, 1979 and should include a schedule to develop, submit, and implement the necessary regulations for controlling nontraditional particulate matter sources to attain the NAAQS by December 31, 1982 and maintain thereafter;

9. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the District staff to determine by October 31, 1979, whether the adoption of more stringent TSP control measures on traditional sources in the northern part of the District are reasonably available and would help to attain the national ambient air quality standards for total suspended particulate matter. Such a determination is to include an assessment of the extent to which such rules could be made more stringent, the extent to which emissions of TSP would be reduced, and the degree to which such emission reductions would affect ambient TSP levels. If the Executive Officer determines that more stringent TSP control measures on traditional sources are RACT and would contribute to reductions in ambient TSP levels, the District shall consider making such amendments to its rules and regulations. If the District does not take effective action, the Executive Officer is delegated the authority to adopt after hearing, appropriate amendments to District rules;

10. BE IT FURTHER RESOLVED, that the Board approves the requests contained in the Santa Barbara County plan for an 18-month extension to develop a control strategy for the attainment of the secondary standard for TSP is justified;

AIR QUALITY ANALYSIS

11. BE IT FUTHER RESOLVED, that the Board finds the locally adopted AQAP contains an acceptable EKMA air quality analysis for the Santa Barbara South Coast to serve as justification for an extension to 1987;

12. BE IT FURTHER RESOLVED, that the Board finds that the methods of analyses used in the AQAP to estimate the impact on ambient air quality of control strategies for ozone, carbon monoxide, and total suspended particulates must be improved as part of the effort to develop revised strategies which demonstrate attainment and maintenance of these standards. The Board directs the ARB staff to participate with the Santa Barbara County staff in the development of a work program by August 31, 1979 for utilizing appropriate modeling techniques for the 1982 submission for ozone and carbon monoxide and for further revisions of the total suspended particulate strategies;

13. BE IT FURTHER RESOLVED, that the Board acknowledges the expressed desire of the Santa Barbara County Supervisors to develop and apply a regional photochemical model to analyze the effectiveness of control measures and strategies and to determine more precisely the emissions limitations consistent with attainment and maintenance of the ozone standard. The Board encourages these efforts and commits to working closely with the Santa Barbara County APCD, its staff and consultants, to assist them in developing their regional model. The Board is also committed to the development of a regional photochemical model that can properly account for the effects of interdistrict transport of pollutants. Modeling efforts for Santa Barbara should be coordinated with this ARB modeling effort and with modeling efforts of other districts to provide the necessary information on boundary conditions for models in both Santa Barbara and in neighboring counties;

14. BE IT FURTHER RESOLVED, that the Board accepts the revised County emission inventory for RHC as included in the adopted AQAP as adequate to meet the Clean Air Act requirements for a 1979 SIP revision;

NEW SOURCE REVIEW

15. BE IT FURTHER RESOLVED, that the Board finds that the existing New Source Review (NSR) rules of the Santa Barbara APCD do not comply with Section 173 of the Clean Air Act and that the District has committed to adopt a rule as effective as the ARB model NSR rules by June 30, 1979. The Board accepts the Santa Barbara County APCD commitment to adopt such an NSR rule and delegates to the Executive Officer the authority to adopt, after hearing, the ARB model NSR rules if the District has not adopted a rule as effective as the ARB model rules by June 30, 1979;

TRANSPORTATION CONTROL MEASURES

16. BE IT FURTHER RESOLVED, that the Board finds the Santa Barbara County recommends future reanalysis of the 18 Transportation Control Measures (TCMs) identified in Section 108(f) of the Clean Air Act in developing a 1982 SIP revision. The Board finds the AQAP does not

identify an emission reduction goal or percent reduction to be achieved by the transportation system. The Board also finds that to meet the Clean Air Act requirements for further planning related to the granting of an extension for attainment of the ozone or carbon monoxide standards, Santa Barbara County must affirmatively consider and analyze ambitious alternative packages of transportation control measures, including public transportation measures to meet basic transportation needs, which are designed to achieve a locally determined emissions reduction target or a percent reduction in the continuing planning and implementation program. The Board requests Santa Barbara County to develop a work plan by August 31, 1979 which commits to schedules and resources for the development and implementation of future RACM and TCMs. Consideration should be given to ambitious packages of TCMs to achieve an emissions reduction target or percent reduction to meet reasonable further progress and maintenance of the air quality standards;

OTHER MEASURES

17. BE IT FURTHER RESOLVED, that the ARB includes in the SIP revision a commitment to work with the Santa Barbara APCD to study further those stationary source control measures identified in Table I of the staff report, SIP Revision - Santa Barbara County. The Santa Barbara APCD shall consider adoption of all such measures which these studies show to RACMs;

18. BE IT FURTHER RESOLVED, that the Board finds that the plan, as modified by the ARB, identifies specific categories of measures for further study of stationary and transportation controls by Santa Barbara County and the ARB. The Board finds that these actions, when carried out, will be sufficient to provide for attainment and maintenance of the NAAQS for ozone and collectively meet Section 172(b)(11)(C) of the Clean Air Act which requires the identification of those measures needed to attain ozone standards prior to December 31, 1987;

19. BE IT FURTHER RESOLVED, that the Board finds the commitment of the Santa Barbara County APCD to implement control measures for pesticides is appropriate and includes these measures in the plan for further study. The emission reductions associated with these measures are appropriate as target reductions which will be defined upon further study. Pending development and implementation of the rules necessary to achieve the estimated emission reductions, credit for these measures is deleted from the plan. The Board directs the Executive Officer to work with the Santa Barbara County APCD to develop appropriate rules for this measure, and to modify the SIP to include appropriate emission reduction credits upon adoption of such rules by the Santa Barbara County APCD;

LOCAL GENERAL PLAN CONFORMITY WITH THE SIP

20. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for consistency of the SIP and other planning programs, Santa Barbara County has committed to develop a well-defined

process and schedule to achieve, monitor, and maintain consistency between regional growth forecasts, plans and those aspects of local general plans which affect the emissions forecasts in the AQAP. The Board requests Santa Barbara County develop a work plan to develop this mechanism by August 31, 1979;

REQUEST FOR EXTENSION

21. BE IT FURTHER RESOLVED, that the Board finds that the AQAP does not demonstrate attainment of the national standards for ozone by December 31, 1982 despite the implementation of all reasonably available control measures;

22. BE IT FURTHER RESOLVED, that the Board finds that an extension of the attainment date for the ozone national ambient air quality standard until no later than December 31, 1987 is justified;

23. BE IT FURTHER RESOLVED, that the Board approves the request for an extension for attainment of the ozone standard;

REASONABLE FURTHER PROGRESS

24. BE IT FURTHER RESOLVED, that the Board finds that the adopted measures in the AQAP are adequate to meet the Clean Air Act requirements to maintain Reasonable Further Progress in reducing the emission of ozone precursors until such time that a revised plan can be prepared;

25. BE IT FURTHER RESOLVED, that in order to monitor Reasonable Further Progress toward attainment of the NAAQS, the Board directs Santa Barbara County to provide ARB with an annual analysis and verification of emission reductions and air quality improvements to demonstrate that RFP is occurring;

MOTOR VEHICLE INSPECTION PROGRAM

26. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for granting an extension for attaining the ozone standard, Santa Barbara County must commit to an Inspection and Maintenance Program. The Board finds that Santa Barbara's request for "Motor Vehicle Inspection and Maintenance Program" demonstrates local commitment and the Board supports legislative authorization of such a program for Santa Barbara County;

PRE-PERMIT REVIEW

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

BOARD ACTION

28. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the AQAP contains the elements necessary to meet the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves those elements of the Santa Barbara County plan, except as modified above, and directs the Executive Officer to submit the same to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

I certify that the above is a true and correct copy of Resolution 79-50 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Adoption of the Santa Barbara Air Quality Attainment Plan (AQAP) as a Revision to the State of California Implementation Plan (SIP) for the Attainment and Maintenance of National Ambient Air Quality Standards (NAAQS)

Resolution Number: 79-50

Public Hearing Date: May 24, 1979

Response Date: May 24, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin
Board Secretary

DATE: JUN 11 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : June 14, 1979

Subject: ARB Hearings
Resolutions 79-30,
79-31, 79-32, 79-33,
79-34, 79-35, 79-36,
79-49, 79-50

From : Air Resources Board
Joan Gilpin
Board Secretary

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

Attachments

Corrected Copy

State of California
AIR RESOURCES BOARD

Resolution 79-51

May 25, 1979

A. WHEREAS, the South Coast Air Basin presently violates the state ambient air quality standards for oxidant, carbon monoixde, nitrogen dioxide, total suspended particulates, sulfates, sulfur dioxide, lead, and visibility;

B. WHEREAS, the South Coast Air Quality Management District (SCAQMD) was directed by state legislation to prepare an Air Quality Management Plan (AQMP) with the cooperation and active participation of the counties and cities within the South Coast District, the Southern California Association of Governments (SCAG), the Department of Transportation, and the Air Resources Board (ARB);

C. WHEREAS, the South Coast AQMP was reviewed by the cities and counties of the region, other interested organizations, and the public;

D. WHEREAS, the South Coast AQMP was adopted by the SCAG on January 25, 1979, and by the SCAQMD on January 26, 1979, to meet the requirements of the Lewis Air Quality Management Act after noticed hearing;

E. WHEREAS, the SCAQMD transmitted the South Coast AQMP to the ARB for approval;

F. WHEREAS, Section 40465 of the Health and Safety Code requires the ARB to review the South Coast AQMP to modify it as necessary to ensure that it contains all reasonable and available methods necessary to achieve and maintain air quality standards;

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

H. WHEREAS, the SCAG Executive Committee has, by Resolution No. 79-162-1, concurred with the modification of certain portions of the AQMP and has specifically requested that a number of changes be made;

I. WHEREAS, the SCAQMD Board has, by Resolution No. 79-20, concurred with the modification of certain portions of the AQMP;

1. NOW, THEREFORE BE IT RESOLVED, that the Board finds that the AQMP does not provide for attainment of all state ambient air quality standards by January 1, 1980, and must be revised to contain the earliest feasible compliance schedules for state standards for oxidants, nitrogen dioxide, total suspended particulates, sulfates, and visibility as required by Health and Safety Code Section 40462;

2. BE IT FURTHER RESOLVED, that the Board finds that the AQMP, as amended by the Board at its May 10, 1979 meeting, now includes all Reasonable Available Control Measures (RACMs) with the exception of a New Source Review rule;

3. BE IT FURTHER RESOLVED, that the Board finds that the existing New Source Review (NSR) rules of the SCAQMD do not comply with requirements of AB 250 and requests that the SCAQMD amend the District's NSR rules to make them as effective as the ARB model NSR rules I, II, III and IV. The Board directs the Executive Officer to work with the SCAQMD to effect the adoption of such amendments and to report back to the Board by June 30, 1979, on the progress of the District in adopting adequate NSR rules. If the District does not adopt NSR rules as effective as the model NSR rules, the ARB commits to adopt rules as effective as the ARB model rules;

4. BE IT FURTHER RESOLVED, that the Board finds the AQMP must be expanded to include provisions which ensure that future growth and development within the South Coast AQMD are, to the maximum extent feasible, consistent with the goal of maintaining the air quality standards. The Board finds that SCAG has not adequately pursued available policy alternatives to reduce detrimental air quality impacts of various plans. The Board further finds that its actions at its May 10, 1979 hearing have amended the AQMP to include commitments which upon implementation will partially meet the requirements of AB 250 for mitigation of air quality impacts of growth;

5. BE IT FURTHER RESOLVED, the Board requests SCAQMD and SCAG to develop and submit to ARB by August 31, 1979 a workplan which will be used as the AQMP revision to correct the deficiencies identified above in provisions one and four, and the ARB commits to assist SCAG and SCAQMD in this work;

6. BE IT FURTHER RESOLVED, that the Board requests the Executive Officer to transmit this resolution to the Legislature by June 1, 1979 to inform it of the actions necessary to meet the requirements and AB 250.

I certify that the above is a true and correct copy of Resolution 79-51 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Resolution 79-53

June 27, 1979

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

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

C. WHEREAS, the San Joaquin Valley Air Basin (SJVAB) was designated nonattainment for total suspended particulates (TSP) under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the ARB is the lead agency for the preparation of the 1979 nonattainment plan for TSP for the SJVAB and has prepared an SIP revision for TSP for the SJVAB;

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

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

G. WHEREAS, the violations of the federal TSP standards in the SJVAB are largely attributable to fugitive dust and secondary aerosols which at this time are not fully controllable;

H. WHEREAS, the current national ambient air quality standards for particulate matter are under review and may be revised before 1982 to limit the ambient levels of small particles rather than all particles;

I. WHEREAS, any strategy to attain size-specific standards would have to be based on the size of the particles emitted by various sources, and it has not been determined whether the most stringent particulate matter rules in effect in other areas of the state would

constitute an effective control strategy for the attainment of such a standard in the San Joaquin Valley Air Basin;

J. WHEREAS, Reasonably Available Control Technology has been applied to sources of TSP and is not sufficient to attain the federal primary TSP standards by December 31, 1982;

1. NOW, THEREFORE BE IT RESOLVED, the Board finds that the existing rules of the air pollution control districts (APCDs) in the SJVAB adequately meet the requirement that Reasonably Available Control Technology be applied to existing traditional sources of particulate matter. The Board directs the Executive Officer to submit to the EPA those APCD rules necessary to meet requirements for implementation of Reasonably Available Control Technology. The Board further directs the Executive Officer to submit as an SIP revision, Kern County Rule No. 424, Control of Sulfur Compounds for Steam Generators in Oilfield Operations, following final action on this rule based on a determination that federal actions affecting the decontrol of the price of Kern oil are sufficient to make the rule economically feasible. If prior to action by the Executive Officer the Kern County APCD adopts an equally effective regulation, the Executive Officer is directed to submit the locally adopted rule as an SIP revision in lieu of the ARB rule;

2. BE IT FURTHER RESOLVED, the Board finds that, because much of the TSP in the SJVAB is from nontraditional sources, the implementation of Reasonably Available Control Technology on existing traditional sources is not sufficient to attain the TSP standards, and additional time for strategy development is needed. The Board commits to develop and submit by December 31, 1981, a plan which contains the analysis, control measures, and provisions for rule adoption and implementation needed to attain the federal primary TSP standards by December 31, 1982, and the secondary standards as expeditiously as practicable. The Board directs the Executive Officer to work with the affected APCDs to develop, by September 30, 1979, a work program for this effort;

3. BE IT FURTHER RESOLVED, the Board finds that the current federal TSP standards do not adequately consider the health impact of inhalable particulates and strongly encourages EPA to review the TSP standard and establish, according to its published calendar, by December 1980, a revised standard which will mitigate health impacts of inhalable particulates;

4. BE IT FURTHER RESOLVED, the existing standards for TSP do not provide an adequate basis for addressing the air quality impacts of agricultural burning activities; therefore, the Board directs the Executive Officer to investigate all aspects of open field burning of agricultural wastes and to schedule a Board meeting on the subject as soon as possible;

5. BE IT FURTHER RESOLVED, the Board find that the proposed SJVAB SIP revision for TSP meets the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves the proposed SJVAB SIP revision for TSP and directs the Executive Officer to submit the plan, together with technical support documentation as may be useful in showing compliance with the requirements of Part D, to the EPA as an SIP revision.

I certify that the above is a true and correct copy of Resolution 79-53 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: The San Joaquin Valley Air Basin (SJVAB) is designated as a nonattainment area for the primary and secondary total suspended particulate (TSP) standards. This staff report summarizes the findings of the plan prepared by ARB staff and recommends the Board adopt the plan as an SIP revision.

Resolution Number: 79-53

Public Hearing Date: June 27, 1979

Response Date: June 27, 1979

Issuing Authority: Air Resources Board

Comment: None received

Response: N/A

CERTIFIED: Joan Gilpin
Board Secretary

DATE: July 7, 1979

State of California

Memorandum

To : Huey E. Johnson
Secretary
Resources Agency

Date : July 5, 1979

Subject: ARB Hearings -
Resolutions 79-53,
79-54

From : Air Resources Board
Joan Gilpin, Board Secretary

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

Attachments

State of California
AIR RESOURCES BOARD

Resolution 79-54

June 27, 1979

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

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

C. WHEREAS, portions of the Sacramento Valley Air Basin (SVAB) have been designated nonattainment for total suspended particulates (TSP) under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the ARB is the lead agency for the preparation of the 1979 nonattainment plan for TSP for the SVAB and has prepared an SIP revision for TSP for the SVAB;

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

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

G. WHEREAS, the violations of the federal TSP standards in the SVAB are largely attributable to fugitive dust and secondary aerosols which at this time are not fully controllable;

H. WHEREAS, the current national ambient air quality standards for particulate matter are under review and may be revised before 1982 to limit the ambient levels of small particles rather than all particles;

I. WHEREAS, any strategy to attain size-specific standards would have to be based on the size of the particles emitted by various sources, and it has not been determined whether the most stringent particulate matter rules in effect in other areas of the state would constitute an effective control strategy for the attainment of such a standard in the Sacramento Valley Air Basin;

J. WHEREAS, except for Sacramento County, the violations of the federal TSP standards have occurred in non-urban areas as defined by EPA;

K. WHEREAS, Reasonably Available Control Technology has been applied to sources of TSP in Sacramento County and is not sufficient to attain the federal primary TSP standards by December 31, 1982;

1. NOW, THEREFORE BE IT RESOLVED, the Board finds that the existing rules of the Sacramento County Air Pollution Control District (SCAPCD) adequately meet the requirement that Reasonably Available Control Technology be applied to existing traditional sources of particulate matter. The Board directs the Executive Officer to submit to the EPA those APCD rules necessary to meet requirements for implementation of Reasonably Available Control Technology;

2. BE IT FURTHER RESOLVED, the Board finds that, because a majority of the TSP in the SCAPCD is from nontraditional sources, the implementation of Reasonably Available Control Technology on existing traditional sources is not sufficient to attain the TSP standards, and additional time for strategy development is needed. The Board commits to develop and submit by December 31, 1981, a plan which contains the analysis, control measures, and provisions for rule adoption and implementation needed to attain the federal primary TSP standards by December 31, 1982 and the secondary standards as expeditiously as practicable. The Board directs the Executive Officer to work with the affected APCDs to develop, by September 30, 1979, a work program for this effort;

3. BE IT FURTHER RESOLVED, the Board finds that exceedances of the federal TSP in those portions of the SVAB outside of Sacramento County are attributable to airborne soil materials which are not substantially contaminated by man-made pollutants. The Board directs the Executive Officer to request that EPA reclassify these areas from nonattainment to unclassifiable, and commits to examine this classification upon the establishment of an inhalable particulate standard. The Board also finds that the implementation of an adequate New Source Review rule for those areas is necessary to insure that any new major stationary sources are controlled to the extent necessary to prevent violations of the TSP standards;

4. BE IT FURTHER RESOLVED, the Board finds that the current federal TSP standards do not adequately consider the health impact of inhalable particulates and strongly encourages EPA to review the TSP standard and establish, according to its published calendar, by December 1980, a revised standard which is based upon the health impacts of inhalable particulates;

5. BE IT FURTHER RESOLVED, that the existing standards for TSP do not provide an adequate basis for addressing the impacts on air quality of agricultural burning activities; therefore, the Board directs the Executive Officer to actively investigate all aspects of open field burning of agricultural wastes and to schedule a Board meeting on the subject as soon as possible;

6. BE IT FURTHER RESOLVED, the Board find that the proposed SVAB SIP revision for TSP meets the presently applicable requirements of Part D of the Clean Air Act as amended. The Board approves the proposed SVAB SIP revision for TSP and directs the Executive Officer to submit the plan, together with technical support documentation as may be useful in showing compliance with the requirements of Part D, to the EPA as an SIP revision.

I certify that the above is a true and correct copy of Resolution 79-54 as passed by the Air Resources Board.

Joan Gilpin, Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Portions of the Sacramento Valley Air Basin (SVAB) are designated as a nonattainment area for the primary and secondary total suspended particulate (TSP) standards. This staff report summarizes the findings of the plan prepared by ARB staff and recommends the Board adopt the plan as an SIP revision.

Resolution Number: 79-54

Public Hearing Date: June 27, 1979

Response Date: June 27, 1979

Issuing Authority: Air Resources Board

Comment: A written statement provided by the Sacramento Valley Lung Association commented on the problems agricultural burning creates for public health.

Response: The Board direction to the Executive Officer "to actively investigate all aspects of open field burning of agricultural wastes and to schedule a Board meeting on the subject as soon as possible" is responsive to the comments of the Lung Association and provides the path for any remedial action necessary in addition to ARB's existing programs on agricultural burning.

CERTIFIED: _____
Joan Gilpin
Board Secretary

DATE: July 7, 1979

State of California

AIR RESOURCES BOARD

Resolution 79-55

July 26, 1979

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

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

WHEREAS, Butte County Air Pollution Control District was designated as a nonattainment area for ozone and particulate matter pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB is required by Section 41507 of the Health and Safety Code to review rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, emissions of organic gas are directly responsible for, or contribute to violations of ambient air quality standards for ozone and for particulate matter;

WHEREAS, during the last year the staff has requested Butte County Air Pollution Control District to adopt rules to further reduce the emissions of organic gases;

WHEREAS, the ARB has found that the adoption of federally and state required RACMs for the control of emissions of organic gases is necessary in order for the Butte County Air Pollution Control District to show reasonable further progress towards the attainment of the national ambient air quality standard for ozone;

WHEREAS, the Board finds that the controls required by the federally and state required RACMs are cost effective; and

WHEREAS, the Board has held the public hearing required by Health and Safety Code Sections 39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards:

NOW, THEREFORE, BE IT RESOLVED,

1. The Butte County Air Pollution Control District's Rules and Regulations (Architectural Coatings Usage; Chapter 4, Section 4-5, New Source Review) are amended to read as set forth in Attachment A to this Executive Order; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-55 as passed by the Air Resources Board

Helen Forrest

Helen Forrest

ATTACHMENT A

TO RESOLUTION 79-55

Adopt the following rule, Architectural Coatings Usage, for Butte County APCD:

Rule 2.12(f) Architectural Coatings

1. Definitions

a. Architectural Coatings

For the purpose of this rule, an architectural coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.

b. Bituminous Coatings Materials

Black or brownish materials, soluble in carbon disulfide, consisting mainly of hydrocarbons and which are obtained from natural deposits, or as residues from the distillation of crude petroleum oils, or of low grades of coal.

c. Fire Retardant Coatings

Architectural coatings which are designed to retard fires and which will significantly: (a) reduce the rate of flame spread on the surface of a material to which such a coating has been applied, or (b) resist ignition when exposed to high temperatures, or (c) insulate a substrate to which such a coating has been applied and prolong the time required to reach ignition temperature.

d. Graphic Arts Coatings

Coatings which are marketed solely for application to indoor and outdoor signs and include lettering enamels, poster colors and bulletin colors.

e. Industrial Maintenance Finishes

High performance coatings which are formulated for the purpose of heavy abrasion, water immersion, chemical, corrosion, temperature, electrical or solvent resistance.

f. Metallic Pigmented Paints

Non-bituminous coatings which are formulated with metallic pigment.

g. Opaque Stains

All stains that are not classified as semitransparent stains.

h. Primers

Coatings which are intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

i. Sealers

Coatings which are intended for use on porous substrates to protect the substrate, to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate.

j. Semitransparent Stains

Coatings which are formulated to change the color of a surface but not conceal the surface.

k. Tile-like Glaze Coatings

Coatings which are formulated to provide a tough, extra-durable coating system, which are applied as a continuous (seamless) high-build film and which cure to a hard glaze finish.

l. Undercoaters

Coatings which are designed to provide a smooth surface for subsequent coats.

m. Varnishes, Lacquers, and Shellacs

Coatings which contain resins and binders but not opaque pigments and which are specifically formulated to form a transparent or translucent solid protective film.

n. Waterproofing Coating

Coatings which are formulated for the sole purpose of preventing penetration of the substrate by water. These coatings include, but are not limited to, bituminous roof and resilient type coatings.

o. Wood Preservatives

Coatings which are formulated for the purpose of protecting exposed wood from decay and insect attack. These coatings perform their function by penetrating into the wood.

2. No person shall sell, offer for sale, or apply any architectural coating manufactured after July 26, 1980 which:

a. contains more than 250 grams of volatile organic material per liter of coating as applied, excluding water, except as provided in subsection b of this section.

b. contains more than 350 grams of volatile organic material per liter of coating as applied, excluding water, and is recommended solely for use on interior surfaces. Interior coatings manufactured after July 26, 1982 may not contain more than 250 grams of volatile organic material per liter of coating as applied, excluding water.

c. is recommended for use as a bituminous pavement sealer unless it is an emulsion type coating.

3. The provisions of Section 2 of this rule shall not apply to architectural coatings sold in this district for shipment outside of this district or for shipment to other manufacturers for repackaging.

4. The provisions of Section 2 of this rule shall not apply to coatings manufactured prior to July 26, 1981 by a Small Business.

a. A "Small Business" for the purposes of this rule means any business which in 1976 sold less than 200,000 gallons of paints and coatings.

(i) A business shall not qualify for this exemption if it would not be considered a Small Business, as defined in Subsection (1) of Section 1896 of Title 2 of the California Administrative Code.

(ii) A business shall not qualify for this exemption if its total annual sales volume of paints and coatings which would otherwise be subject to this rule exceeds by more than 10 percent the business's total sales volume of such coatings in calendar year 1976.

b. To qualify for a Small Business exemption, a company requesting such exemption shall file a request in writing with the Air Pollution Control Officer. The company shall provide the Air Pollution Control Officer any necessary information including, but not limited to: (i) total volume (in gallons) of paints and coatings sold in 1976; (ii) the number of persons employed by the company; (iii) the gross sales receipts (in dollars) for 1976; and (iv) total annual sales volume of paints and coatings in 1976 and any subsequent year which would otherwise be subject to this rule. Other information necessary to document that the business is not an affiliate of another business concern which would not be considered a Small Business for the purposes of this rule shall also be provided to the Air Pollution Control Officer.

The Air Pollution Control Officer after considering information submitted by the business concern shall determine whether such concern qualifies as a Small Business as defined in Subsection a. of this section and shall inform the business concern of this determination in writing.

5. The provisions of this rule shall not apply to the following coatings manufactured prior to July 26, 1984:

   a. architectural coatings supplied in containers having capacities of one liter or less;

   b. traffic coatings applied to public streets and highways; however, this exemption shall not extend to traffic coatings applied to other surfaces, including, but not limited to curbs, berms, driveways and parking lots.

   c. architectural coatings recommended by the manufacturer for use solely as a:

      1) varnish, lacquer, or shellac
      2) semitransparent stain
      3) opaque stain on bare redwood, cedar, mahogany, and douglas fir
      4) primer, sealer, or undercoater
      5) wood preservative
      6) fire retardant coating
      7) tile-like glaze coating
      8) waterproofing coating, except bituminous pavement sealers
      9) industrial maintenance finish
      10) metallic pigmented coatings
      11) swimming pool coating
      12) graphic arts coatings

6. Identification of Coatings

   Containers for all coatings subject to Section 2 shall display the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file with the Air Pollution Control Officer and the Executive Officer of the California Air Resources Board prior to (one year from date of adoption) an explanation of each code.

7. Labeling of Coatings

   a. If anywhere on the coating container, on any sticker or label affixed thereto, or in any sales or advertising literature, any indication is given that the coating may be used or is suitable for use for any purpose other than those specifically provided for in Section 5 of this rule, then the exemption provided for in said Section 5 shall not apply to that coating.

   b. In any instance where more than one of the standards set forth in Section 2 of this rule may be applicable, the most restrictive standard shall apply.

ATTACHMENT A
TO RESOLUTION 79-55

Rescind Butte County APCD Sections 4-5, Standards for Granting Application for Permits, and 4-6, Conditional Approval, and replace them with the following New Source Review rules.

Section 4-5 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Section 4-6 State Ambient Air Quality Standards

All references in Section 4-5 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Section 4-6A Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Section 4-5 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues
Public Hearing to Consider Amendments to the Rules and Regulations
of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
79-56
79-57
79-59
79-60
79-61
79-62
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79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
79-56
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State of California

AIR RESOURCES BOARD

Resolution 79-56

July 26, 1979

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 emission source where the same 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, establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board adopted on February 16, 1979, suggested new source review rules which meet the aforesaid state and federal mandates, and by letter dated March 12, 1979, requested the Colusa County Air Pollution Control District to adopt the suggested new source review rules or equivalent rules;

WHEREAS, the Board finds that the Colusa County 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, use 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 is requested 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, Health and Safety Code §39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the Board has held the public hearing required by Health and Safety Code §§39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national 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 Colusa County Air Pollution Control District do not make reasonable provision to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE BE IT RESOLVED:

1. The Colusa County Air Pollution Control District Rules and Regulations (Rules 2.7 and 2.8 New Source Review) are amended to read as set forth in Attachment A to this Resolution; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-56 as passed by the Air Resources Board

Helen Forrest

Helen Forrest

ATTACHMENT A
TO RESOLUTION 79-56

Rescind Colusa County APCD Rules 2.7, Standards for Granting Applications for Permits, and 2.8, Conditional Approval, and replace them with the following New Source Review rules.

Rule 2.7 Standards for Authority to Construct in the Sacramento Valley Air Basin

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 2.8 State Ambient Air Quality Standards

All references in Rule 2.7 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 2.8A Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 2.7 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues
Public Hearing to Consider Amendments to the Rules and Regulations
of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
79-56
79-57
79-59
79-60
79-61
79-62
79-63
79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
79-56
79-57
79-59
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State of California

AIR RESOURCES BOARD

Resolution 79-57

July 26, 1979

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 emission source where the same 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, establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board adopted on February 16, 1979, suggested new source review rules which meet the aforesaid state and federal mandates, and by letter dated March 12, 1979, requested the Glenn County Air Pollution Control District to adopt the suggested new source review rules or equivalent rules;

WHEREAS, the Board finds that the Glenn County 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, use 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 is requested 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, Health and Safety Code §39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the Board has held the public hearing required by Health and Safety Code §§39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national 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 Glenn County Air Pollution Control District do not make reasonable provision to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE BE IT RESOLVED:

1. The Glenn County Air Pollution Control District Rules and Regulations Sections 51-52 (~~Rules 2.7 and 2.8~~ New Source Review) are amended to read as set forth in Attachment A to this Resolution; and -52.1

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-57 as passed by the Air Resources Board

Helen Forrest

Helen Forrest

ATTACHMENT A
TO RESOLUTION 79-57

Rescind Glenn County APCD Section 51, Standards for Granting Authority to Construct or Permit to Operate, and Section 52, Conditional Approval, and replace them with the following New Source Review rules.

Section 51 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):
Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:
Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:
Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 52 State Ambient Air Quality Standards

All references in Section 51 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 52.1 Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Section 51 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues

Public Hearing to Consider Amendments to the Rules and Regulations

of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
79-56
79-57
79-59
79-60
79-61
79-62
79-63
79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
79-56
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State of California

AIR RESOURCES BOARD

Resolution 79-59

July 26, 1979

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

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

WHEREAS, Sacramento County Air Pollution Control District was designated as a nonattainment area for ozone pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB is required by Section 41507 of the Health and Safety Code to review rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, emissions of organic gas are directly responsible for, or contribute to violations of ambient air quality standards for ozone;

WHEREAS, during the last year the staff has requested Sacramento County Air Pollution Control District to adopt rules to further reduce the

emissions of organic gases;

WHEREAS, the ARB has found that the adoption of federally and state required RACMs for the control of emissions of organic gases is necessary in order for the Sacramento County Air Pollution Control District to show reasonable further progress towards the attainment of the national ambient air quality standard for ozone;

WHEREAS, the Board finds that the controls required by the federally and state required RACMs are cost effective; and

WHEREAS, the Board has held the public hearing required by Health and Safety Code Sections 39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE, BE IT RESOLVED,

1. The Sacramento County Air Pollution Control District's Rules and Regulations (Rule 19, Cutback Asphalt Usage; Rule 17, Manufactured Metal Parts and Products Coasting; Rule 11, Storage of Petroleum Products; Rule 56, New Source Review) are amended to read as set forth in Attachment A to this Executive Order; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-59 as passed by the Air Resources Board.

Helen Forrest

Helen Forrest

Attachment A, Resolution 79-59

Revise Sacramento County APCD Rule 19, Cutback Asphalt Usage, as follows:

RULE 19. CUTBACK ASPHALT PAVING MATERIALS

a. 1. After July 1, 1979, no person shall cause or allow the use or application of rapid cure cutback asphalt for highway or street paving or maintenance, nor manufacture, sell, or offer for sale rapid cure cutback asphalt for such use or application.

2. After July 1, 1980, no person shall cause or allow the use or application of cutback asphalt for highway or street paving or maintenance, nor manufacture, sell, or offer for sale cutback asphalt for such use or application except as specified below:

(i) Where the use or application commences on or after November 1 of any year and such use or application is completed before April 1 of the following year.

(ii) Where the manufacture or sale is for immediate shipment and eventual use outside of the County of Sacramento, State of California.

(iii) Where the cutback asphalt is to be used solely as a penetrating prime coat.

3. After January 1, 1982, no person shall cause or allow the use or application *of cutback asphalt or shall cause or allow the use or application* of an emulsified asphalt containing petroleum solvents (diluents) in excess of 3 percent by volume as determined by ASTM D244-75 for highway or street paving or maintenance, nor sell, or offer for sale such asphalt for such use or application.

4. After January 1, 1982, road oils used for highway or street paving or maintenance applications shall contain no more than 0.5 percent of organic compounds which boil at less than 500 F as determined by ASTM D402-73.

5. *Section a.3. of this rule shall be implemented on January 1, 1982, unless after a public hearing the Air Resources Board finds that there are legitimate highway and roadway construction and maintenance needs which can not be fulfilled in a technically feasible and economically reasonable manner by the use of either emulsions or road oils which comply with this rule. At the public hearing, the Air Resources Board shall take into account the recommendations of local public works and air pollution control officials. If the ARB makes the above-described finding, the compliance date of Section a.3. will be delayed by one year and such one-year delays may be repeated if the Board reaffirms such a finding after subsequent public hearings.*

b. Definitions

1. "Asphalt" means the dark brown to black cementitious material (solid, semi-solid, or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.

2. "Cutback asphalt" means paving grade asphalts liquefied with petroleum distillate and conforming to specifications of the American Society for Testing & Materials (ASTM) as follows:

Rapid Cure Type:	ASTM D2028-76
Medium Cure Type:	ASTM D2027-76

3. "Dust palliative" means any light application of liquefied asphalt (cutback, emulsified, or road oil) for the expressed purpose of controlling dust.
4. "Emulsified asphalt" means any asphalt liquefied with water and containing a nonionic, anionic, or cationic emulsifier.
5. "Tack Coat" means any application of asphalt to an existing ~~nonabsorptive~~ surface to bond it to a new surface.
6. "Penetrating prime coat" means any application of asphalt to an absorptive surface to penetrate that surface, to bind the aggregate, and/or to promote adhesion to new construction. Dust palliatives or tack coats shall not be included in this definition.
7. "Road oils" shall be synonomous with slow cure asphalts.

Attachment A, Resolution 79-59

Revise Sacramento County APCD Rule 17, Manufactured Metal Parts and Products Coatings, as follows:

Rule 17. SURFACE COATINGS OF MANUFACTURED METAL PARTS AND PRODUCTS

a. After January 1, 1982, a person shall not use or apply any coating (except as provided in Section b) on any manufactured metal part or product subject to the provisions of this rule which emit or may emit volatile organic compounds into the atmosphere in excess of:

   1. 340 grams per liter of coating as applied, excluding water, if the coating is air dried or forced air dried.
   2. 275 grams per liter of coating as applied, excluding water, if the coating is baked.

~~b. After January 1, 1985, a person shall not use or apply any coating, which is exposed to a corrosive atmosphere, on any manufactured metal part or product subject to the provisions of this rule which emit or may emit volatile organic compounds into the atmosphere in excess of the limitations of section (a).~~

c. A person shall not use or apply any oven-baked coating on any manufactured metal part or product subject to the provisions of this rule which emit or may emit volatile organic compounds into the atmosphere in excess of 180 grams per liter of coating as applied, excluding water, on any application line for which a permit to build, erect, or install is required after January 1, 1982.

d. Before January 1, 1982, the amount of volatile organic compounds which may be emitted from any manufactured metal part or product coating application line shall be re-evaluated by the California Air Resources Board to determine whether another limit is justified.

e. The emission limits prescribed in this rule shall be achieved by:

1. The use of low solvent coating; or

2. Any other emission reduction process determined by the Air Pollution Control Officer to be effective as (1).

f. After January 1, 1982, a person shall not use or operate any coating application equipment subject to the provisions of this rule that does not provide transfer efficiency equal to or greater than 65 percent.

g. Exemptions

1. The provisions of this rule shall not apply to coatings which emit or may emit volatile organic compounds in excess of the specified limits provided that the total emissions from the use of such coatings do not exceed 20 pounds in any one day.

2. The provisions of this rule shall not apply to the coating of automobiles, light duty trucks, aircraft, aerospace vehicles, marine vessels, cans, coils, and magnetic wire.

3. The provisions of Section (f) of this rule shall not apply to touchup and repair.

4. The provisions of section (f) of this rule shall not apply if it can be demonstrated to the satisfaction of the Air Pollution Control Officer that a transfer efficiency of 65 percent cannot be achieved by any means. In this case the most efficient application method shall be used.

5. *Until January 1, 1985 the provisions of section a. shall not apply to offshore platform parts if it is determined by the Air Pollution Control Officer that substitution of contractually required noncomplying coatings with complying coatings would result in loss of contract.*

h. Definitions

1. Forced Air Dried - a process whereby the coating object is heated above ambient temperature up to a maximum of 90° Celsius to decrease drying time.
2. Manufactured Metal Parts and Products - any metal parts or products manufactured under the Standard Industrial Classification code of Major Group 25 (furniture & fixtures), Major Group 33 (Primary metal industries), Major Group 34 (fabricated metal products), Major 35 (non-electrical machinery), Major Group 36 (electrical machinery), Major Group 37 (transportation equipment), Major Group 38 (miscellaneous instruments), Major Group 39 (misc. manufacturing industries).
3. Repair - recoating portions of previously coated products due to mechanical damage to the coating following normal painting operations.
4. Touch up - that portion of the coating operation which is incidental to the main coating process but necessary to cover minor imperfections or to achieve coverage as required.
5. Transfer Efficiency - the ratio of the amount by volume of coating which is deposited on the object to be coated to the amount by volume of coating sprayed expressed as a percentage.
6. Volatile Organic Compound (VOC) - any volatile compound of carbon (excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate) as determined by the procedure outlined in ASTM D-2369-73 with California Air Resources Board modifications.

ATTACHMENT A
TO RESOLUTION 79-59

Rescind Sacramento County APCD Rule 56, New Facility Review and replace with the following New Source Review rules.

Rule 56 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 56a State Ambient Air Quality Standards

All references in Rule 56 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 56b Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 56 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues
Public Hearing to Consider Amendments to the Rules and Regulations
of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
79-56
79-57
79-59
79-60
79-61
79-62
79-63
79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
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State of California

AIR RESOURCES BOARD

Resolution 79-60

July 26, 1979

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 emission source where the same 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, establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board adopted on February 16, 1979, suggested new source review rules which meet the aforesaid state and federal mandates, and by letter dated March 12, 1979, requested the Shasta County Air Pollution Control District to adopt the suggested new source review rules or equivalent rules;

WHEREAS, the Board finds that the Shasta County 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, use 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 is requested 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, Health and Safety Code §39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the Board has held the public hearing required by Health and Safety Code §§39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national 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 Shasta County Air Pollution Control District do not make reasonable provision to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE BE IT RESOLVED:

1. The Shasta County Air Pollution Control District Rules and Regulations (~~Rules 2.7 and 2.8~~ New Source Review) are amended to read as set forth in Attachment A to this Resolution; and

Rules 2.1, 2.2, 2.3

AM 8-30-79 (Clerical error)

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-60 as passed by the Air Resources Board

Helen Forrest

Helen Forrest

ATTACHMENT A
TO RESOLUTION 79-60

Rescind Shasta County APCD Rules 2.1, Authority to Construct; Rule 2.2, Standards for Authority to Construct; and 2.3, Permit to Operate, and replace them with the following New Source Review rules.

Rule 2.1 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 2.2 State Ambient Air Quality Standards

All references in Rule 2.1 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 2.3 Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 2.1 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues
Public Hearing to Consider Amendments to the Rules and Regulations
of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

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Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

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State of California

AIR RESOURCES BOARD

Resolution 79-61

July 26, 1979

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

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

WHEREAS, Sutter County Air Pollution Control District was designated as a nonattainment area for ozone and particulate matter pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB is required by Section 41507 of the Health and Safety Code to review rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, emissions of organic gas are directly responsible for, or contribute to violations of ambient air quality standards for ozone and for particulate matter;

WHEREAS, during the last year the staff has requested Sutter County Air Pollution Control District to adopt rules to further reduce the emissions of organic gases;

WHEREAS, the ARB has found that the adoption of federally and state required RACMs for the control of emissions of organic gases is necessary in order for the Sutter County Air Pollution Control District to show reasonable further progress towards the attainment of the national ambient air quality standard for ozone;

WHEREAS, the Board finds that the control required by the federally and state required RACMs are cost effective; and

WHEREAS, the Board has held public hearing required by Health and Safety Code Sections 39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE, BE IT RESOLVED,

1. The Sutter County Air Pollution Control District's Rules and Regulations (Architectural Coatings Usage; Rule 3.4, New Source Review) are amended to read as set forth in Attachment A to this Executive Order; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-61 as passed by the Air Resources Board.

Helen Forrest

Helen Forrest

ATTACHMENT A

TO RESOLUTION 79-61

Adopt the following rule, Architectural Coatings for Sutter County APCD

Rule 2.27 Architectural Coatings

1. Definitions

a. Architectural Coatings

For the purpose of this rule, an architectural coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.

b. Bituminous Coatings Materials

Black or brownish materials, soluble in carbon disulfide, consisting mainly of hydrocarbons and which are obtained from natural deposits, or as residues from the distillation of crude petroleum oils, or of low grades of coal.

c. Fire Retardant Coatings

Architectural coatings which are designed to retard fires and which will significantly: (a) reduce the rate of flame spread on the surface of a material to which such a coating has been applied, or (b) resist ignition when exposed to high temperatures, or (c) insulate a substrate to which such a coating has been applied and prolong the time required to reach ignition temperature.

d. Graphic Arts Coatings

Coatings which are marketed solely for application to indoor and outdoor signs and include lettering enamels, poster colors and bulletin colors.

e. Industrial Maintenance Finishes

High performance coatings which are formulated for the purpose of heavy abrasion, water immersion, chemical, corrosion, temperature, electrical or solvent resistance.

f. Metallic Pigmented Paints

Non-bituminous coatings which are formulated with metallic pigment.

g. Opaque Stains

All stains that are not classified as semitransparent stains.

h. Primers

Coatings which are intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

i. Sealers

Coatings which are intended for use on porous substrates to protect the substrate, to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate.

j. Semitransparent Stains

Coatings which are formulated to change the color of a surface but not conceal the surface.

k. Tile-like Glaze Coatings

Coatings which are formulated to provide a tough, extra-durable coating system, which are applied as a continuous (seamless) high-build film and which cure to a hard glaze finish.

l. Undercoaters

Coatings which are designed to provide a smooth surface for subsequent coats.

m. Varnishes, Lacquers, and Shellacs

Coatings which contain resins and binders but not opaque pigments and which are specifically formulated to form a transparent or translucent solid protective film.

n. Waterproofing Coating

Coatings which are formulated for the sole purpose of preventing penetration of the substrate by water. These coatings include, but are not limited to, bituminous roof and resilient type coatings.

o. Wood Preservatives

Coatings which are formulated for the purpose of protecting exposed wood from decay and insect attack. These coatings perform their function by penetrating into the wood.

2. No person shall sell, offer for sale, or apply any architectural coating manufactured after July 26, 1980 which:

a. contains more than 250 grams of volatile organic material per liter of coating as applied, excluding water, except as provided in subsection b of this section.

b. contains more than 350 grams of volatile organic material per liter of coating as applied, excluding water, and is recommended solely for use on interior surfaces. Interior coatings manufactured after July 26, 1982 may not contain more than 250 grams of volatile organic material per liter of coating as applied, excluding water.

c. is recommended for use as a bituminous pavement sealer unless it is an emulsion type coating.

3. The provisions of Section 2 of this rule shall not apply to architectural coatings sold in this district for shipment outside of this district or for shipment to other manufacturers for repackaging.

4. The provisions of Section 2 of this rule shall not apply to coatings manufactured prior to July 26, 1981 by a Small Business.

a. A "Small Business" for the purposes of this rule means any business which in 1976 sold less than 200,000 gallons of paints and coatings.

(i) A business shall not qualify for this exemption if it would not be considered a Small Business, as defined in Subsection (1) of Section 1896 of Title 2 of the California Administrative Code.

(ii) A business shall not qualify for this exemption if its total annual sales volume of paints and coatings which would otherwise be subject to this rule exceeds by more than 10 percent the business's total sales volume of such coatings in calendar year 1976.

b. To qualify for a Small Business exemption, a company requesting such exemption shall file a request in writing with the Air Pollution Control Officer. The company shall provide the Air Pollution Control Officer any necessary information including, but not limited to: (i) total volume (in gallons) of paints and coatings sold in 1976; (ii) the number of persons employed by the company; (iii) the gross sales receipts (in dollars) for 1976; and (iv) total annual sales volume of paints and coatings in 1976 and any subsequent year which would otherwise be subject to this rule. Other information necessary to document that the business is not an affiliate of another business concern which would not be considered a Small Business for the purposes of this rule shall also be provided to the Air Pollution Control Officer.

The Air Pollution Control Officer after considering information submitted by the business concern shall determine whether such concern qualifies as a Small Business as defined in Subsection a. of this section and shall inform the business concern of this determination in writing.

5. The provisions of this rule shall not apply to the following coatings manufactured prior to July 26, 1984:

   a. architectural coatings supplied in containers having capacities of one liter or less;

   b. traffic coatings applied to public streets and highways; however, this exemption shall not extend to traffic coatings applied to other surfaces, including, but not limited to curbs, berms, driveways and parking lots.

   c. architectural coatings recommended by the manufacturer for use solely as a:

      1) varnish, lacquer, or shellac
      2) semitransparent stain
      3) opaque stain on bare redwood, cedar, mahogany, and douglas fir
      4) primer, sealer, or undercoater
      5) wood preservative
      6) fire retardant coating
      7) tile-like glaze coating
      8) waterproofing coating, except bituminous pavement sealers
      9) industrial maintenance finish
      10) metallic pigmented coatings
      11) swimming pool coating
      12) graphic arts coatings

6. Identification of Coatings

   Containers for all coatings subject to Section 2 shall display the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file with the Air Pollution Control Officer and the Executive Officer of the California Air Resources Board prior to (one year from date of adoption) an explanation of each code.

7. Labeling of Coatings

   a. If anywhere on the coating container, on any sticker or label affixed thereto, or in any sales or advertising literature, any indication is given that the coating may be used or is suitable for use for any purpose other than those specifically provided for in Section 5 of this rule, then the exemption provided for in said Section 5 shall not apply to that coating.

   b. In any instance where more than one of the standards set forth in Section 2 of this rule may be applicable, the most restrictive standard shall apply.

ATTACHMENT A
TO RESOLUTION 79-61

Rescind Sutter County APCD Rules 3.4, Standards for Granting Permits to Construct and Operate, and 3.5, Conditional Approval, and replace them with the following New Source Review rules.

Rule 3.4 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 3.5 State Ambient Air Quality Standards

All references in Rule 3.4 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 3.5A Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 3.4 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues
Public Hearing to Consider Amendments to the Rules and Regulations
of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
79-56
79-57
79-59
79-60
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79-62
79-63
79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
79-56
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State of California

AIR RESOURCES BOARD

Resolution 79-62

July 26, 1979

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 emission source where the same 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, establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board adopted on February 16, 1979, suggested new source review rules which meet the aforesaid state and federal mandates, and by letter dated March 12, 1979, requested the Tehama County Air Pollution Control District to adopt the suggested new source review rules or equivalent rules;

WHEREAS, the Board finds that the Tehama County 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, use 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 is requested 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, Health and Safety Code §39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the Board has held the public hearing required by Health and Safety Code §§39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national 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 Tehama County Air Pollution Control District do not make reasonable provision to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE BE IT RESOLVED:

1. The Tehama County Air Pollution Control District Rules and Regulations (Rules 2.7 and 2.8 New Source Review) are amended to read as set forth in Attachment A to this Resolution; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-62 as passed by the Air Resources Board

Helen Forrest

Helen Forrest

ATTACHMENT A
TO RESOLUTION 79-62

Rescind Tehama County APCD Rules 2.5, Standards for Granting Applications for Permits, and 2.6, Conditional Approval, and replace them with the following New Source Review rules.

Rule 2.5 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 2.6 State Ambient Air Quality Standards

All references in Rule 2.5 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 2.6A Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 2.5 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues

Public Hearing to Consider Amendments to the Rules and Regulations

of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
79-56
79-57
79-59
79-60
79-61
79-62
79-63
79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
79-56
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State of California

AIR RESOURCES BOARD

Resolution 79-63

July 26, 1979

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

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

WHEREAS, Yolo-Solano Air Pollution Control District was designated as a nonattainment area for ozone pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB is required by Section 41507 of the Health and Safety Code to review rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, emissions of organic gas are directly responsible for, or contribute to violations of ambient air quality standards for ozone;

WHEREAS, during the last year the staff has requested Yolo-Solano Air Pollution Control District to adopt rules to further reduce the emissions of organic gases;

WHEREAS, the ARB has found that the adoption of federally and state required RACMs for the control of emissions of organic gases is necessary in order for the Yolo-Solano Air Pollution Control District to show reasonable further progress towards the attainment of the national ambient air quality standard for ozone;

WHEREAS, the Board finds that the controls required by the federally and state required RACMs are cost effective; and

WHEREAS, the Board has held the public hearing required by Health and Safety Code Sections 39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE, BE IT RESOLVED,

1. The Yolo-Solano Air Pollution Control District's Rules and Regulations (Architectural Coatings Usage, Cutback Asphalt Usage; Degreasing; Manufactured Metal Parts and Products Coatings; Rule 2.21.1, Storage of Petroleum Products; Rule 2.21, Vapor Control for Organic Liquid Transfer and Storage; Rule 3.4, New Source Review) are amended to read as set forth in Attachment A to this Executive Order; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-63 as passed by the Air Resources Board.

Helen Forrest

Helen Forrest

ATTACHMENT A

TO RESOLUTION 79-63

Amend the following rule, Architectural Coatings for Yolo-Solano APCD

Rule 2.14 Architectural Coatings

1. Definitions

a. Architectural Coatings

For the purpose of this rule, an architectural coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.

b. Bituminous Coatings Materials

Black or brownish materials, soluble in carbon disulfide, consisting mainly of hydrocarbons and which are obtained from natural deposits, or as residues from the distillation of crude petroleum oils, or of low grades of coal.

c. Fire Retardant Coatings

Architectural coatings which are designed to retard fires and which will significantly: (a) reduce the rate of flame spread on the surface of a material to which such a coating has been applied, or (b) resist ignition when exposed to high temperatures, or (c) insulate a substrate to which such a coating has been applied and prolong the time required to reach ignition temperature.

d. Graphic Arts Coatings

Coatings which are marketed solely for application to indoor and outdoor signs and include lettering enamels, poster colors and bulletin colors.

e. Industrial Maintenance Finishes

High performance coatings which are formulated for the purpose of heavy abrasion, water immersion, chemical, corrosion, temperature, electrical or solvent resistance.

f. Metallic Pigmented Paints

Non-bituminous coatings which are formulated with metallic pigment.

g. Opaque Stains

All stains that are not classified as semitransparent stains.

h. Primers

Coatings which are intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

i. Sealers

Coatings which are intended for use on porous substrates to protect the substrate, to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate.

j. Semitransparent Stains

Coatings which are formulated to change the color of a surface but not conceal the surface.

k. Tile-like Glaze Coatings

Coatings which are formulated to provide a tough, extra-durable coating system, which are applied as a continuous (seamless) high-build film and which cure to a hard glaze finish.

l. Undercoaters

Coatings which are designed to provide a smooth surface for subsequent coats.

m. Varnishes, Lacquers, and Shellacs

Coatings which contain resins and binders but not opaque pigments and which are specifically formulated to form a transparent or translucent solid protective film.

n. Waterproofing Coating

Coatings which are formulated for the sole purpose of preventing penetration of the substrate by water. These coatings include, but are not limited to, bituminous roof and resilient type coatings.

o. Wood Preservatives

Coatings which are formulated for the purpose of protecting exposed wood from decay and insect attack. These coatings perform their function by penetrating into the wood.

2. No person shall sell, offer for sale, or apply any architectural coating manufactured after July 26, 1980 which:

a. contains more than 250 grams of volatile organic material per liter of coating as applied, excluding water, except as provided in subsection b of this section.

b. contains more than 350 grams of volatile organic material per liter of coating as applied, excluding water, and is recommended solely for use on interior surfaces. Interior coatings manufactured after July 26, 1982 may not contain more than 250 grams of volatile organic material per liter of coating as applied, excluding water.

c. is recommended for use as a bituminous pavement sealer unless it is an emulsion type coating.

3. The provisions of Section 2 of this rule shall not apply to architectural coatings sold in this district for shipment outside of this district or for shipment to other manufacturers for repackaging.

4. The provisions of Section 2 of this rule shall not apply to coatings manufactured prior to July 26, 1981 by a Small Business.

a. A "Small Business" for the purposes of this rule means any business which in 1976 sold less than 200,000 gallons of paints and coatings.

(i) A business shall not qualify for this exemption if it would not be considered a Small Business, as defined in Subsection (1) of Section 1896 of Title 2 of the California Administrative Code.

(ii) A business shall not qualify for this exemption if its total annual sales volume of paints and coatings which would otherwise be subject to this rule exceeds by more than 10 percent the business's total sales volume of such coatings in calendar year 1976.

b. To qualify for a Small Business exemption, a company requesting such exemption shall file a request in writing with the Air Pollution Control Officer. The company shall provide the Air Pollution Control Officer any necessary information including, but not limited to: (i) total volume (in gallons) of paints and coatings sold in 1976; (ii) the number of persons employed by the company; (iii) the gross sales receipts (in dollars) for 1976; and (iv) total annual sales volume of paints and coatings in 1976 and any subsequent year which would otherwise be subject to this rule. Other information necessary to document that the business is not an affiliate of another business concern which would not be considered a Small Business for the purposes of this rule shall also be provided to the Air Pollution Control Officer.

The Air Pollution Control Officer after considering information submitted by the business concern shall determine whether such concern qualifies as a Small Business as defined in Subsection a. of this section and shall inform the business concern of this determination in writing.

5. The provisions of this rule shall not apply to the following coatings manufactured prior to July 26, 1984:

   a. architectural coatings supplied in containers having capacities of one liter or less;

   b. traffic coatings applied to public streets and highways; however, this exemption shall not extend to traffic coatings applied to other surfaces, including, but not limited to curbs, berms, driveways and parking lots.

   c. architectural coatings recommended by the manufacturer for use solely as a:

      1) varnish, lacquer, or shellac
      2) semitransparent stain
      3) opaque stain on bare redwood, cedar, mahogany, and douglas fir
      4) primer, sealer, or undercoater
      5) wood preservative
      6) fire retardant coating
      7) tile-like glaze coating
      8) waterproofing coating, except bituminous pavement sealers
      9) industrial maintenance finish
      10) metallic pigmented coatings
      11) swimming pool coating
      12) graphic arts coatings

6. Identification of Coatings

   Containers for all coatings subject to Section 2 shall display the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file with the Air Pollution Control Officer and the Executive Officer of the California Air Resources Board prior to (one year from date of adoption) an explanation of each code.

7. Labeling of Coatings

   a. If anywhere on the coating container, on any sticker or label affixed thereto, or in any sales or advertising literature, any indication is given that the coating may be used or is suitable for use for any purpose other than those specifically provided for in Section 5 of this rule, then the exemption provided for in said Section 5 shall not apply to that coating.

   b. In any instance where more than one of the standards set forth in Section 2 of this rule may be applicable, the most restrictive standard shall apply.

ATTACHMENT A

TO RESOLUTION 79-63

Adopt for Yolo-Solano APCD the following Cutback Asphalt Paving Material Rule:

Rule 2.23 Cutback Asphalt Paving Material

1. Definitions

   a. "Asphalt" means the dark-brown to black cementitious material (solid, semi-solid, or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.

   b. "Cutback asphalt" means paving grade asphalts liquefied with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

      Rapid cure type: ASTM D2028-76

      Medium cure type: ASTM D2027-76

   c. "Dust palliative" means any light application of liquefied asphalt (cutback or emulsified asphalt) for the express purpose of controlling loose dust.

   d. "Emulsified asphalt" means any asphalt liquefied with water containing an emulsifier, either anionic or cationic.

   e. "Tack coat" means any application of asphalt applied to an existing surface to provide a bond between new surfacing and existing surface and to eliminate slippage planes where the new and existing surfaces meet.

   f. "Penetrating prime coat" means any application of asphalt to an absorptive surface to penetrate and bind the aggregate surface and/or to promote adhesion between it and the new superimposed construction. Dust palliatives or tack coats are not included.

   g. "Road oils" shall be synonomous with slow cure asphalts.

2. a. After July 1, 1979, no person shall cause or allow the use or application of rapid cure cutback asphalt for highway or street paving or maintenance, nor manufacture, sell, or offer for sale cutback asphalt for such use or application.

b. After July 1, 1980, no person shall cause or allow the use or application of cutback asphalt for highway or street paving or maintenance, nor sell, or offer for sale cutback asphalt for such use or application except as specified below:

1) where the cutback asphalt is to be used solely as a penetrating prime coat;

2) where the National Weather Service official forecast of the high temperature for the immediate vicinity of the asphalt application for the 24-hour period following application is below $50^{o}F$ ($10^{o}C$).

These provisions do not apply to cutback asphalt sold in a district for shipment and use outside that district.

c. After January 1, 1982, no person shall cause or allow the use or application of cutback asphalt, or shall cause or allow the use or application of an emulsified asphalt containing petroleum solvents (diluents) in excess of 3 percent by volume as determined by ASTM D244-75 for highway or street paving or maintenance, nor sell, or offer for sale such asphalts for such use or application. These provisions do not apply to cutback asphalt sold in a district for shipment and use outside that district.

ATTACHMENT A

TO RESOLUTION 79-63

Adopt for Yolo-Solano APCD the following Solvent Cleaning Operations (Degreasing) rule:

Rule 2.24 Solvent Cleaning Operations (Degreasing)

A. *After January 1, 1980, any person who employs solvent metal cleaning (degreasing) shall utilize a device for such cleaning, which includes the following equipment:*

1. *A container (degreaser) for the solvent and the articles being cleaned.*
2. *An apparatus or cover which prevents the solvent from evaporating when not processing work in the degreaser.*
   a. *for cold solvent cleaning, if the vapor pressure of the solvent is greater than 15 mm of mercury (Hg) (0.3 psi) measured at 38°C (100°F), or if the solvent is heated, or if the solvent is agitated, then the cover must be designed so that it can be opened and closed easily with one hand.*
   b. *for open-top vapor degreasers, the cover shall be designed such that it can be opened and closed easily without disturbing the vapor zone.*
   c. *for conveyorized degreasers, covers shall be provided for closing off the entrance and exit during shutdown hours.*
3. *A facility for draining cleaned parts such that the drained solvent is returned to the container.*

4. *A permanent, conspicuous label, which lists each of the operating requirements contained in Section B.*

5. *For cold solvent cleaning, if the vapor pressure of the solvent is greater than 33 mm Hg or 0.6 psi at 38°C, or if the solvent is heated above 50°C, then one of the following control devices shall be used:*

   a. *a freeboard such that the freeboard ratio is greater than or equal to 0.75;*

   b. *a water cover if the solvent is insoluble in and heavier than water; or*

   c. *any other system demonstrated to be equivalent in emission control efficiency to the above, such as a refrigerated freeboard chiller or carbon adsorption system, and approved by the Air Pollution Control Officer.*

6. *If open-top vapor degreasing or conveyorized degreasing are employed, then the following equipment shall be utilized.*

   a. *All of the following safety devices:*

      1. *a device which shuts off the sump heat if either the condenser coolant stops circulating or becomes warmer than specified;*

      2. *for degreasers of the spray type, a device which prevents spray pump operation unless the solvent vapor level is at the designed operating level; and*

      3. *a device (of the manual reset type) which shuts off the sump heat if the solvent vapor level rises above the designed operating level.*

b. One of the following or a combination of the following major control devices:

1. a freeboard such that the freeboard ratio is greater than or equal to 0.75;
2. a refrigerated freeboard chiller which achieves a minimum of 8.8 watts cooling capacity per meter of air-vapor interface perimeter;
3. a carbon adsorption system which ventilates the air-vapor interface at a minimum rate of 15 $m^3/min/m^2$, but not greater than 20 $m^3/min/m^2$, and with a solvent vapor concentration exiting the exhaust duct of the carbon adsorber less than 25 ppm solvent averaged over one complete adsorption cycle; or
4. any other system demonstrated to be equivalent in emission control efficiency to the above and approved by the Air Pollution Control Officer.

c. For conveyorized degreasers, both of the following control devices:

1. either a drying tunnel, or another means such as a rotating basket, sufficient to prevent cleaned parts from carrying out solvent liquid or vapor, and
2. minimized opening: entrances and exits should silhouette work loads so that the average clearance between parts and the edge of the degreaser opening is either less than 10 cm or less than 10 percent of the width of the opening.

B. *After January 1, 1980, any person who employs solvent metal cleaning (degreasing) must conform to the following operating requirements:*

1. *Operate and maintain the degreasing equipment and emission control equipment in proper working order.*
2. *Do not allow any solvent to leak from any portion of the degreasing equipment.*
3. *Do not store or dispose of any solvent, including waste solvent, in such a manner as will cause or allow its evaporation into the atmosphere.*
4. *Perform distillation recovery of waste solvent, so that after distillation, solvent residues do not contain more than 10 percent solvent by volume.*
5. *Do not remove or open any device designed to cover the solvent unless processing work in the degreaser or performing maintenance on the degreaser.*
6. *Drain cleaned parts for at least 15 seconds after cleaning or until dripping ceases. (Cold solvent cleaning only)*
7. *If using a solvent flow, use only a continuous, fluid stream (not a fine, atomized, or shower type spray) at a pressure which does not cause liquid solvent to splash outside of the solvent container.*
8. *Perform solvent agitation, where necessary, through pump recirculation or by means of a mixer. Do not use air agitation of the solvent bath.*

9. For open-top vapor degreasers, a person shall minimize solvent carry-out by the following measures:

   a. rack parts to facilitate drainage,

   b. move parts in and out of the degreaser at less than 3.3 m/min.,

   c. degrease the work load in the vapor zone at least 30 seconds or until condensation ceases,

   d. allow parts to dry within the degreaser until visually dry.

10. For conveyorized degreasers, a person shall minimize solvent carry-out by the following measures:

   a. rack parts to facilitate drainage,

   b. maintain verticle conveyor speed at less than 3.3 m/min.

11. For open-top vapor degreasers:

   a. do not degrease porous or absorbent materials such as cloth, leather, wood, or rope,

   b. work loads shall not occupy more than half of the degreasers open-top area, and

   c. do not spray solvent above the vapor level.

C. Exemptions

1. The provisions of this rule do not apply to wipe cleaning.

2. The provisions of Section A(6)(b) do not apply to the following:

   a. open-top vapor degreasers which have an air-vapor interface area less than 1.0 m^2.

   b. conveyorized degreasers which have an air-vapor interface area less than 2.0 m^2.

D. *Definitions*

1. *"Cold cleaner" means any batch loaded, non-boiling solvent degreaser.*
2. *"Open-top vapor degreaser" means any batch loaded, boiling solvent degreaser.*
3. *"Conveyorized degreaser" means any continuously loaded, conveyorized solvent degreaser, either boiling or non-boiling.*
4. *"Freeboard height"*
   a. *For cold cleaning tanks, freeboard height means the distance from the top of the solvent or solvent drain to the top of the tank.*
   b. *For vapor degreasing tanks, freeboard height means the distance from the solvent vapor-air interface to the top of the basic degreaser tank.*
5. *"Freeboard ratio" is defined as the freeboard height divided by the width of the degreaser.*
6. *"Wipe cleaning" is defined as that method of cleaning which utilizes a material such as a rag wetted with a solvent, coupled with a physical rubbing process to remove contaminants from metal surfaces.*
7. *"Volatile organic compound" means any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and methane) that has a vapor pressure greater than 0.1 mm of Hg at standard conditions.*

ATTACHMENT A

TO RESOLUTION 79-63

Adopt for Yolo-Solano APCD the following Manufactured Metal Parts and Products rule:

Rule 2.25 Surface Coating on Manufactured Metal Parts and Products

1. *Definitions*

a. "Manufactured Metal Parts and Products" include any metal parts or products manufactured under the Standard Industrial Classification code of Major Group 25 (furniture and fixtures), Major Group 33 (primary metal industries), Major Group 34 (fabricated metal products), Major Group 35 (non-electrical machinery), Major Group 36 (electrical machinery), Major Group 37 (transportation equipment), Major Group 38 (miscellaneous manufacturing industries).

b. "Volatile Organic Compound (VOC)" means any volatile compound of carbon, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate as determined by an ARB approved reference test method.

c. "Forced Air Dried" means a process whereby the coated object is heated above ambient temperature up to a maximum of 90° Celsius to decrease drying time.

d. "Transfer Efficiency" means the ratio of the amount by volume of coating which is deposited on the object to be coated to the amount by volume of coating sprayed expressed as a percentage.

e. "Touch Up" means that portion of the coating operation which is incidental to the main coating process but necessary to cover minor imperfections or to achieve coverage as required.

f. *"Repair" means recoating portions of previously coated product due to mechanical damage to the coating following normal painting operations.*

2. *Emissions Standards*

Except as otherwise provided in Section 4, this rule is applicable to the coating of any manufactured metal parts and products excluding automobiles, light-duty trucks, aircraft, aerospace vehicles, marine vessels, cans, coils, and magnetic wire.

a. *After January 1, 1982, a person shall not use or apply any coating on any manufactured metal part or product subject to the provisions of this regulation which emits or may emit volatile organic compounds into the atmosphere in excess of the following limits:*

VOC Limitation
(grams per liter of coating applied excluding water)

Air Dried or Forced Air Dried	*Baked*
340	*275*

b. *New Sources*

A person shall not use or apply any oven-baked coating on any manufactured metal part or product subject to the provisions of this regulation which emits or may emit volatile organic compounds into the atmosphere in excess of 180 grams per liter of coating applied excluding water on any application line for which a permit to build, erect, or install is required after January 1, 1982.

c. Before January 1, 1982, the amount of volatile organic compounds which may be emitted from any manufactured metal part or product coating application line shall be re-evaluated to determine whether another limit is justified.

d. The emission limits prescribed in this section shall be achieved by:

(1) The use of low-solvent coating; or

(2) Any other emission reduction process determined by the Air Pollution Control Officer to be as effective as (1).

3. Application Equipment Requirements

Except as otherwise provided in Section 4, after January 1, 1982, a person shall not use or operate any coating application equipment subject to the provisions of this regulation that does not provide transfer efficiency equal to or greater than 65 percent. The application of coatings by electrostatic attraction shall be deemed to constitute compliance with this requirement.

4. Exemptions

a. The provisions of this rule shall not apply to coatings which emit or may emit volatile organic compounds in excess of the specified limits provided that the total emissions from the use of such coatings do not exceed 20 pounds in any one day.

b. The provisions of Section 3 shall not apply to touch-up and repair.

Attachment A, Resolution 79-63

Adopt Yolo-Solano APCD Rule 2.21.1 Storage of Petroleum Products, as follows:

Rule 2.21.1 Storage of Petroleum Products

(a) No person shall 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 true 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 good operating order:

(1) A floating roof, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and is equipped with a closure device between the tank shell and roof edge. Except as provided in paragraphs (a)(1)(C) and (D), the closure device shall consist of two seals, one above the other; the one below shall be referred to as the primary seal, and the one above shall be referred to as the secondary seal. Seal designs shall be submitted to the Air Pollution Control Officer and shall not be installed or used unless they are approved by the Air Pollution Control Officer as meeting the criteria set forth in paragraphs (a)(1)(A) through (a)(1)(D), as applicable.

(A) For a closure device on a welded tank shell which uses a metallic-shoe-type seal as its primary seal:

(i) gaps between the tank shell and the primary seal shall not exceed 3.8 centimeters (1-1/2 inches) for an accumulative length of 10 percent,

1.3 centimeters (1/2 inch) for another 30 percent, and 0.32 centimeters (1/8 inch) for the remaining 60 percent of the circumference of the tank. No gap between the tank shell and the primary seal shall exceed 3.8 centimeters (1-1/2 inches). No continuous gap greater than 0.32 centimeters (1/8 inch) shall exceed 10% of the circumference of the tank.

(ii) Gaps between the tank shell and the secondary seal shall not exceed 0.32 centimeters (1/8 inch) for an accumulative length of 95 percent of the circumference of the tank, and shall not exceed 1.3 centimeters (1/2 inch) for an accumulative length of the remaining 5 percent of the circumference of the tank. No gap between the tank shell and the secondary seal shall exceed 1.3 centimeters (1/2 inch).

(iii) Metallic-shoe-type seals installed on or after July 10, 1979, shall be installed so that one end of the shoe extends into the stored liquid and the other end extends a minimum vertical distance of 61 centimeters (24 inches) above the stored liquid surface.

(iv) The geometry of the shoe shall be such that the maximum gap between the shoe and the tank shell is no greater than double the gap allowed by the seal gap criteria for a length of at least 46 centimeters (18 inches) in the vertical plane above the liquid surface. There shall be no holes or tears in, or openings which allow the emission of organic vapors through the secondary seal or in the primary seal envelope surrounding the annular vapor space enclosed by the roof edge, stored liquid surface, shoe, and seal fabric.

(v) The secondary seal shall allow easy insertion of probes up to 3.8 centimeters (1-1/2 inches) in width in order to measure gaps in the primary seal.

(vi) The secondary seal shall extend from the roof to the tank shell and shall not be attached to the primary seal.

(vii) The owner or operator of any container subject to paragraph (a)(1)(A), and which is installed after July 10, 1979, shall comply with the requirements of paragraph (a)(1)(A) at the time of installation.

(viii) The owner or operator of any existing container which requires modification to comply with paragraph (a)(1)(A)(ii) shall be in compliance by May 1, 1981, and shall comply with the following increments of progress:

(I) January 1, 1980. 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.

(II) April 1, 1980. Negotiate and sign initial contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(III) May 1, 1980. Initiate on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(IV) May 1, 1981. Complete on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(B) For a closure device which uses a resilient-toroid-type seal as its primary seal:

(i) If installation was or is commenced prior to July 10, 1979, gaps between the tank shell and the primary seal shall not exceed 0.32 centimeters (1/8 inch) for an accumulative length of 95 percent of the circumference of the tank, and shall not exceed 1.3 centimeters (1/2 inch) for an accumulative length of the remaining 5 percent of the tank circumference. No gap between the tank shell and the primary seal shall exceed 1.3 centimeters (1/2 inch).

(ii) If installation was or is commenced prior to July 10, 1979 gaps between the tank shell and the secondary seal shall not exceed 0.32 centimeters (1/8 inch) for an accumulative length of 95 percent of the circumference of the tank, and shall not exceed 1.3 centimeters (1/2 inch) for an accumulative length of the remaining 5 percent of the tank circumference. No gap between the tank shell and the secondary seal shall exceed 1.3 centimeters (1/2 inch).

(iii) If installation is commenced after July 10, 1979, the tank owner or operator shall, prior to installation, demonstrate to the Executive Officer that the closure device controls vapor loss with an effectiveness equivalent to a closure device on a welded tank which meets the requirements of paragraph (a)(1)(A). The Air Pollution Control Officer shall determine whether equivalence exists in accordance with paragraph (a)(1)(D). If equivalence is demonstrated using primary or secondary seal gap criteria (if any) different from the criteria specified in paragraphs (a)(1)(B)(i) or (ii), those criteria shall be controlling for all purposes of this rule in lieu of the criteria specified in paragraphs (a)(1)(B)(i) and (ii).

(iv) There shall be no holes or tears in, or openings which allow the emission of organic vapors through the secondary seal or in the primary seal envelope surrounding the annular vapor space enclosed by the roof edge, seal fabric and secondary seal.

(v) The secondary seal shall allow easy insertion of probes up to 1.3 centimeters (1/2 inch) in width in order to measure gaps in the primary seal.

(vi) The secondary seal shall extend from the roof of the tank to the shell and not be attached to the primary seal.

(vii) The owner or operator of any existing container which requires modification to comply with paragraph (a)(1)(B)(ii) shall comply with the schedule of increments of progress and final compliance date set forth in paragraph (a)(1)(A)(viii).

(C) For a closure device on a riveted tank shell which uses a metallic-shoe-type seal as its primary seal:

(i) Effective November 1, 1979, the closure device shall consist of at least one seal. Gaps between the tank shell and the seal shall not exceed 6.4 centimeters (2-1/2 inches) for an accumulative length of 10 percent of the circumference of the tank, and shall not exceed 3.8 centimeters (1-1/2 inches) for an accumulative length of the remaining 90 percent of the circumference of the tank. No gap between the tank shell and the seal shall exceed 6.4 centimeters (2-1/2 inches). In addition, any existing secondary seal or other vapor loss control device shall remain in place and comply with the same gap criteria.

(ii) Effective May 1, 1982, the closure device shall consist of two seals, one above the other; the one below shall be referred to as the primary seal, and the one above shall be referred to as the secondary seal. The closure device shall control vapor loss with an effectiveness equivalent

to a closure device on a welded tank which meets the requirements of paragraph (a)(1)(A). The Air Pollution Control Officer shall determine whether equivalence exists in accordance with paragraph (a)(1)(D). Gaps between the primary and secondary seals and the tank shell shall not exceed the gaps (if any) associated with the closure device approved as equivalent by the Air Pollution Control Officer, and shall be controlling for all purposes of this rule.

(iii) Metallic-shoe-type seals installed on or after July 10, 1979, shall be installed so that one end of the shoe extends into the stored liquid and the other end extends a minimum vertical distance of 61 centimeters (24 inches) above the stored liquid surface. The geometry of the shoe shall be such that the maximum gap between the shoe and the tank shell is no greater than double the gap allowed by the seal gap criteria for a length of at least 46 centimeters (18 inches) in the vertical plane. (A typical metallic-shoe-type seal with a pantagraph-type hanger is shown in Figure 1. This sketch is for illustrative purposes only and does not constitute endorsement of any product or company.)

(iv) There shall be no holes or tears in, or openings which allow the emission of organic vapors through the envelope surrounding the annular vapor space enclosed by the roof edge, stored liquid surface, shoe, and seal fabric.

(v) Any secondary seal shall allow easy insertion of probes uo to 6.4 centimeters (2-1/2 inches) in width in order to measure gaps in the primary seal.

(vi) Any secondary seal shall extend from the roof to the tank shell and shall not be attached to the primary seal.

(vii) The owner or operator of any existing container which requires modifications to comply with paragraph (a)(1)(C)(ii) shall be in compliance by May 1, 1982, and shall comply with the following increments of progress:

(I) November 1, 1980. 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.

(II) March 1, 1981. Negotiate and sign initial contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(III) April 1, 1981. Initiate on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(IV) April 1, 1982. Complete on-site construction or installation of emission control equipment as indicated on the construction schedule submitted with the final control plan.

(D) The requirements of paragraphs (a)(1)(A) through (a)(1)(C) shall not apply to any person who demonstrates to the Air Pollution Control Officer that a closure device has been installed, or will be installed, which by itself or in conjunction with other vapor loss control devices, controls vapor loss at all tank levels with an effectiveness equivalent to a closure device on a welded tank which meets the requirements of paragraph (a)(1)(A). The owner or operator of any tank with such a system, or proposed to be equipped with such a system, shall, prior to use or installation, demonstrate equivalence to the Air Pollution Control Officer as follows:

(i) By an actual emissions test in a full-size or scale sealed tank facility which accurately collects and measures all hydrocarbon emissions associated with a given closure device, and which accurately simulates other emission variables, such as temperature, barometric pressure and wind. The test facility shall be subject to prior approval by the Air Pollution Control Officer. Or,

(ii) by a pressure leak test, engineering evaluation or other means, where the Air Pollution Control Officer determines that the same is an accurate method of determining equivalence.

(E) The primary seal envelope shall be made available for unobstructed inspection by the Air Pollution Control Officer on an annual basis at locations selected along its circumference at random by the Air Pollution Control Officer. In the case of riveted tanks with toroid-type seals, eight such locations shall be made available; in all other cases, four such locations shall be made available. If the Air Pollution Control Officer detects one or more violations as a result of any such inspection, the Air Pollution Control Officer may require such further unobstructed inspection of the primary seal as may be necessary to determine the seal condition for its entire circumference.

In addition, for tanks with secondary seals installed after July 10, 1979, the primary seal envelope shall be made available for inspection by the Air Pollution Control Officer prior to installation of the secondary seal. Thereafter, and for tanks with secondary seals installed before July 10, 1979, the primary seal envelope shall be made available for unobstructed inspection by the Air Pollution Control Officer for its full length every 5 years after July 10, 1979, except that if the secondary seal is voluntarily removed by the owner or operator prior thereto, it shall be made available for such inspection at that time. The owner or operator shall provide notification to the Air Pollution Control Officer no less than 7 working days prior t voluntary removal of the secondary seal.

(F) All openings in the roof except pressure-vacuum valves, which shall be set to within ten percent of the maximum allowable working pressure of the roof, shall provide a projection below the liquid surface to prevent belching of liquid and 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 at all times be in a closed position, with no visible gaps, except when the device or appurtenance is in use.

(G) 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.

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

(2) A fixed roof with an internal-floating-type cover, provided the cover prevents the release or emission to the atmosphere of organic vapors or gases at an efficiency equivalent to a floating roof closure device which meets the requirements of paragraph (a)(1)(A). The Air Pollution Control Officer shall determine whether equivalence exists in accordance with paragraph (a)(1)(D).

(A) A fixed roof container with an internal-floating-type cover shall not be used if the organic liquid stored has a true vapor pressure of 569 mm Hg (11 psi) absolute or greater under storage conditions.

(B) Any existing fixed roof container which requires modification in order to comply with paragraph (a)(2) shall comply with the schedule of increments of progress and final compliance date set forth in paragraph (a)(1)(C)(vii).

(3)(A) A vapor recovery system, consisting of a system capable of collecting all organic vapors and gases, and a vapor return or disposal system capable of processing such vapors and gases, so as to prevent their emission

to the atmosphere at an efficiency of at least 95 percent by weight, if constructed on or after July 10, 1979.

(B) A system constructed before July 10, 1979, shall have a recovery efficiency of at least 90 percent by weight, and, by May 1, 1982 a recovery efficiency of at least 95 percent by weight.

(C) 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 during gauging or sampling.

(D) All piping, valves and fittings shall be constructed and maintained in a gas-tight condition, such that no organic vapor or gas leaks are detectable.

(E) Any container constructed before July 10, 1979, which requires modification in order to comply with the 90% recovery requirement in paragraph (a)(3)(B) shall comply with the schedule of increments of progress and final compliance date set forth in paragraph (a)(1)(A)(viii).

(F) Any container constructed before July 10, 1979, which requires modification in order to comply with the 95% recovery requirement in paragraph (a)(3)(B) shall comply with the schedule of increments of progress and final compliance date set forth in paragraph (a)(1)(C)(vii).

(4) Other equipment having a vapor loss control efficiency of at least 95 percent by weight, provided an application for installation of such equipment is submitted to and approved by the Air Pollution Control Officer.

(5) A person whose tanks are subject to paragraph (a) of this rule shall keep an accurate record of liquids stored in such containers and the true vapor pressure ranges of such liquids. The true vapor pressure in psi. absolute of stored liquid may be determined by using the nomographs contained in American Petroleum Institute Bulletin 2517 for conversion of Reid vapor pressure to true vapor pressure.

ATTACHMENT A

TO RESOLUTION 79-63

Amend Rule 2.21 (Vapor Control for Organic Liquid Transfer and Storage) of the Yolo-Solano APCD by adding the following:

"e. This rule shall not apply to the following sources:

1. stationary containers with capacities exceeding 150,000 liters (39,630 gallons) which store organic liquids other than gasoline;
2. stationary containers with capacities exceeding 7570 liters (2000 gallons) which were in service prior to January 9, 1976, which store gasoline, and
3. stationary containers with capacities exceeding 950 liters (251 gallons) installed after January 9, 1976, which store gasoline."

ATTACHMENT A
TO RESOLUTION 79-63

Rescind Yolo-Solano APCD Rules 3.4, Standards for Granting Applications, and 3.5, Conditional Approval, and replace them with the following New Source Review rules.

Rule 3.4 Standards for Authority to Construct & Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 3.5 State Ambient Air Quality Standards

All references in Rule 3.4 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 3.5.1 Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 3.4 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues

Public Hearing to Consider Amendments to the Rules and Regulations

of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Farrell

Date: July 26, 1979

Resolution No 79-55
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79-62
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79-64

Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

Resolution No: 79-55
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State of California

AIR RESOURCES BOARD

PROPOSED

Resolution 79-64

July 26, 1979

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

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

WHEREAS, Yuba County Air Pollution Control District was designated as a nonattainment area for ozone and the secondary standard for particulate matter pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB is required by Section 41507 of the Health and Safety Code to review rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, emissions of organic gas are directly responsible for, or contribute to violations of ambient air quality standards for ozone and for particulate matter;

WHEREAS, during the last year the staff has requested Yuba County Air Pollution Control District to adopt rules to further reduce the emissions of organic gases;

WHEREAS, the ARB has found that the adoption of federally and state required RACMs for the control of emissions of organic gases is necessary in order for the Yuba County Air Pollution Control District to show reasonable further progress towards the attainment of the national ambient air quality standard for ozone;

WHEREAS, the Board finds that the controls required by the federally and state required RACMs are cost effective; and

WHEREAS, the Board has held the public hearing required by Health and Safety Code Sections 39002 and 41502 and EPA regulations to determine whether the district has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards;

NOW, THEREFORE, BE IT RESOLVED,

1. The Yuba County Air Pollution Control District's Rules and Regulations (Architectural Coatings Usage; Rule 3.4, New Source Review) are amended to read as set forth in Attachment A to this Executive Order; and

2. The District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board makes a finding that they do not diminish the effectiveness of the District's Rules and Regulations.

I certify that the above is a true and correct copy of Resolution 79-64 as passed by the Air Resources Board.

Helen Forrest

Helen Forrest

ATTACHMENT A

TO RESOLUTION 79-64

Adopt the following rule, Architectural Coatings for Yuba County APCD

Rule 2.31 Architectural Coatings

1. Definitions

a. Architectural Coatings

For the purpose of this rule, an architectural coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.

b. Bituminous Coatings Materials

Black or brownish materials, soluble in carbon disulfide, consisting mainly of hydrocarbons and which are obtained from natural deposits, or as residues from the distillation of crude petroleum oils, or of low grades of coal.

c. Fire Retardant Coatings

Architectural coatings which are designed to retard fires and which will significantly: (a) reduce the rate of flame spread on the surface of a material to which such a coating has been applied, or (b) resist ignition when exposed to high temperatures, or (c) insulate a substrate to which such a coating has been applied and prolong the time required to reach ignition temperature.

d. Graphic Arts Coatings

Coatings which are marketed solely for application to indoor and outdoor signs and include lettering enamels, poster colors and bulletin colors.

e. Industrial Maintenance Finishes

High performance coatings which are formulated for the purpose of heavy abrasion, water immersion, chemical, corrosion, temperature, electrical or solvent resistance.

f. Metallic Pigmented Paints

Non-bituminous coatings which are formulated with metallic pigment.

g. Opaque Stains

All stains that are not classified as semitransparent stains.

h. Primers

Coatings which are intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

i. Sealers

Coatings which are intended for use on porous substrates to protect the substrate, to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate.

j. Semitransparent Stains

Coatings which are formulated to change the color of a surface but not conceal the surface.

k. Tile-like Glaze Coatings

Coatings which are formulated to provide a tough, extra-durable coating system, which are applied as a continuous (seamless) high-build film and which cure to a hard glaze finish.

l. Undercoaters

Coatings which are designed to provide a smooth surface for subsequent coats.

m. Varnishes, Lacquers, and Shellacs

Coatings which contain resins and binders but not opaque pigments and which are specifically formulated to form a transparent or translucent solid protective film.

n. Waterproofing Coating

Coatings which are formulated for the sole purpose of preventing penetration of the substrate by water. These coatings include, but are not limited to, bituminous roof and resilient type coatings.

o. Wood Preservatives

Coatings which are formulated for the purpose of protecting exposed wood from decay and insect attack. These coatings perform their function by penetrating into the wood.

2. No person shall sell, offer for sale, or apply any architectural coating manufactured after July 26, 1980 which:

a. contains more than 250 grams of volatile organic material per liter of coating as applied, excluding water, except as provided in subsection b of this section.

b. contains more than 350 grams of volatile organic material per liter of coating as applied, excluding water, and is recommended solely for use on interior surfaces. Interior coatings manufactured after July 26, 1982 may not contain more than 250 grams of volatile organic material per liter of coating as applied, excluding water.

c. is recommended for use as a bituminous pavement sealer unless it is an emulsion type coating.

3. The provisions of Section 2 of this rule shall not apply to architectural coatings sold in this district for shipment outside of this district or for shipment to other manufacturers for repackaging.

4. The provisions of Section 2 of this rule shall not apply to coatings manufactured prior to July 26, 1981 by a Small Business.

a. A "Small Business" for the purposes of this rule means any business which in 1976 sold less than 200,000 gallons of paints and coatings.

(i) A business shall not qualify for this exemption if it would not be considered a Small Business, as defined in Subsection (l) of Section 1896 of Title 2 of the California Administrative Code.

(ii) A business shall not qualify for this exemption if its total annual sales volume of paints and coatings which would otherwise be subject to this rule exceeds by more than 10 percent the business's total sales volume of such coatings in calendar year 1976.

b. To qualify for a Small Business exemption, a company requesting such exemption shall file a request in writing with the Air Pollution Control Officer. The company shall provide the Air Pollution Control Officer any necessary information including, but not limited to: (i) total volume (in gallons) of paints and coatings sold in 1976; (ii) the number of persons employed by the company; (iii) the gross sales receipts (in dollars) for 1976; and (iv) total annual sales volume of paints and coatings in 1976 and any subsequent year which would otherwise be subject to this rule. Other information necessary to document that the business is not an affiliate of another business concern which would not be considered a Small Business for the purposes of this rule shall also be provided to the Air Pollution Control Officer.

The Air Pollution Control Officer after considering information submitted by the business concern shall determine whether such concern qualifies as a Small Business as defined in Subsection a. of this section and shall inform the business concern of this determination in writing.

5. The provisions of this rule shall not apply to the following coatings manufactured prior to July 26, 1984:

   a. architectural coatings supplied in containers having capacities of one liter or less;

   b. traffic coatings applied to public streets and highways; however, this exemption shall not extend to traffic coatings applied to other surfaces, including, but not limited to curbs, berms, driveways and parking lots.

   c. architectural coatings recommended by the manufacturer for use solely as a:

      1) varnish, lacquer, or shellac
      2) semitransparent stain
      3) opaque stain on bare redwood, cedar, mahogany, and douglas fir
      4) primer, sealer, or undercoater
      5) wood preservative
      6) fire retardant coating
      7) tile-like glaze coating
      8) waterproofing coating, except bituminous pavement sealers
      9) industrial maintenance finish
      10) metallic pigmented coatings
      11) swimming pool coating
      12) graphic arts coatings

6. Identification of Coatings

   Containers for all coatings subject to Section 2 shall display the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file with the Air Pollution Control Officer and the Executive Officer of the California Air Resources Board prior to (one year from date of adoption) an explanation of each code.

7. Labeling of Coatings

   a. If anywhere on the coating container, on any sticker or label affixed thereto, or in any sales or advertising literature, any indication is given that the coating may be used or is suitable for use for any purpose other than those specifically provided for in Section 5 of this rule, then the exemption provided for in said Section 5 shall not apply to that coating.

   b. In any instance where more than one of the standards set forth in Section 2 of this rule may be applicable, the most restrictive standard shall apply.

ATTACHMENT A
TO RESOLUTION 79-64

Rescind Yuba County APCD Rules 3.4, Standards for Granting Applications for Permits to Construct, and 3.5, Conditional Approval, and replace them with the following New Source Review rules.

Rule 3.4 Standards for Authority to Construct and Permit to Operate

1) Applicability and Exemptions:

a) Sections 2 through 10 of this rule shall apply to new stationary sources or modifications which result in either:

(1) A net increase in emissions from any stationary source of 250 pounds or more, excluding seasonal sources, during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor to such a pollutant.

(2) A net increase in emissions from seasonal sources of 50 tons per year (or 1000 pounds per day) for particulate matter.

(3) A net increase in emissions of 1000 or more pounds during any day of carbon monoxide.

b) New sources and modifications as defined in 1) a) shall be exempt from the requirements for offsets (Section 5), although Best Available Control Technology (BACT) for those pollutants defined in 1) a) is still required providing the source:

(1) Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized best available control technology, and which can be

expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The Air Pollution Control Officer shall obtain concurrence from the Sacramento Valley Basinwide Air Pollution Control Council after properly notified public hearing prior to granting an exemption pursuant to this subsection, and findings of such hearing sent to ARB for concurrence.

(2) Will be used exclusively for providing 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.

(3) Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section 5 of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable

District regulations.

(4) Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation of or a continuation of an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

2) General:

a) The Air Pollution Control Officer shall deny authority to construct for a new stationary source or modification as defined in Section 1) a) unless the applicant certifies that all other stationary sources in the state which are in excess of 50 T/yr for any pollutant for which there is a national standard (1000 lbs for CO) and owned or operated by the applicant are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.)

b) The Air Pollution Control Officer shall deny an authority to construct for a new stationary source or modification with a net increase in emissions as specified in Section 1) a) unless the district regulations are being met by the applicant.

3) Calculation of Emissions:

a) Calculation of emissions shall be by a method approved by the APCO. Any CARB approved method is acceptable. Any method used must be approved by the APCO prior to acceptance of the application to construct as complete.

b) In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

c) In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions, past operating history of the source, or source test data based upon normal operating conditions, or a combination of these methods.

d) Cumulative net emission changes (increases and reductions) which are represented by authorities to construct associated with the existing stationary source and issued pursuant to the district rules, excluding any emissions reductions required to comply with federal, state or district law, rules or regulations shall be taken into account.

4) Best Available Control Technology:

New stationary sources and modifications subject to this rule for those pollutants defined in 1 (a) shall be constructed using BACT irrespective or whether or not offsets are provided.

5) Mitigation (Offsets):

a) For new stationary sources and modifications as defined in 1 (a) of this rule, mitigation shall be required for net emission increases:

(1) Of each pollutant for which a national ambient air quality standard is being violated, unless the applicant demonstrates, through modeling, that the net increases in emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for any pollutant, or cause the continuation of any existing violation for such a standard at the point of maximum ground level impact.

(2) Net emissions increases subject to this section may be mitigated (offset) by reduced emissions from existing stationary, nonstationary or area sources. Emission reductions shall be sufficient to offset any net emissions increase and shall take effect at the time, or before initial operation of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

(3) Emissions offset profiles may be used to determine increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. The Air Pollution Control Officer may allow an emissions tradeoff from any quarter to be applied to any other quarter of the year provided that a net air quality benefit is demonstrated.

(4) A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the new source or modification. For offsets located outside of the 15 mile radius, the applicant shall demonstrate by modeling that the offsets will result in a net air quality benefit.

(5) Notwithstanding any other provision of this section any emissions reductions may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification, and provided the written concurrence of the ARB is obtained.

(6) If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre-existing source which was shut down or curtailed after July 13, 1978, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

(7) Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations which were necessary for the attainment of national ambient air quality standards shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules and regulations.

(8) The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future. Such reductions, when used as part of a mitigation plan, shall be used in conformance with Part (5)(a)(4) of this rule.

(9) Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same secondary pollutant. The ratio of emission reductions for interpollutant offsets shall be based on existing air quality data and subject to the approval of the Air Resources Board.

6) Permit Condition Requirements:

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets for that source to ensure that all sources are operated in a manner consistent with those conditions assumed in making the analysis required to determine compliance with this rule. Any emission limitations corresponding to the application of BACT shall be specified on the permit. In no event shall the emission rate reflected by the control technique or limit exceed the amount allowable under applicable New Source Performance Standards (NSPS). If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable.

7) Analysis, Notice and Reporting:

Following acceptance of an application as complete for any source subject to review under this rule, the APCO shall:

a) Perform the evaluations required to determine compliance with this rule and make a preliminary written evaluation as to whether a permit to construct should be approved, conditionally approved or disapproved. The evaluation shall be supported by a written analysis.

b) Within 10 calendar days following such evaluation, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary evaluation of the APCO and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary evaluation.

c) At the time notice of the preliminary evaluation is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's analysis and the preliminary evaluation, including any proposed conditions, and the reasons therefor.

d) No later than the date of publication of the notice, forward the analysis, the preliminary evaluation and copies of the notice to the Air Resources Board and the Regional Office of the U.S. Environmental Protection Agency.

e) Consider all written comments submitted during the 30 day public comment period.

f) Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency and the California Air Resources Board. The APCO shall publish such notice in a newspaper of general circulation and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

8) Power Plants:

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission may be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979.

The Air Pollution Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including cost fees, incurred in order to compy with the provisions of this section.

9) Permits to Operate:

a) The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which this rule applies unless:

(1) The new or modified source has been determined to emit quantities of air contaminants which are consistent with the emission limitations imposed by this rule, and

(2) The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistant with the conditions imposed on their respective permits, and

(3) Conditions imposed on the authority of construct are also included on the permit to operate as necessary to ensure compliance with these rules.

b) The Air Pollution Control Officer shall exempt for the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

10) Modification:

a) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless limited by an enforceable permit condition, shall not include:

(1) An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

(2) An increase in the hours of operation.

11) Best Available Control Technology (BACT):

Best Available Control Technology means for any source the more stringent of:

a) The most effective control technique which has been achieved in practice, for such category or class of source, and which for sources locating in and impacting an attainment area, takes into account energy, environmental and economic impacts and other costs; or

b) Any other emissions control technique found by the Air Pollution Control Officer or the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources; or

c) For pollutants which exceed the national ambient air quality standard in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

12) Stationary Source:

Stationary Source means any structure, building, facility, equipment, installation, operation or aggregation thereof as determined by the APCO (other than vehicular or area sources) which is located on one or more bordering properties within the district.

13) Precursor:

Precursor means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

14) Seasonal Source:

Seasonal Source means any source which emits more than 75 percent of its annual emissions within a consecutive 90 day period.

15) Modeling:

Modeling means using an air quality simulation model, based on specified assumptions and data, which has been approved by the Air Resources Board.

16) Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

Rule 3.5 State Ambient Air Quality Standards

All references in Rule 3.4 to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 3.10 Implementation Plans

The Air Pollution Control Officer may issue a permit to construct for a new stationary source or modification which is subject to Section 5 of Rule 3.4 only if all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

Attachment 1

State of California

AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues

Public Hearing to Consider Amendments to the Rules and Regulations

of all of the APCDs in the Sacramento Valley Air Basin

Date of Release: May 29, 1979

Scheduled for Consideration: July 26, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the Board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report also identified no environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed response to Significant Environmental Issues.

Attachment 2

State of California

AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of all of the APCDs in the Sacramento Valley Air Basin

Public Hearing Date: July 26, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Helen Forrest

Date: July 26, 1979

Resolution No 79-55
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Memorandum

To : Huey D. Johnson
SECRETARY
RESOURCES AGENCY

Date : August 27, 1979

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

From : **Air Resources Board**

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

Sally Rump

Sally Rump
BOARD SECRETARY

Attachments:

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State of California
AIR RESOURCES BOARD

Resolution 79-66

June 28, 1979

WHEREAS, Joan Gilpin has served as the Board Secretary since June, 1978;

WHEREAS, she has cheerfully and efficiently, and with great fortitude carried out the duties of the position;

WHEREAS, she has accepted a position with the State Water Resources Control Board as Secretary to the Board Chairman;

NOW THEREFORE BE IT RESOLVED, that the Air Resources Board members and staff express their appreciation for the excellent job she has done for the Air Resources Board and further wish to express their best wishes for continued success in her new endeavor.

I certify that the above is a true and correct copy of Resolution 79-66 as passed by the Air Resources Board.

Thomas C. Austin

Thomas C. Austin, Executive Officer

State of California
AIR RESOURCES BOARD

Resolution 79-67

September 27, 1979

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

WHEREAS, Section 110(a)(1) of the Clean Air Act as amended requires revision of the SIP within nine months of the promulgation of a national ambient air quality standard to provide for the attainment and maintenance of said standard;

WHEREAS, the federal Environmental Protection Agency (EPA) promulgated a national ambient air quality standard for lead on October 5, 1978;

WHEREAS, the national ambient air quality standard (NAAQS) for lead is based on the effects of lead on the most sensitive age group -- children between the ages of 1 and 5;

WHEREAS, the Board, at public hearings on November 3 and 4, 1975 found substantial evidence of adverse health effects attributable to particulate lead in the atmosphere at concentrations above 1.5 micrograms per cubic meter (30 day average) and also recognized the particular sensitivity of young children to concentrations of lead above the ambient standards;

WHEREAS, a recent study by the Department of Health Services has indicated that in certain areas of the South Coast Air Basin, 20 percent of the children have elevated levels of lead in their blood;

WHEREAS, there are areas in the South Coast Air Basin that have had excessive ambient levels of lead for several years, which are not projected to attain the standard by 1982 and these high concentrations over long periods have resulted in high concentrations of lead in the soil near heavy traffic areas;

WHEREAS, Clean Air Act Section 110(a)(2)(A) requires the SIP revision to provide for attainment of the primary standard within three years from the date of EPA approval of the revision and for attainment of the secondary standard within a reasonable time except under the specific circumstances set forth in Section 110(e) of the Clean Air Act;

WHEREAS, Clean Air Act Section 110(e) allows the Administrator of EPA to extend for a period of not more than two years the date by which the primary standard must be attained upon application of the Governor and upon a determination that despite implementation of reasonably available measures to all emission sources, the necessary technology or other alternatives are not available or cannot be implemented soon enough to permit compliance within the three-year period;

WHEREAS, the Clean Air Act and implementing regulations promulgated by the EPA require that SIP revisions be adopted after a public hearing for which 30 days public notice has been provided;

WHEREAS, the Board finds:

That a public hearing has been held in accordance with the requirements of the Clean Air Act and the provisions of the California Administrative Procedure Act (Government Code Section 11371 et seq.);

That the NAAQS for lead is presently exceeded in the South Coast, San JOaquin Valley, Sacramento Valley, San Francisco Bay Area, San Diego, and South Central Coast Air Basins;

That the NAAQS for lead is projected to be attained by 1982 throughout California without the necessity for additional controls due to the gradual reduction in the lead content of gasoline required by existing state regulations, except in portions of the South Coast and San Joaquin Valley Air Basins;

That the development and application of all reasonably available alternative means of attaining the standard are required by the SIP revision but will not permit compliance in the South Coast and San Joaquin Valley Air Basins by 1982 due to the impossibility of implementing certain measures in those Basins in the time available;

That therefore an extension until 1984 of the attainment date for the lead NAAQS for the South Coast and San Joaquin Valley Air Basins is justified.

NOW, THEREFORE BE IT RESOLVED, that the Board adopts as a revision to the SIP, Chapter 27, California Lead Control Strategy, as proposed in ARB staff report No. 79-22-2, dated August 27, 1979, as amended today, and directs the Executive Officer to submit Chapter 27 to the EPA for approval;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to include the gasoline lead phasedown regulations, as set forth in 17 California Administrative Code Sections 2253 and 2253.1, as amended pursuant to Resolution 79-75 (September 27, 1979) as part of the Chapter 27 SIP submittal to EPA;

BE IT FURTHER RESOLVED, that the Board requests from EPA a two year extension of the lead standard attainment date for the Los Angeles County portion of the South Coast Air Basin and the Fresno County portion of the San Joaquin Valley Air Basin pursuant to the requirements of Clean Air Act Section 110(e);

BE IT FURTHER RESOLVED, that the Board requests Fresno County Air Pollution Control District, the Council of Fresno County Governments, the Southern California Association of Governments, and the South Coast Air Quality Management District, in cooperation with other appropriate local agencies and the ARB staff, to conduct microscale analyses and if such analysis shows additional control measures are needed for attainment of the lead standard by 1984, to develop and implement sufficient control strategies to attain the NAAQS for lead in "hot spot" locations within their jurisdictions as expeditiously as practicable and no later than October 5, 1984;

BE IT FURTHER RESOLVED, that the Board authorizes the Executive Officer to submit the new analysis to the Environmental Protection Agency as a revision to the State Implementation Plan;

BE IT FURTHER RESOLVED, that the strategies referred to above should be submitted to the ARB by December 1981, and that the Executive Officer shall assist local and regional agencies in strategy development by providing to them, by December 1979, reports on preliminary ARB modeling efforts for Lennox, in Los Angeles County, and Olive Street, the City of Fresno, in Fresno County;

BE IT FURTHER RESOLVED, that the Board requests the remaining nonattainment lead agencies to review the lead control strategy in their areas to insure progress toward attainment of the standard, to incorporate additional local controls if needed, and to coordinate those controls with compatible controls for other pollutants;

BE IT FURTHER RESOLVED, that the Board recommends the State Department of Health and other local agencies in areas with historically high concentrations of lead, consider taking the following actions to reduce exposure to existing high concentrations of lead:

That the State Department of Health Services continue its lead screening program and work with local health agencies, regional transportation planning agencies, and local traffic engineers to map the locations of estimated high concentrations of lead;

That school districts identify schools for kindergarten and primary school age children located in presently or historically high lead areas and should have tests done at these sites to determine the present concentrations of lead in the soil;

That school districts work with the Department of Health Services to mitigate the effects of high lead concentrations;

That local and county planning agencies stipulate a lead soil check before the future location of pre-schools, nurseries, kindergartens, primary schools, and parks and playgrounds for young children is decided upon. In locations of high soil and/or air concentrations of lead, the location should be denied or effective mitigation measures implemented;

That the Department of Health Services develop educational materials to give to parents in areas with high concentrations of lead so that they may protect their children from the lead in the dirt, in their yards and school areas, and from lead in the air.

I certify that the above is a true and correct copy of Resolution 79-67 as passed by the Air Resources Board.

Sally Rump

Sally Rump
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item:	PUBLIC HEARING TO CONSIDER THE ADOPTION OF CHAPTER 27 AS A REVISION TO THE STATE OF CALIFORNIA IMPLEMENTATION PLAN FOR THE ATTAINMENT AND MAINTENANCE OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR LEAD
Resolution Number:	79-67
Public Hearing Date:	September 27, 1979
Response Date:	September 27, 1979
Issuing Authority:	Air Resources Board
Comment:	None received
Response:	N/A

CERTIFIED: Sally Rump
Sally Rump
Board Secretary

Date: 10/17/79

State of California

Memorandum

To : Huey D. Johnson
Resources Agency

Date : October 17, 1979

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

From : Air Resources Board

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

/s/

Sally Rump
BOARD SECRETARY

Attachments

Resolution 79-67

State of California
AIR RESOURCES BOARD

Resolution 79-68

September 12, 1979

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

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

WHEREAS, the San Joaquin Valley Air Basin was designated as a nonattainment area for ozone pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearing, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB has been directed by Section 39600 to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon, the state board by Division 26 or by any other provision of law;

WHEREAS, the ARB is required by Sections 41500, 41507 and 41602 of the Health and Safety Code to review the rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, the ARB is directed by Section 41504 to establish a program or rules or regulations as it deems necessary to enable the district to achieve and maintain the ambient air quality standards upon finding that the program or rules or regulations of the district will not likely do so;

WHEREAS, the state board held a public hearing on March 22 and 23 to consider the Kern County Air Quality Maintenance Plan/Nonattainment Plan and directed the Executive Officer to evaluate the adequacy of the locally adopted "level 1" stationary source control measures and either approve the submittal in whole or in part, or amend it as necessary, including the addition of all of the federally and state required stationary source RACMs, to accomplish the emission reductions projected to occur in the Kern Plan in order to attain the ozone NAAQS by 1982 and to submit the finally determined control strategies to EPA;

WHEREAS, the staff and the Board have reviewed the Kern County Air Pollution Control District's Rules and Regulations, Rules 210.1, Standards for Authority to Construct; 210.2, Standards for Permits to Operate;

WHEREAS, representatives of both the Kern County Air Pollution Control District and the oil industry have expressed a desire that the ARB provide clear and explicit guidance for the application of the Kern County Air Pollution Control District's new source review rules;

WHEREAS, although the staff has reviewed Kern County Air Pollution Control District Rules 410.3, Control of Volatile Organic Compounds from Degreasing Operations; 410.5, Cutback Asphalt Paving Materials; 411, Storage of Petroleum Distillates or Light Crude Oil; 411.1, Steam Drive Wells - Oil Production; 414, Wastewater Separators; and 414.3, Refinery Process Unit Turnaround, the Board has not had sufficient opportunity at its meeting held September 7 and 12, 1979 to consider said rules and there is substantial likelihood that the Kern County Air Pollution Control District will amend those rules to satisfy the concerns raised in the staff report;

WHEREAS, the Board on March 22 and 23 and September 7 and 12, 1979 has held public hearings as required by Section 39002 and 41502 of the Health and Safety Code and EPA regulations to determine whether the District has adopted rules and regulations which assure that reasonable provision is made to achieve and maintain state and national ambient air quality standards; and

WHEREAS, the Board finds:

The air quality monitoring data for Bakersfield indicate consistent yearly increases in ambient concentrations of nitrogen dioxide (NO_2) approaching the national ambient air quality standard (NAAQS) for that pollutant, and further indicate that if current trends continue the standard will likely be exceeded in the near future; and

That exceedance of the NO_2 NAAQS would necessitate redesignation of Kern County as nonattainment for that pollutant and would further necessitate preparation of a revision to the State Implementation Plan in accordance with the Clean Air Act; and

That oxides of nitrogen and organic gases have been demonstrated to be chemical precursors to photochemical oxidant (ozone) and contribute to or are responsible for exceedance of ambient air quality standards for ozone; and

That increases in oxides of nitrogen emissions have been demonstrated to result in decreases in ambient ozone levels in the near vicinity of the sources of such emissions, and in increases in ambient ozone concentrations in areas downwind of such sources; and

That the City of Bakersfield and other Kern County towns and cities are often downwind receptor areas for emissions from the major oil fields and other industrial sources in Kern County and the San Joaquin Valley, and, as a result, ambient ozone levels in these locations would be adversely impacted by increases in oxides of nitrogen emissions from those sources; and

That other portions of Kern County also lie downwind of the major oil fields and other industrial sources in the County and Valley, and these areas would be adversely affected by increases in oxides of nitrogen emissions; and

That although the Board has previously found that the control of hydrocarbon emissions in Kern County represents the most effective strategy to reduce ambient ozone levels, the prevention of increases in oxides of nitrogen emissions from sources in Kern County is an essential element of a control strategy to achieve the maximum air quality benefits from such hydrocarbon controls; and

That analysis of current air quality data indicates that increased emissions of oxides of nitrogen in Kern County will lead to aggravation of existing exceedances of the federal ozone standard and the state oxidant standards; and

That the state ambient air quality standard for sulfates is exceeded by a wide margin in the Kern County portion of the San Joaquin Valley Air Basin; and

That the state and federal ambient air quality standards (annual and 24-hour) for total suspended particulate matter and the state visibility standard are exceeded in the Kern County portion of the San Joaquin Valley Air Basin; and

That sulfur oxides emitted in that portion of the Basin as a result of the combustion of sulfur-containing fuels lead to the formation of sulfate aerosols in the atmosphere, contributing to exceedances of both the state ambient air quality standards for sulfates and visibility and the state and federal ambient air quality standards for total suspended particulate matter; and

That a substantial fraction of the oxides of nitrogen emitted in that portion of the Basin is converted to nitrate aerosols in the atmosphere, contributing to exceedances of the state and federal ambient air quality standards for total suspended particulate matter and the state visibility standard; and

That by virtue of the provisions of Rule 210.1 of the Kern County Air Pollution Control District's Rules and Regulations, as adopted June 26, 1979, such Rules and Regulations will not likely achieve and maintain the national ambient air quality standards for ozone and total suspended particulates by December 31, 1982 or the state ambient air quality standards for oxidant, sulfates and total suspended particulates; and

That further increases in emissions of ozone, sulfate, and total suspended particulate precursors will interfere with progress toward achievement of the national air quality standards for ozone and total suspended particulates and of the state air quality standards for oxidant, sulfates and total suspended particulates; and

That technically feasible and economically reasonable amendments can be made to the District's Rules and Regulations, which will prevent further emission increases; and

That application of the 1976 version of Rule 210.1 to numerous pending applications for the construction or modification of major new stationary sources will likely result in the increased emission of air contaminants which will interfere with the achievement and maintenance of state and national ambient air quality standards; and

That a need exists for explicit guidance from the Board relating to the application of the Kern County Air Pollution Control District's new source review rules; and

That the Board has prepared a set of preliminary guidelines which are intended to provide this explicit guidance; and

That these guidelines should promote the prompt, consistent and fair application of the new source review rules of the Kern County Air Pollution Control District in accordance with the requirements of state and federal law; and

That substantial increases in emissions will result if the large number of major new source permit applications currently pending before the Kern County Air Pollution Control District for which no preliminary decision has been issued are considered under the 1976 version of Rule 210.1; and

That such increased emissions would interfere with the attainment and maintenance of state and national ambient air quality standards.

NOW, THEREFORE BE IT RESOLVED, that the Kern County Air Pollution Control District's Rules and Regulations, Rule 210.1, Standard for Authority to Construct, is amended to read as set forth in Attachment A to this Resolution.

BE IT FURTHER RESOLVED, that the amendments referred to above shall be enforced by the Kern County Air Pollution Control District in accordance with Section 41504 of the Health and Safety Code.

BE IT FURTHER RESOLVED, that the Board requests the Kern County Air Pollution Control Officer to propose to the Kern County Air Pollution Control District changes in Rules 410.3, 410.5, 411, 411.1, 414, and 414.3 which are responsive to the concerns raised in the ARB staff report on such rules. The ARB Executive Officer shall review the revisions to said rules adopted by the Kern County Air Pollution Control District, and if he finds that substantial deficiencies remain in them, he shall notice a hearing before the Board.

BE IT FURTHER RESOLVED, that the District may further amend any rules that are amended hereby, but such further amendments shall not be effective until the Executive Officer of the Air Resources Board has found that they do not diminish the effectiveness of the District's Rules and Regulations.

BE IT FURTHER RESOLVED, that the Board hereby offers the preliminary guidelines attached hereto as Attachment B as its official policy guidance for the application of the Kern County Air Pollution Control District's new source review rules to proposed major new sources of emissions; and that the Board shall review and revise these guidelines as appropriate.

I certify that the above is a true and correct copy of Resolution 79-68, as passed by the Air Resources Board.

Sally Rump
Board Secretary

State of California
AIR RESOURCES BOARD
Attachment A to Resolution 79-68
Adopted: September 12, 1979

Kern County
NEW SOURCE REVIEW RULES

RULE 210.1 Standard for Authority to Construct:

1. Definitions

A. Best Available Control Technology (BACT) means for any stationary source or modification the technology which gives the maximum degree of reduction of each air contaminant emitted from or resulting from such class or category of source which the Control Officer determines is achievable for such source. The Control Officer shall make this determination on a case-by-case basis, taking into account energy, environmental and economic impacts and other costs. The Control Officer shall consider production processes and available methods, systems, and techniques for control of each such air contaminant, including fuel cleaning or treatment or innovative fuel combustion techniques.

In no event shall the emission rate reflected by the control technique or limitation exceed the amount allowable under applicable new source performance standards.

B. Lowest Achievable Emission Rate (LAER) means for any stationary source or modification the more stringent of:

1. The most effective emissions control technique which has been achieved in practice, for such class or category of source; or

2. The most effective emission limitation which the Federal Environmental Protection Agency certifies is contained in the implementation plan of any State approved under the Clean Air Act for such class or category of source, unless the owner or operator, of the proposed source demonstrates that such limitations are not achievable; or

3. The emission limitation specified for such class or category of source under applicable Federal new source performance standards pursuant to Section 111 of the Clean Air Act; or

4. Any other emissions control technique found, after public hearing, by the Control Officer or the Air Resources Board to be technologically feasible and cost effective for such class or category of sources or for a specific source.

C. Modeling means using an air quality simulation model, based on specified assumptions and data which has been approved in writing by the Executive Officer of the Air Resources Board.

D. Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless previously limited by an enforceable permit condition, shall not include:

1. An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

2. An increase in the hours of operation.

3. Change in ownership of a source.

4. Any part or item of equipment used to replace an existing part or item of equipment, on the same property, which has failed, provided the applicant certifies in writing to the Control Officer that the replacement component is identical in all material respects to the component replaced and that the replacement will not result in an increase in emissions.

E. Precursor means a directly emitted air contaminant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which a national ambient air quality standard has been adopted or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standard. The following precursor-secondary air contaminant relationships shall be used for the purposes of this rule.

PRECURSOR	SECONDARY AIR CONTAMINANT
Hydrocarbons and substituted hydrocarbons (Reactive organic gases)	a. Photochemical Oxidants (Ozone) b. The organic fraction of suspended particulate matter.
Nitrogen Oxides	a. Nitrogen dioxide b. The nitrate fraction of suspended particulate matter. c. Photochemical oxidant (ozone).
Sulfur Oxides	a. Sulfur dioxide b. Sulfates c. The sulfate fraction of suspended particulate matter.

F. Seasonal Source means any stationary source with more than 75 percent of its annual operating hours within a consecutive 90-day period.

G. Stationary Source includes any structure, building, facility, equipment, installation or operation (or aggregation thereof) which is owned, operated, or under shared entitlement to be used by the same person and which is located within the District on:

1. One property or on bordering properties; or

2. One or more properties wholly within either the Western Kern County Oil Fields or the Central Kern County Oil Fields and is used for the production of oil.

Items of air-contaminant-emitting equipment shall be considered aggregated into the same stationary source, and items of nonair-contaminant-emitting equipment shall be considered associated with air-contaminant emitting equipment only if:

1. The operation of each item of equipment is dependent upon, or affects the process of, the others; and

2. The operation of all such items of equipment involves a common raw material or product.

Emissions from all such aggregated items of air-contaminant-emitting equipment and all such associated items of nonair-contaminant-emitting equipment of a stationary source shall be considered emissions of the same stationary source.

H. Upwind area shall be bounded by a line drawn perpendicular to the predominant wind flow line passing through or nearest to the site of the new source or modification and extending to the boundaries of the same or adjoining counties within the same air basin except where the Control Officer determines that for reasons of topography or meteorology such a definition is inappropriate. The predominant wind flow lines used in this rule shall be those contained in Figure I. For sites located between diverging and converging wind flow lines, an interpolated line shall be constructed which bisects the distance between the applicable flow lines shown in Figure I.

I. Major Stationary Source is a stationary source which emits 200 pounds or more during any day of any air contaminant for which there is a national ambient air quality standard or any precursor of such contaminant.

J. National Ambient Air Quality Standard: All references in Rule 210.1 and 210.2 to national ambient air quality standards shall be interpreted to include state ambient air quality standards. (This subsection shall not be submitted or is it intended to be a part of the State Implementation Plan.)

K. Point of maximum ground level impact means that area where the actual or projected air contaminant concentrations resulting from the new or modified stationary source are at the maximum level after including the effect of any control technology and mitigation employed.

L. Central Kern County Fields boundaries are described as:

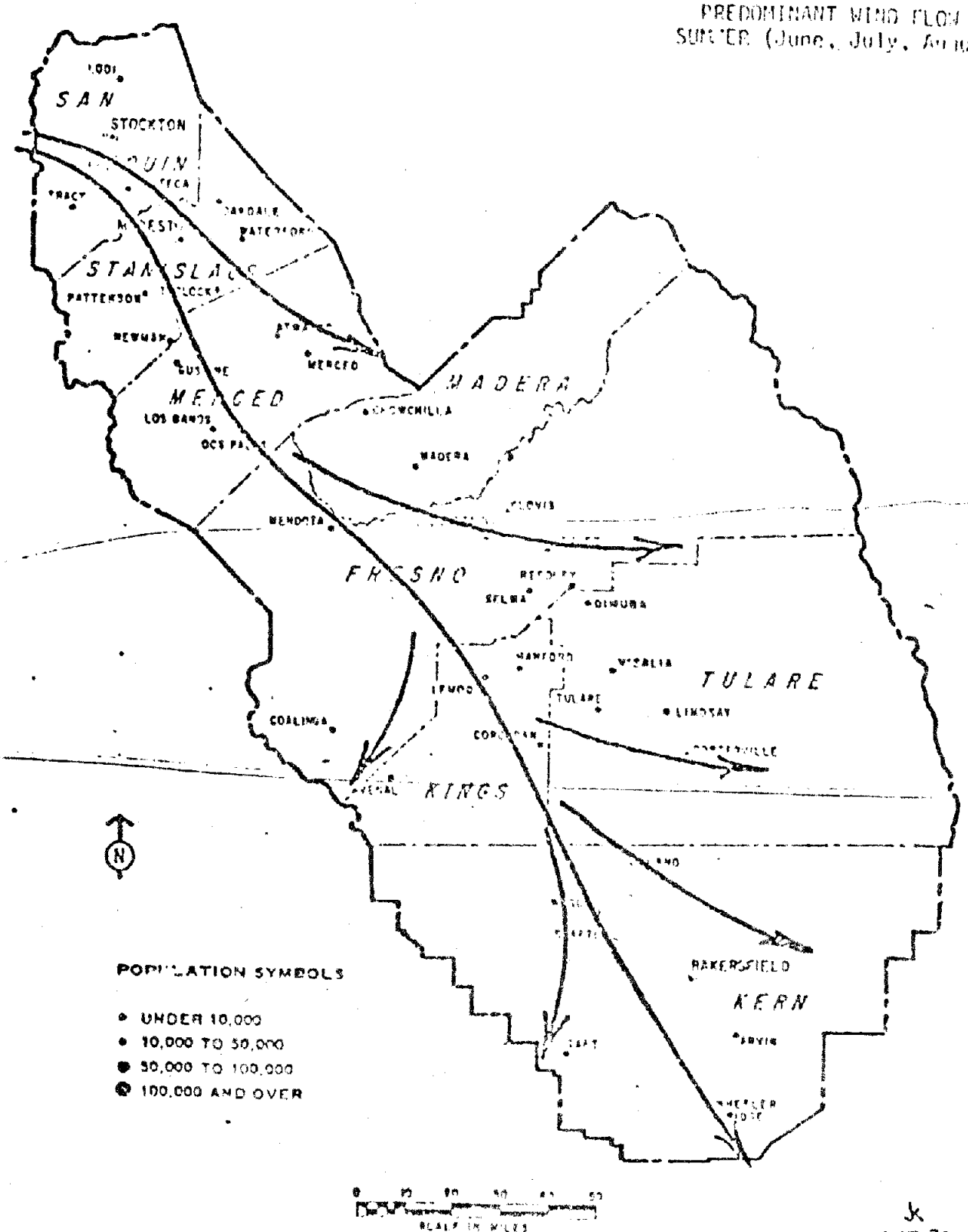
Beginning at a point common to the northerly boundary line of Kern County and the line bearing in a southerly direction between Range 24E and Range 25E, MDB&M; thence south along said line between Range 24E and Range 25E to a point on the line between Township 28S and Township 29S, MDB&M; thence west along said line between Township 28S and Township 29S to a point on the line bearing in a southerly direction between Range 24E and Range 25E, MDB&M; thence

SAN JOAQUIN VALLEY

AIR BASIN

Figure I

PREDOMINANT WIND FLOW
SUMMER (June, July, August)



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south along said line between Range 24E and Range 25E to a point on the line between Township 32S, MDB&M, and Township 12N, SBB&M; thence east along said line between Township 32S and Township 12N to a point on the line between Range 22W and Range 23W, SBB&M, thence south along said line to a point on the line between Township 10N and Township 11N, SBB&M; thence east along said line between Township 10N and Township 11N to a point on the line between Range 20W and Range 21W, SBB&M; thence south along said line between Range 20W and Range 21W to a point on the line bearing in an easterly direction between Township 10N and Township 11N, SBB&M; thence east on said line between Township 10N and Township 11N to a point on the line between Range 17W and Range 18W, SBB&M; thence north along said line between Range 17W and Range 18W to a point on the line between Township 32S, MDB&M, and Township 12, SBB&M; thence east along said line between Township 32S and Township 12N to a point on the line between Range 30E and Range 31E, MDB&M; thence north along said line between Range 30E and Range 31E to a point on the line between Township 28S and Township 29S, MDB&M; thence east along said line between Township 28S and Township 29S to a point on the line bearing in a northly direction between Range 30E and Range 31E, MDB&M; thence north along said line between Range 30E and Range 31E to a point on the northerly boundary line of Kern County; thence west along said boundary to the point of beginning. (Figure 2)

M. Western Kern County Fields boundaries are described as:

Beginning at a point common to the northerly boundary of Kern County and the line between Range 24E and 25E, MDB&M, and following the Kern County boundary in a westerly, then a southerly, and then easterly and southerly directions to a point common to the easterly County boundary and the line between Township 10N and Township 11N, SBB&M; thence easterly along said line between Township 10N and Township 11N to a point on the line between Range 22W and Range 23W, SBB&M; thence north along said line between Range 22W and Range 23W to a point on the line between Township 32S, MDB&M, and Township 12N, SBB&M; thence westerly along said line between Township 32S and Township 12N to a point on the line between Range 24E and Range 25E, MDB&M; thence north on said line between Range 24E and 25E to a point on the line between Township 28S and Township 29S, MDB&M; thence east along said line between Townships 28S and 29S to the point on the line bearing in a northerly direction between Range 24E and Range 25E, MDB&M; thence north along said line between Range 24E and 25E to the point of beginning. (Figure 3)

2. General

A. The Control Officer shall deny an Authority to Construct for any new stationary source or modification, or any portion thereof, unless:

1. The new source or modification, or applicable portion thereof, complies with the provisions of this rule and all other applicable District rules and regulations; and

Figure 2

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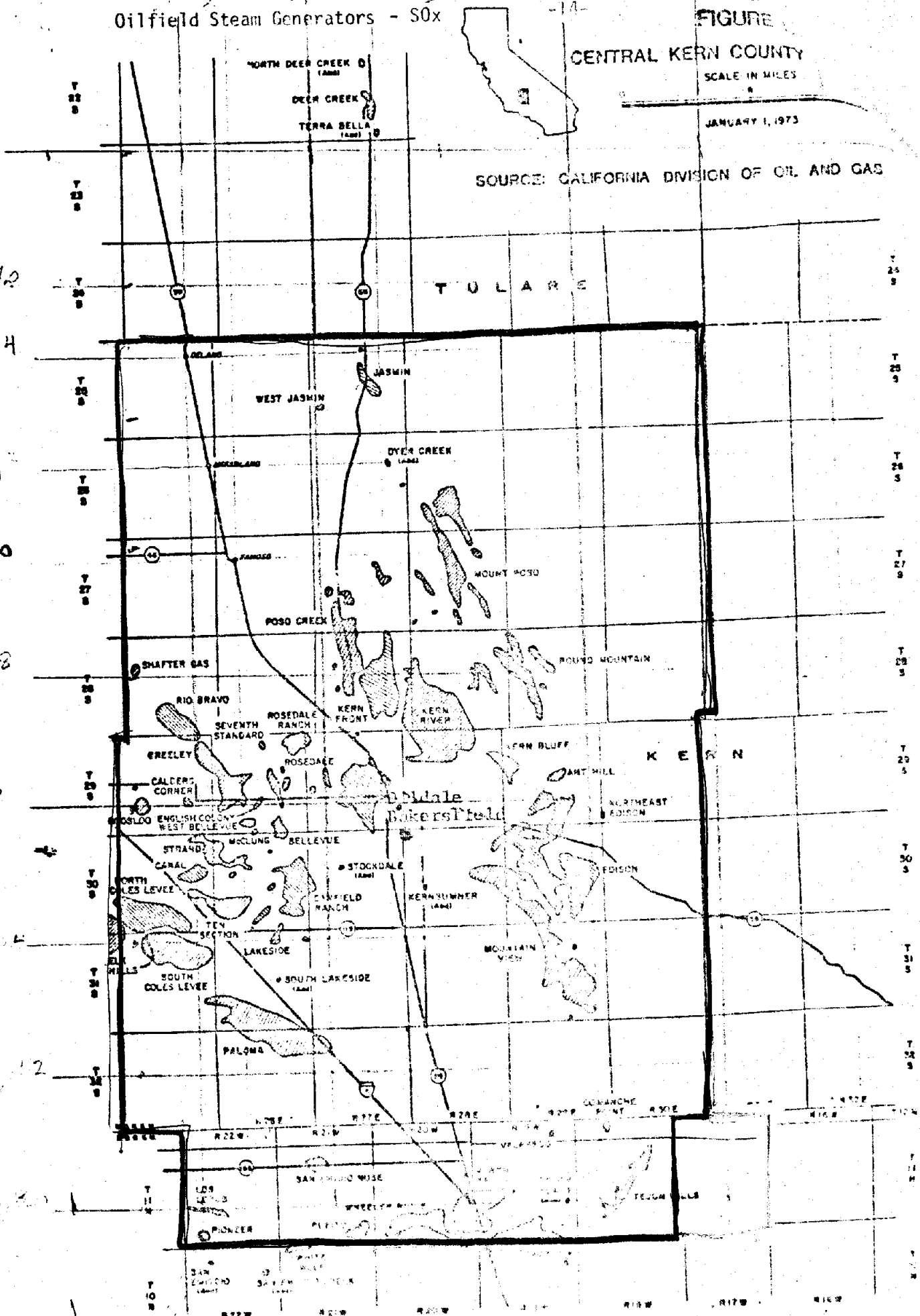
Oilfield Steam Generators - SOx

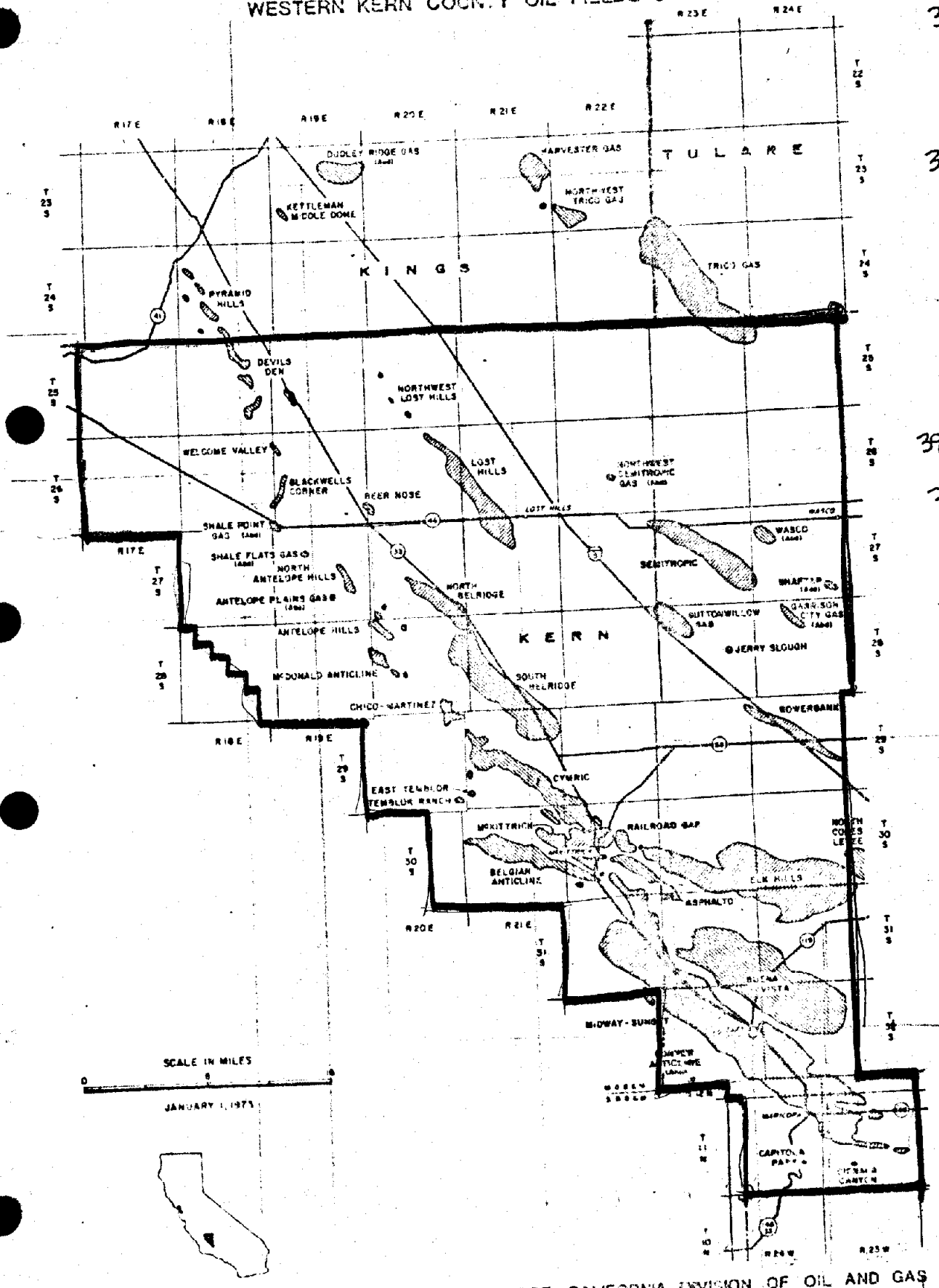


39 7.0 39 6.4 39 6.4 39 5.2 39 4.2 39 2.5 39 1.6 39 0.4 38 9.2 38 8.0

39.0 39.5 39.6 39.6 39.2 39.7 39.0 39.3

Oilfield Steam Generators - SOx

WESTERN KERN COUNTY OIL FIELDS with UTM COORDINATES



SOURCE: CALIFORNIA DIVISION OF OIL AND GAS

$39^{9.9}$ $39^{8.4}$ $39^{6.9}$ $39^{5.4}$ $39^{4.5}$ $39^{3.6}$ $39^{2.1}$ $39^{1.1}$ $38^{9.7}$ $38^{7.7}$

$2^{1.6}$ $2^{2.3}$ $2^{3.9}$ $2^{4.7}$ $2^{5.4}$ $2^{6.1}$ $2^{6.8}$ $2^{7.6}$ $2^{8.3}$

2. For a major stationary source, the applicant certifies that all major stationary sources in the State that are owned or operated by the applicant are in compliance, or are on approved schedule for compliance, with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et seq.) and all applicable emission limitations and standards which are part of the State Implementation Plan approved by the Environmental Protection Agency.

B. The Control Officer may issue an Authority to Construct for a new stationary source or modification which is subject to Section (5) only if all District regulations contained in the State Implementation Plan approved by the EPA are being carried out in accordance with that plan.

3. Applicability and Exemptions

A. This rule, excluding Section 5, shall apply to all new or modified stationary sources which are required pursuant to District rules to obtain an Authority to Construct.

This rule shall be effective September 12, 1979, and shall apply to all applications for Authority to Construct which are received after September 12, 1979, or which are pending on its adoption. However all applications reviewed under Rule 210.1, as adopted 12/28/76, and which prior to September 12, 1979, received a preliminary decision pursuant to Section (h) of that rule, shall not be subject to this provision.

B. Section 5A of this Rule shall apply to all new stationary sources or modifications which are to result in a net increase in emissions of 150 lbs or more during any day of any air contaminant for which there is a national ambient air quality standard (excluding carbon monoxide) or any precursor of such contaminant.

C. Sections 5B of this Rule shall apply to all new stationary sources or modifications which will result in either:

1. A net increase in emissions of 200 lbs or more during any day of any air contaminant for which there is a national ambient air quality standard (excluding carbon monoxide) or any precursor of such a contaminant; or

2. A net increase in carbon monoxide emissions which the Control Officer determines would cause the violation of any national ambient air quality standard for carbon monoxide at the point of maximum ground level impact.

D. The provisions of Part C of the Clean Air Act, as amended in 1977, and any regulations adopted pursuant to those provisions, shall not be applicable to any new stationary source or modification which receives and Authority to Construct pursuant to this rule, provided such source or modification complies with the requirements of Section (5)(B)(2)

for all pollutants for which there is a national ambient air quality standard and all precursors of such pollutants. All sources applying for an Authority to Construct pursuant to this section shall be shown not to significantly impact Class I areas as specified in Part C of the Clean Air Act.

E. Notwithstanding the provisions of Section (3)(C), the Control Officer may exempt from Section (5)(B) any new source or modification:

1. Which 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.

2. Which is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section (5) of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the Permit to Operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable district regulations.

3. Which is portable sandblasting equipment used on a temporary basis within the District.

4. Which uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized LAER, and which can be expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit, provided the applicant establishes by modeling that the new stationary source or modification will not cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to air contaminants which are controlled by the innovative control equipment or processes. The Control Officer shall consult with the Executive Officer of the Air Resources Board prior to granting an exemption pursuant to this subsection.

5. Which consists solely of the installation of air pollution control equipment which, when in operation, will directly control emissions from an existing source.

6. Which wishes to construct in an area which has a lack of major industrial development or absence of significant industrial particulate emissions and low urbanized population as long as the source can comply with the BACT and applicable federal, state and District emission regulations; and the impact of the emissions plus emissions from other stationary sources in the vicinity of the proposed location, along with non-rural fugitive background, will not cause a violation of the national ambient air quality standards. This exemption shall apply only to particulate emissions.

F. This rule shall not apply to any air pollution control equipment for a specific pollutant, which when in operation, will reduce air contaminant emissions from the source operation provided that equipment does not increase emissions of another pollutant.

4. Calculation of Emissions

A. The maximum design capacity of a new stationary source or modification shall be used to determine the emissions from the new source or modification unless the applicant, as a condition to receiving Authorities to Construct and Permits to Operate such new source or modification, agrees to limitations on the operations of the new source or modification, in which event the limitations shall be used to establish the emissions from the new source or modification.

B. The emissions from an existing source shall be based on the specific limiting conditions set forth in the source's Authorities to Construct and Permits to Operate, and, where no such conditions are specified, or where no Authority to Construct is required, on the actual operating conditions of the existing source averaged over the three consecutive years immediately preceding the date of application, or such shorter period as may be applicable in cases where the existing source has not been in operation for three consecutive years, or is cyclic in nature. Where the operation of a specific source has been significantly reduced during the previous three years, the Air Pollution Control Officer may specify an averaging period or emission rate which he determines provides an equitable emission base. If violations of laws, rules, regulations, permit conditions, or orders of the District, the California Air Resources Board, or the Federal Environmental Protection Agency occurred during the period used to determine the operating conditions, then adjustments to the operating conditions shall be made to determine the emissions the existing source would have caused without such violations.

C. The net increase in emissions from new stationary sources and modifications which are not seasonal sources shall be determined using yearly emission profiles or equivalent method (as specified by the Control Officer) subject to consultation with the ARB Executive Officer. Yearly emissions profiles for an existing or proposed stationary source or modification shall be constructed by plotting the daily emissions from such source in descending order. A separate profile shall be constructed for each

pollutant. The net increase in emissions from a modification to an existing source shall be determined by comparing the yearly emissions profiles for the existing source to the yearly emissions profiles for the proposed source after modification. A net increase in emissions exists whenever any part of an emissions profile for a modified source exceeds the emissions profile for the existing source.

D. The net increase in emissions from new stationary sources and modifications which are seasonal sources shall be determined using yearly and quarterly emissions profiles, or equivalent method as specified by the Air Pollution Control Officer, subject to consultation with the ARB Executive Officer. Quarterly emissions profiles shall be constructed by plotting the daily emissions from an existing or proposed seasonal facility in descending order for the continuous 90 day period during which the greatest emissions from the proposed new or modified source will occur. A separate profile shall be constructed for each pollutant. The net increase in emissions from the modification to an existing seasonal source shall be determined by comparing the yearly and quarterly emissions profiles for the existing source to the yearly and quarterly emissions profiles for the proposed source after modification. A net increase in emissions exists whenever any part of an emissions profile for the modified source exceeds the emissions profile for the existing source.

E. When computing the net increase in emissions for modifications, the Control Officer shall take into account the cumulative net emissions changes which are represented by Authorities to Construct associated with the existing stationary source and issued after December 28, 1976, excluding any emissions, reductions required to comply with federal, state, or district laws, rules or regulations.

5. Control Technology and Mitigation Requirements

A. Best Available Control Technology (BACT)

All new stationary sources and modifications subject to this section shall be constructed using BACT for such net air contaminant increases as specified in Section 3.B.

B. Lowest Achievable Emission Rate (LAER) and Mitigation

1. All new stationary sources and modifications subject to this section shall be constructed using LAER, and mitigation shall be required for such net emission increases (i.e. increases after the application of LAER) as specified in Sections 3.B. and 3.C.

a. of such air contaminant(s) for which a national ambient air quality standard was exceeded within the air basin more than three discontinuous times within the three years immediately preceding the date when the application for the Authority to Construct was filed, and for all precursors of such air contaminants; provided, however, that mitigation of net emission increases of sulfur oxides, total suspended particulates, oxides of nitrogen or carbon monoxide shall not be required if

the applicant demonstrates through modeling that emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for such air contaminants, or make any existing violation of any such standard worse, at the point of maximum ground level impact.

b. not subject to Subsection (a) but which the Control Officer determines would cause a new violation of any national ambient air quality standard, or would make any existing violation of any such standard worse, at the point of maximum ground level impact. Emissions reductions required as a result of this subsection must be shown through modeling to preclude the new, or further worsening of any existing, violation of any national ambient air quality standard that would otherwise result from the operation of the new source or modification, unless such reductions satisfy the requirements of Section (5)(B)(2).

2. Net emissions increases subject to Section (5)(B)(1)(a) shall be mitigated (offset) by reduced emissions from existing stationary or nonstationary sources. Emissions reductions shall be sufficient to offset any net emission increase and shall take effect at the time, or before, initial operation, of the new source, or within 90 days after initial operation of a modification.

3. Emissions offset profiles or equivalent method, as specified by the Air Pollution Control Officer, subject to consultation with the ARB Executive Officer, shall be used to determine whether proposed offsets mitigate the net emissions increases from proposed new sources or modifications.

   a. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. Daily emissions reductions which will result from the further control of such sources shall be plotted in descending order. A separate profile shall be constructed for each pollutant. Seasonal offsets shall not be used to mitigate the emissions from nonseasonal sources.

   b. In addition, for seasonal offset sources, a quarterly emissions offset profile shall be constructed for the same time period and in the same manner as that used to construct the quarterly emissions profile for the proposed new or modified source. Daily emissions reductions which will result from further control of existing sources shall be plotted on the quarterly offset profile in descending order. A separate profile (which may cover different months) shall be plotted for each pollutant.

c. Adjusted emissions offset profiles shall be constructed by dividing each entry used in the construction of the emissions offset profiles by the offset ratio determined in Subsection (d).

d. The adjusted emissions offset profiles shall be compared with the emissions profiles to determine whether net emissions increases have been mitigated at all points on the profiles.

4. A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located either:

   a. upwind in the same or adjoining counties; or

   b. within a 15 mile radius of the proposed new source or modification.

   For emissions offsets located outside of the areas described above, the applicant shall conduct modeling to determine an offset ratio sufficient to show a net air quality benefit in the area affected by emissions from the new source or modification.

   Notwithstanding any other provision of this section the yearly emissions profiles and the yearly emissions offset profiles for a source subject to this section may be constructed based on the daily emissions from the source averaged on a monthly basis. In such event, an offset ratio of 2.0:1 shall be required.

5. If an applicant certifies that the proposed new source or modification is a replacement for a source which was shut down or curtailed after December 28, 1976, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the other provisions of this section.

   Sources which were shut down or curtailed prior to December 28, 1976, may be used to offset emissions increases for replacement for such sources, subject to the other provisions of this section provided:

   a. the shutdown or curtailment was made in good faith pursuant to an established plan approved by the Control Officer for replacement and emission control, and in reliance on air pollution laws, rules and regulations applicable at the time; and

   b. the applicant demonstrates to the satisfaction of the Control Officer that there was good cause (which may include business or economic conditions) for delay in construction of the replacement facilities.

6. Notwithstanding any other provision of this section any emissions reductions not otherwise authorized by this rule may be used as offsets of emissions increases from the proposed source provided the applicant demonstrates that such reductions will result in a net air quality benefit in the area affected by emissions from the new source or modification; the Control Officer shall consult with the Executive Officer of the Air Resources Board prior to granting such reduction.

7. Emissions reductions resulting from measures required by adopted federal, state, or district laws, rules or regulations shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the District prior to the date of adoption of the laws, rules, or regulations.

8. The Control Officer shall allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future by the applicant. Such reductions may be used only to offset emissions increases from proposed new sources or modifications owned or operated by the applicant within a 15 mile radius of the site where the reductions occurred. All such reductions, when used as offsets for the increased emissions from a proposed new source or modification, shall be used in accordance with the other provisions of this Section.

9. For all power plants subject to Section 8, the applicant may, upon written notice to the Control Officer and the Executive Officer of the Air Resources Board, establish an emissions offset bank for a specific power plant at a specific location. The emissions offset bank shall be established no earlier than the date the applicant's Notice of Intention for the power plant is accepted by the California Energy Commission. The emissions offset bank shall lapse if the Commission rejects the applicable power plant or site; however, in such case the applicant may transfer the emissions offsets contained in the bank to another power plant and location for which the Commission has accepted a Notice of Intention. Emissions offsets may be deposited in the bank only by the applicant to construct the power plant, and all emissions offsets contained in the bank shall be used in accordance with Section (5)(B).

10. If an applicant for a resource recovery project using municipal waste demonstrates to the satisfaction of the Control OFficer that the most likely alternative for treating such waste would result in an increase in emissions allowed under existing district permits and regulations, those emissions increases which would not occur as a result of the resource recovery project may be used to offset any net emissions increase from the resource recovery project in accordance with the other provisions of this section.

11. Emissions reductions of one precursor may be used to offset emissions increases of another precursor of the same secondary air contaminant provided the applicant demonstrates to the satisfaction of the Control Officer that the net emissions increase of the latter secondary precursor will not cause a new violation, or contribute to an existing violation, of any national ambient air quality standard at the point of maximum ground level impact. The ratio of the emission reductions between precursor pollutants of the same secondary air contaminant shall be determined by the Control Officer based on existing air quality data after consultation with the Executive Officer of the Air Resources Board.

6. Permit Condition Requirements for Offsets

The Control Officer shall, as a condition for the issuance of an Authority to Construct for a new stationary source modification and with the prior written consent of the owner or operator of any source which provides offsets:

A. Require that the new source or modification and any new sources which provide offsets shall be operated in the manner assumed in making the analysis required to determine compliance with this rule.

B. Modify, or require modification of, the Permit to Operate for any source used to provide offsets to ensure that emissions reductions at that source which provide offsets will be enforceable and shall continue for the reasonably expected useful life of the proposed source. If offsets are obtained from a source for which there is no Permit to Operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable by the Control Officer to ensure that such reductions will continue for the reasonably expected useful life of the proposed source.

Such modification does not have to take effect until the new modified source, subject to this rule, commences operation.

C. Permit any other reasonably enforceable methods, other than those described in Subsections (A) and (B) which the Control Officer is satisfied will assure that all required offsets are achieved.

7. Analysis, Notice, and Reporting

A. The Air Pollution Control Officer shall determine whether the application is complete not later than 30 calendar days after receipt of the application, or after such longer time as both the applicant and the Air Pollution Control Officer may agree. Such determination shall be transmitted in writing immediately to the applicant at the address indicated on the application. If the application is determined to be incomplete, the determination shall specify which parts of the application are incomplete and how they can be made complete. Upon receipt by the Air Pollution Control Officer of any resubmittal of the application, a new 30-day period

in which the Air Pollution Control Officer must determine completeness shall begin. Completeness of an application or resubmitted application shall be evaluated on the basis of the requirements set forth in (district regulations adopted pursuant to AB 884 regarding information requirements) as it exists on the date on which the application or resubmitted application was received. After the Air Pollution Control Officer accepts an application as complete, the Air Pollution Control Officer shall not subsequently request of an applicant any new or additional information which was not specified in the Air Pollution Control Officer's list of items to be included within such applications. However, the Air Pollution Control Officer may, during the processing of the application, request an applicant to clarify, amplify, correct, or otherwise supplement the information required in such list in effect at the time the complete application was received. Making any such request does not waive, extend, or delay the time limits in this rule for decision on the completed application, except as the applicant and Air Pollution Control Officer may both agree.

B. Following acceptance of an application as complete the Air Pollution Control Officer shall:

1. Perform the evaluations required to determine compliance with this rule and make a preliminary written decision as to whether a permit to construct should be approved, conditionally approved, or disapproved. The decision shall be supported by a succinct written analysis.

2. Within 10 calendar days following such decision, publish a notice of prominent advertisement in at least one newspaper of general circulation in the District stating the preliminary decision of the Air Pollution Control Officer and where the public may inspect the information required to be made available under Subsection (3). The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary decision.

3. At the time notice of the preliminary decision is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's supporting analysis for the preliminary decision, and the preliminary decision to grant or deny the permit to construct, including any proposed permit conditions, and the reasons therefor. The confidentiality of trade secrets shall be considered in accordance with Section 6254.7 of the Government Code and relevant sections of the Administrative Code of the State of California.

4. No later than the date of publication of the notice required by Subsection (2), forward the analysis, the preliminary decision, and copies of the notice to the Air Resources Board (attn: Chief, Stationary Source Control Division) and the Regional Office of the U.S. Environmental Protection Agency.

5. Consider all written comments submitted during the 30 day public comment period.

6. Within 180 days after acceptance of the application is complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency, and the California Air Resources Board, shall publish such notice in a newspaper of general circulation, and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

C. The public notice and reporting requirements set forth in Subsections (B)(2) through (B)(6) shall not be required for any permit which does not include conditions requiring the control of emissions from an existing source.

8. Power Plants

This section shall apply to all power plants proposed to be constructed in the District and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission. The Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including lost fees, incurred in order to comply with the provisions of this section.

A. Within fourteen days of receipt of an NOI, the Control Officer shall notify the Air Resources Board and the Commission of the District's intent to participate in the NOI proceeding. If the District chooses to participate in the NOI proceeding, the Control Officer shall prepare and submit a report to the Air Resources Board and the Commission prior to the conclusion of the nonadjudicatory hearings specified in Section 25509.5 of the Public Resources Code. That report shall include, at a minimum:

1. a preliminary specific definition of BACT and LAER for the proposed facility;

2. a preliminary discussion of whether there is substantial likelihood that the requirements of this rule and all other District regulations can be satisfied by the proposed facility;

3. a preliminary list of conditions which the proposed facility must meet in order to comply with this rule or any other applicable District regulation.

The preliminary determinations contained in the report shall be as specific as possible within the constraints of the information contained in the NOI.

B. Upon receipt of an AFC for a power plant, the Control Officer shall conduct a Determination of Compliance review. This Determination shall consist of a review identical to that which would be performed if an application for an Authority to Construct had been received for the power plant. If the information contained in the AFC does not meet the District's established requirements for permit applications, the Control Officer shall, within 20 calendar days of receipt of the AFC, so inform the Commission, and the AFC shall be considered incomplete and returned to the applicant for resubmittal.

C. The Control Officer shall consider the AFC to be equivalent to an application for an Authority to Construct during the Determination of Compliance review, and shall apply all provisions of this rule which apply to applications for an Authority to Construct.

D. The Control Officer may request from the applicant any information necessary for the completion of the Determination of Compliance review. If the Control Officer is unable to obtain the information, the Control Officer may petition the presiding Commissioner for an order directing the applicant to supply such information.

E. Within 180 days of accepting an AFC as complete, the Control Officer shall make a preliminary decision on:

1. whether the proposed power plant meets the requirements of this rule and all other applicable district regulations; and

2. in the event of compliance, what permit conditions will be required including the specific BACT and LAER requirements and a description of required mitigation measures.

F. The preliminary written decision made under Subsection (E) shall be treated as a preliminary decision under Subsection (7)(A)(1) of this rule, and shall be finalized by the Control Officer only after being subject to the public notice and comment requirements of Section (7). The Control Officer shall not issue a Determination of Compliance unless all requirements ot this rule are met.

G. Within 240 days of the filing date, the Control Officer shall issue and submit to the Commission a Determination of Compliance or, if such a determination cannot be issued, shall so inform the Commission. A Determination of Compliance shall confer the same rights and privileges as a permit to construct only when and if the Commission approves the AFC, and the Commission certificate includes all conditions of the Determination of Compliance.

H. Any applicant receiving a certificate from the Commission pursuant to this section and in compliance with all conditions by the certificate shall be issued a Permit to Operate by the Control Officer.

RULE 210.2 Standards for Permits to Operate

1. Definitions

The definitions contained in Rule 210.0 shall be applicable to this Rule.

2. General

The Control Officer shall deny a Permit to Operate for any new or modified stationary source or any portion thereof to which Rule 210.1 applies unless:

A. The owner or operator of the source has obtained an Authority to Construct granted pursuant to Rule 210.1; and

B. The Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistent with the conditions imposed on their respective Authorities to Construct under Section (6) of Rule 210.1; and

C. The Control Officer has determined that any offsets required as a condition of the Authority to Construct will commence at the time of or prior to initial operations of the new source or modifications, and that the offsets will be maintained throughout the operation of the new or modified source. In the case of a new or modified source which will be, in whole or in part, a replacement for an existing source on the same property, the Control Officer may allow a maximum of ninety (90) days as a start-up period for simultaneous operation of the existing stationary source and the new stationary source or replacement; and

D. The Control Officer has determined that all conditions specified in the Authority to Construct have been or will be likely complied with by any dates specified.

3. Requirements

The Control Officer shall require as a condition for the issuance of any Permit to Operate for a new or modified source, that the source and any offset source be operated consistent with any conditions imposed on their respective Authorities to Construct under Section (6) of Rule 210.1.

4. Severability

If any portions of this Rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the Rule which shall continue to be in full force and effect.

State of California

AIR RESOURCES BOARD

Attachment B to Resolution 79-68

Preliminary Guidelines for Interpreting Kern County's New Source Review Rule (Rule 210.1)

1. In interpreting Rule 210.1(5)(B)(7) the District shall have made a finding that an application is "complete", including proposed offset measures, prior to the date of adoption of a new rule in order for a permit applicant to claim offsets as provided by the exemption in this clause.

2. For the purposes of Section 210.1(5)(B)(7):
A rule which is adopted to be effective or to achieve emissions reductions at a later date shall have the same effect as a rule adopted to taken effect immediately.

3. If one form of control technology has been required by the Kern County Air Pollution Control District as Best Available Control Technology on one project and this has been shown to be better than other control technologies, the same type of control technology (or another type which has equivalent performance) shall be required on all similar projects.

4. If one form of control technology has been required as BACT in other control districts within the state, it should be applied as BACT to similar sources in Kern County, unless the applicant can show that equivalent emissions reductions can be obtained by another process.

5. The Kern County Air Pollution Control District will exercise its own engineering judgement as the final decision in evaluating applications. The applicant has the burden of proof to show that any proposed control system will, in fact, achieve the proposed design efficiency.

6. Only that fraction of fugitive dust emissions smaller than three microns in size shall be acceptable as emissions offsets for new sources of combustion particulates.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Adoption of a Regulation Controlling Emissions of Sulfur Compounds from Steam Generators Used in Oilfield Operations in the Kern County Air Pollution Control District

Public Hearing Date: September 7 and 12, 1979.

Response Date: September 12, 1979

Issuing Authority: Air Resources Board

Comment: EPA has proposed regulations which would designate scrubber waste as a hazardous waste. There would not be sufficient disposal sites in Kern County for the disposal of hazardous waste and the cost of scrubbing would be greatly increased.

Response: Both EPA and the state Department of Health have proposed regulations which may result in scrubber waste as being designated as hazardous. Such hazardous waste would have to be disposed of in impoundments with impervious linings. The impoundments would have to have groundwater and leachate monitoring systems installed. The staff believes that such hazardous waste disposal sites could be constructed in Kern County. The need to manage scrubber waste as hazardous would increase the cost of meeting the regulation from $0.28 to as much as $0.42 per pound of SO_2 reduced. This cost is lower than other programs proposed by the staff and therefore, the Executive Officer believes that Regulation 424 should not be revised by this environmental consideration. The supplemental staff report (79-7-1) prepared in response to comments raised at the Board's March 23, 1979 hearing on this matter, discusses these issues in greater detail and is incorporated by reference herein. Further, use of low sulfur fuel (or a combination of low sulfur fuel and scrubbers) could obviate the need for total reliance on scrubbers, since Rule 424 does not specify the particular control measure to be used to meet the emission requirements of the rule.

Certified: Sally Rump
Board Secretary

Date: 9/12/79

(Resolution No. 79-68)

State of California

Memorandum

To : Huey D. Johnson, Secretary
Resources Agency

Date : September 21, 1979

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

From : **Air Resources Board**

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

Sally Rump
BOARD SECRETARY

Attachments

Resolution 79-68

State of California
AIR RESOURCES BOARD

Resolution 79-69

September 27, 1979

WHEREAS, the Board is required pursuant to Health and Safety Code Section 41500 to review the rules, regulations, and programs of air pollution control districts to assure that they make reasonable provision to achieve and maintain state ambient air quality standards;

WHEREAS, the Board is authorized pursuant to Health and Safety Code Section 41504, on making a finding that a district's rules and regulations will not likely achieve and maintain the state's ambient air quality standards, to establish rules, regulations, and programs as it deems necessary to enable a district to achieve and maintain the state's ambient air quality standards, and is further authorized pursuant to Health and Safety Code Section 39002 to undertake control activities in any area where it determines that the regional authority has failed to meet its responsibilities under Division 26 of the Health and Safety Code or any other provision of law;

WHEREAS, Health and Safety Code Section 41700 prohibits the discharge by any person of such quantities of air contaminants which cause injury, detriment, or nuisance to any considerable number of persons or to the public, or which endanger the health or safety of such persons or the public;

WHEREAS, Public Resources Code Section 21080.5 and Title 17, California Administrative Code, Section 60006 require that where significant adverse effects stemming from a proposed action are identified during a hearing, any action taken at the hearing must incorporate feasible measures to mitigate such effects;

WHEREAS, Health and Safety Code Section 42301 requires that no permit shall be issued for the construction, modification, use or operation of any source of air contaminants where such source will prevent or interfere with the attainment or maintenance of any applicable ambient air quality standards;

WHEREAS, the Board has after 30 days notice held the public hearing required by Health and Safety Code Section 41502 pursuant to the procedures set forth in the California Administrative Procedure Act (Government Code Section 11371, et. seq.), and has considered the evidence and testimony presented at the public hearing by the BAAQMD's staff, the affected industries, and other interested persons pertaining to Regulation 2 (Permits) of the BAAQMD; and

WHEREAS, the Board finds:

That the San Francisco Bay Area Air Basin and the neighboring Sacramento Valley, San Joaquin Valley and North Central Coast Air Basins exceed state ambient air quality standards for oxidant among other pollutants;

That organic gases and oxides of nitrogen have been demonstrated to be chemical precursors to photochemical oxidant and contribute to exceedances of the state oxidant standard;

That the new source review rules and regulations of the BAAQMD governing permits for the construction, modification, and operation of emission sources are deficient in that they will not likely achieve and maintain the state's ambient air quality standards in the San Francisco Bay Area Air Basin and will likely interfere with the attainment and maintenance of the state's ambient air quality standards in the Sacramento Valley, San Joaquin Valley, and North Central Coast Air Basins;

That the amendments to Regulation 2 of the BAAQMD adopted by the Board through this resolution will correct the deficiencies and will contribute to the achievement and maintenance of the state ambient air quality standards for oxidant and other pollutants in the San Francisco Bay Area Air Basin, as well as in the Sacramento Valley, San Joaquin Valley, and North Central Coast Air Basins;

That in the NOI proceedings leading to approval by the California Energy Commission for a coal-fired power plant known as Fossil 1 and 2 to be built on Montezuma Slough, the calculations of emissions and emission reductions expected from the plant's operation and construction were based on the Board's model new source review rules on the assumption that the BAAQMD would adopt a similar or identical rule;

That unless amended to be in conformity with the Board's model new source review rules, the BAAQMD's Regulation 2 will permit emissions from Fossil 1 and 2 greater than those on which the California Energy Commission's approval is based and hence may imperil the entire NOI process relating to Fossil 1 and 2;

That significant adverse environmental effects have been identified which will likely result from adoption of proposed amendments to the new source review rules of the BAAQMD if emissions of 1,1,1-trichloroethane, methylene chloride, and several fully halogenated organic compounds are exempt from the coverage of such rules;

That exemption of such substances will likely result in depletion of the ozone layer and/or injurious effects to the public health, and may be expected to affect adversely plant and insect life;

NOW THEREFORE BE IT RESOLVED that the Air Resources Board amends Regulation 2 of the BAAQMD as set forth in Attachment A hereto;

BE IT FURTHER RESOLVED that Regulation 2 as amended in this resolution shall have the same force and effect as rules and regulations adopted by the BAAQMD and shall be enforced by the District in accordance with the provisions of the Health and Safety Code;

BE IT FURTHER RESOLVED that BAAQMD's Regulation 2 as amended may subsequently be amended by the District, provided that no such amendment shall be effective unless and until the Executive Officer finds that such amendment does not impair the overall effectiveness or stringency of said rules. The Executive Officer shall be deemed to have made such a finding unless he notifies the District to the contrary within thirty days of the filing with the Board of such amendments;

BE IT FURTHER RESOLVED that Regulation 2, Rules 1, 2, and 3 as amended by the Board September 27, 1979, shall be effective immediately, except that any application for Authority to Construct which received an affirmative preliminary decision prior to September 27, 1979, shall not be subject to Regulation 2 as amended September 27, 1979, and shall receive final review under applicable pre-existing regulations;

BE IT FURTHER RESOLVED that to the extent that Regulation 2, Rules 1, 2, and 3 are in conflict or are not consistent with any other provision of the BAAQMD's rules or regulations, the provisions of Regulation 2, Rules 1, 2, and 3 adopted September 27, 1979, shall prevail.

I certify that the above is a true
and correct copy of Resolution 79-69
as passed by the Air Resources Board

Sally Rump

Sally Rump
Board Secretary

Bay Area Air Quality Management District

REGULATION 2 - PERMITS

RULE 1 - GENERAL REQUIREMENTS

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REGULATION 2 - PERMITS

RULE 1 - GENERAL REQUIREMENTS

2-1-100 GENERAL

2-1-101 Description: The purpose of Regulation 2 is to provide an orderly procedure for the review of new sources of air pollution and of the modification and operation of existing sources through the issuance of permits.

2-1-102 Applicable Requirements: The requirements of this Rule shall apply to Rules 2 and 3 of this Regulation, unless superseded by specific requirements in Rules 2 and 3.

2-1-111 Exemption, Sources and Operations: The following sources and operations are exempt from the requirements of Sections 2-1-301 and 302 except that where air pollution control equipment is used to meet applicable emission standards, such air pollution control equipment is not exempted.

111.1 Single family dwellings.

111.2 Multiple family dwellings, hotels and motels.

111.3 Office and commercial buildings where emissions result solely from space heating by natural gas of less than 10 GJ (10 million BTU) per hour heat input. Incinerators operated in conjunction with such sources are not exempt.

111.4 Road construction, widening and rerouting.

111.5 Restaurants and other retail establishments for the purpose of preparing food for human consumption.

111.6 Structural changes which do not change the quality, nature of quantity of air contaminant emissions.

2-1-112 Exemption, Equipment: The following equipment is exempt from the requirements of Sections 2-1-301 and 302, except that where air pollution control equipment is used to meet applicable emission standards, such air pollution control equipment is not exempted. Further, equipment that is part of any plant or facility that produces air contaminants in excess of 67 kg (150 lbs.) per day is not exempt.

2-1-112.1 Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units of equipment.

112.2 Refrigeration units except those used as, or in conjunction with, air pollution control equipment.

112.3 Vacuum producing devices in laboratory operations or which are used exclusively in connection with other equipment which is exempted by this rule, and vacuum producing devices which do not remove or convey air contaminants from another source.

112.4 Water cooling towers and water cooling ponds not used for evaporative cooling of process water, or not used for evaporative cooling of water from barometric jets or from barometric condensers.

112.5 Equipment used exclusively for steam cleaning.

112.6 Presses used exclusively for extruding metals, minerals, plastics or wood.

112.7 Porcelain enameling furnaces, porcelain enameling drying ovens, vitreous enameling furnaces or vitreous enameling drying ovens.

112.8 Presses used for the curing of rubber products and plastic products.

112.9 Equipment used for hydraulic or hydrostatic testing.

112.10 All sheet-fed paper printing presses and all other printing presses using exclusively inks containing no organic solvents, diluents or thinners.

112.11 Equipment used for buffing, carving, cutting, drilling, grinding, machining, routing, sanding, sawing, surface grinding or turning of fiberboard, masonry, carbon or graphite.

112.12 Tanks, vessels and pumping equipment used exclusively for the storage or dispensing of fresh commercial or purer grades of:

112.12.1 Sulfuric acid with an acid strength of 99% or less by weight.

12.2 Phosphoric acid with an acid strength of 99% or less by weight.

12.3 Nitric acid with an acid strength of 70% or less by weight.

112.13 Ovens used exclusively for the curing of plastics which are concurrently being vacuum held to a mold, or for the softening and annealing of plastics.

112.14 Equipment used exclusively for the dyeing or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.

112.15 Equipment used exclusively to mill or grind coatings and molding compounds in a paste form.

112.16 Crucible type or pot type furnaces with a brimful capacity of less than 7.4 liters (450 in^3) of any molten metal.

112.17 Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.

112.18 Equipment used exclusively for bonding lining to brake shoes.

112.19 Lint traps used exclusively in conjunction with dry cleaning tumblers.

112.20 Equipment used exclusively to compress or hold dry natural gas.

112.21 Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

112.22 Shell core and shell-mold manufacturing machines.

112.23 Molds used for the casting of metals.

112.24 Abrasive blast cabinet-dust filter combination units where the dust filter and blasting cabinet are built integrally and mounted on the same framework.

112.25 Batch mixers of 140 liters (5 ft^3) rated working capacity or less.

112.26 Equipment used exclusively for the packaging of lubricants or greases.

112.27 Equipment used exclusively for the manufacture of water emulsions of waxes, greases or oils.

112.28 Ovens used exclusively for the curing of vinyl plastisols by the closed mold curing process.

112.29 Equipment used exclusively for conveying and storing plastic pellets.

112.30 Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water based adhesives.

112.31 Smokehouses or commercial barbecue units in which the maximum horizontal inside cross sectional area does not exceed 2 m^2 (20 ft^2).

112.32 Platen presses used for laminating.

112.33 Orchard heaters.

112.34 Blast cleaning equipment using a suspension of abrasive in water.

112.35 Ovens, mixers and blenders used in bakeries where the products are edible and intended for human consumption.

112.36 Kilns used for firing ceramic ware, heated exclusively by natural gas, liquified petroleum gas, electricity or any combination thereof.

112.37 Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment.

112.38 Equipment used for inspection of metal products.

112.39 Confection cookers where the products are edible and intended for human consumption.

112.40 Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.

112.41 Die casting machines.

112.42 Atmosphere generators used in connection with metal heat treating processes.

112.43 Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.

112.44 Brazing, soldering or welding equipment.

112.45 Equipment used exclusively for the sintering of glass or metals.

112.46 Equipment used for buffing or polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of ceramic artwork, ceramic precision parts, leather, metals, plastics or rubber with an aggregate driver capacity of less than 7.5 kw (10 hp).

112.47 Equipment used for carving, cutting, drilling, grinding, planing, routing, sanding, sawing, shredding or turning of wood or the pressing or storing of sawdust, wood chips or wood shavings with an aggregate driver capacity of less than 7.5 kw (10 hp).

112.48 Equipment used for surface preparation, cleaning or stripping of metals by use of aqueous solutions.

112.49 Equipment used for washing or drying products fabricated from metal or glass, provided that no volatile organic materials are used in the process and that no oil or solid fuel is burned.

112.50 Laundry dryers, extractors or tumblers used for fabrics cleaned only with water solutions of bleach or detergents.

112.51 Containers, reservoirs, or tanks used exclusively for electrolytic plating with, or electrolytic polishing of, or electrolytic stripping of the following metals: brass, bronze, cadmium, copper, iron, nickel, tin, zinc and precious metals.

112.52 Foundry sand mold forming equipment to which no heat is applied.

112.53 Ovens used exclusively for curing potting materials or castings made with epoxy resins.

112.54 Equipment used to liquefy or separate oxygen, nitrogen or the rare gasses from the air.

112.55 Equipment used for compression molding and injection molding of plastics.

112.56 Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents, or thinners are used.

112.57 Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.

112.58 Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

112.59 Roll mills or calenders for rubber or plastics.

112.60 Steam generators, steam superheaters, water boilers, water heaters and closed heat transfer systems of less than 10 GJ (10 million BTU) per hour capacity that are fired exclusively with natural gas, liquefied petroleum gas, or any combination thereof.

112.61 Natural draft hoods, natural draft stacks or natural draft ventilators.

112.62 Containers, reservoirs, or tanks used exclusively for:

112.62.1 Dipping operations for coating objects with oils, waxes or greases where no organic solvents, diluents, or thinners are used.

62.2 Dipping operations for applying coatings of natural or synthetic resins which contain no organic solvents.

62.3 Storage of liquified gases.

62.4 Unheated storage of organic liquids with an initial boiling point of 150 degrees C(300°F) or greater.

62.5 The storage of fuel oils with a gravity of 25° API or lower.

62.6 The storage of lubricating oils.

62.7 The storage of fuel oils with a gravity of 40° API or lower and having a capacity of 38 M^3 (10,000 gal) or less.

62.8 The storage of organic liquids normally used as solvents, diluents or thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins or other surface coatings, and having a capacity of 1 M^3 (260 gal.) or less.

62.9 The storage of liquid soaps, liquid detergents, tallow, or vegetable oils, waxes or wax emulsions.

62.10 The storage of asphalt. This does not include the storage of asphalt cutback with hydrocarbon an initial boiling point less than 150°C (303°F).

62.11 Unheated solvent dispensing containers, unheated non-conveyorized solvent rinsing containers or unheated non-conveyorized coating dip tanks of 0.4 m^3 (100 gal) capacity or less.

62.12 Etching (does not include chemical milling).

62.13 The storage of gasoline having a capacity of less than 1 m^3 (260 gal.).

62.14 The storage of fermentation of wine.

112.63 Equipment used exclusively for heat treating glass or metals, or used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing or diffusion treating of metal objects.

112.64 Crucible furnaces, pot furnaces or induction furnaces, with a capacity of 450 kg (1000 lbs) or less each, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state:

64.1 Aluminum or any alloy containing over 50% aluminum.

64.2 Magnesium or any alloy containing over 50% magnesium.

2-1-112.64.3 Lead or any alloy containing over 50% lead.

64.4 Tin or any alloy containing over 50% tin.

64.5 Zinc or any alloy containing over 50% zinc.

64.6 Copper.

64.7 Precious metals.

112.65 Vacuum cleaning system used exclusively for industrial, commercial or residential housekeeping purposes.

112.66 Portable sandblasting equipment used on a temporary basis within the District.

2-1-200 DEFINITIONS

2-1-201 Organic Compounds: For the purposes of this Rule, organic compounds are carbon and hydrogen, or compounds of carbon and hydrogen in combination with other gases which are emitted as liquids or gases, excluding methane.

2-1-202 Major Stationary Source: Any new or modified stationary source which emits more than 46 metric tons (50 T) per year of any air pollutant for which there is a NAAQS.

2-1-300 STANDARDS

2-1-301 Authority to Construct: Any person who builds, erects, modifies, alters or replaces any article, machine, equipment or other contrivance, the use of which may cause, reduce or control the emission of air contaminants, shall first secure written authorization from the APCO in the form of an Authority to Construct. Routine repairs, maintenance, or cyclic maintenance that includes replacement of components with identical or equivalent equipment is not considered to be an alteration, modification or replacement for the purposes of this section.

2-1-302 Permit to Operate: Before any person, as described in Section 2-1-401, uses or operates any article, machine, equipment or other contrivance, the use of which may cause, reduce or control the emission of air contaminants, such person shall first secure written authorization from the APCO in the form of a Permit to Operate.

2-1-303 Fees: Persons subject to this Regulation shall pay the fees required, as set forth in Regulation 3.

2-1-304 Denial, Failure to Meet Emission Limitations: The APCO shall deny an authority to construct or a permit to operate if the APCO finds that the subject of the application would not or does not comply with the emission limitations of the District, or with applicable federal or California laws or regulations. Such denial shall not be based solely on type of construction or design of equipment by which compliance is attained.

2-1-305 Denial, Equipment Not in Conformance with Authority to Construct: The APCO shall deny a permit to operate if it is found that the subject of the application was not built substantially in conformance with the authority to construct.

2-1-306 Denial, Failure of all Facilities to be in Compliance: The APCO shall deny an authority to construct unless the applicant certifies that on the date a complete application is filed all other major stationary sources owned or operated by the applicant within the State of California are, under normal operating conditions, either in compliance or on a schedule of compliance with all applicable state and federal emission limitations and standards which are part of the state implementation plan.

2-1-400 ADMINISTRATIVE REQUIREMENTS

2-1-401 Persons Affected: Any person who has secured an authority to construct shall secure a permit to operate. In addition, the following shall apply for a permit to operate:

401.1 On or before July 1, 1977 any person who operates a facility causing emissions in excess of 450 metric tons (500 tons) per year of any air contaminant for which there is a national or California ambient air quality standard.

401.2 On or before July 1, 1978 any person who operates a facility causing emissions in excess of 90 metric tons (100 tons) per year of such air contaminants.

401.3 On or before July 1, 1979 persons who operate a facility causing emissions in excess of 22.5 metric tons (25 tons) per year of such air contaminants.

401.4 On or before July 1, 1980, persons who operate a facility causing emissions of 2.3 metric tons (2.5 tons) per year or more of such air contaminants

401.5 On or before July 1, 1980, persons who operate gasoline terminals, bulk plants and facilities that dispense gasoline for sale.

Any person exempt under Sections 2-1-111 or 112 who loses such exemption because of changes in those Sections or changes in federal, California or District laws or regulations shall apply for a permit to operate within 90 days of the loss of such exemption.

2-1-402 Applications: Every application for an authority to construct or to operate shall be submitted to the APCO on the forms

specified, and shall contain all of the information required. Sufficient information must be received to enable the APCO to make a decision or a preliminary decision on the application and/or on any exemptions authorized by this rule. The APCO may consult with appropriate local and regional agencies to determine whether the application conforms with adopted plans and with local permit requirements.

2-1-403 Permit Conditions: The APCO may impose any permit condition that he deems reasonably necessary to insure compliance with Federal or California law or District regulations. The APCO may require the installation of devices for measurement or analysis of source emissions or ground-level concentrations of air contaminants.

2-1-404 Changes in Throughput and Hours of Operation: After a permit to operate has been issued, changes in hours of operation, fuels, process materials or throughput are allowed only if emissions resulting from such changes are not of such quantity as would cause denial of a permit to construct after an air quality permit analysis made pursuant to the provisions of Rule 2 of this regulation. "Change" is the use of a process or fuel not used in the prior 12 months, or a throughput level higher than the highest level in the prior 12 months or total monthly operation hours higher than any month in the prior 12 months.

2-1-404.1 The holder of a permit to operate shall advise the APCO not less than seven days piror to any changes in hours of operation, fuels, process materials or throughput which might increase emissions.

2-1-404.2 The APCO shall act to revoke the permit to operate of any person who fails to comply with the requirements of this section.

2-1-405 Posting of Permit to Operate: Every permit to operate, or approved designation thereof, shall be posted on or near the equipment for which the permit has been issued in such manner as to be clearly visible and accessible, or shall otherwise be available for inspection at all times.

2-1-406 Transfer: An authority to construct or a permit to operate shall not be transferable from one facility to another. An authority to construct or a permit to operate shall not be transferable from one person to another without obtaining written permission of the APCO.

2-1-407 Permit Expiration: An authority to construct shall expire two years after the date of issuance, unless substantial use of the authority has begun. However, an authority to construct may be renewed for an additional two years upon receipt of a written request from the applicant and written confirmation thereof by the APCO.

2-1-408 Action on Applications: The APCO shall notify the applicant in writing of the approval, approval with conditions or denial of the application within 60 days of receipt of a completed application unless the time is extended with the written consent of the applicant.

2-1-410 Appeal: Within 10 days of the date of publication or receipt of notice of the decision of the APCO, an applicant for a permit or any other person dissatisfied with the decision may appeal to the District Hearing Board for an order modifying or reversing that decision. Such appeals shall be filed in writing and contain a summary of the issues to be raised. The Hearing Board shall consider the appeal at

a public hearing within 30 days of the filing of the appeal. The Hearing Board shall reverse or modify the decision of the APCO if it determines that the decision of the APCO was erroneous.

2-1-420 Suspension: The APCO may suspend a permit if within a reasonable time, the holder of the permit willfully fails or refuses to furnish requested information, analyses, plans or specifications relating to emissions from the source for which the permit was issued. The APCO shall serve notice in writing of a suspension, and the reasons therefor, on the holder of the permit. A suspension shall become effective five days after notice has been served.

2-1-421 Appeal from Suspension: Within 10 days after receipt of the notice of suspension, the permit holder may request the Hearing Board to hold a hearing to determine whether or not the permit was properly suspended.

2-1-422 Revocation: The APCO may request the Hearing Board to hold a hearing to determine whether a permit should be revoked if it is found that the holder of a permit is violating any applicable order, rule or regulation of the District, or is violating any condition attached to the permit.

2-1-423 Hearings: Within 30 days after receipt of requests submitted pursuant to Sections 2-441 and 442, the Hearing Board shall hold a hearing, in accordance with Chapter 8 (commencing with Section 40800) of Part 3, to make such findings as are authorized by Section 42309 of the California Health and Safety Code.

REGULATION 2 - PERMITS

RULE 2 - NEW SOURCE REVIEW

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REGULATION 2 - PERMITS

RULE 2 - NEW SOURCE REVIEW

2-2-100 GENERAL

2-2-101 Description: The purpose of the Rule is to provide for the review of new and modified stationary sources and provide mechanisms, including emission tradeoffs and banking, by which authorities to construct such sources may be granted.

2-2-110 Exemption, Essential Public Services: The APCO shall exempt a person from the requirements of Section 2-2-302 of this Rule if it is determined that the subject of the application will be used exclusively for providing essential public services such as schools, hospitals, or police or fire fighting facilities, but specifically excluding sources of electrical power generation other than for emergency standby use.

2-2-111 Exemption, Conversion from Use of Gaseous Fuels: The APCO shall exempt a person from the requirements of Section 2-2-302 of this Rule if the reason for the new or modified stationary source is to convert from the use of gaseous fuels to fuel oil because of demonstrable shortages of gaseous fuels.

A condition shall be placed on the permit to operate requiring conversion to gaseous or other equivalent low polluting fuels when they are, or become available. The exemption shall be granted provided;

111.1 All changes constituting the modification shall utilize BACT, and

111.2 That the person demonstrates that best efforts to obtain sufficient emissions tradeoffs pursuant to Sections 2-2-302 and 2-2-303 of this Rule, have been made and will be conducted, and

111.3 At the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable district regulations.

2-2-112 Exemption, New and Innovative Technology: With the written concurrence of the ARB, the APCO may exempt a person from the requirement of Section 2-2-302 of this Rule if it is determined that the new or modified stationary source will utilize unique and innovative control technology which will result in a significantly lower emission rate from the facility than would have occurred with the use of previously known BACT, and which will likely serve as a model for technology to be applied to similar sources within the state; or, that the facility 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. The applicant shall establish by modeling that the new stationary source or modification will cause the violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes.

2-2-113 Exemption, Cogeneration Project: The APCO shall exempt a person from the requirements of Section 2-2-302 of this Rule if the subject of

the application is a cogeneration project, or a project using refuse-derived or biomass-derived fuel for energy generation, or a resource recovery project using municipal wastes, provided that;

113.1 The applicant establishes by modeling to the satisfaction of the APCO that the emissions from the stationary source will not cause a violation of and will not interfere with the attainment or maintenance of any NAAQS, and

113.2 The applicant certifies that best efforts to obtain sufficient emission offsets pursuant to Sections 2-2-302 and 2-2-303 of this Rule, for the project have been unsuccessful as of the date of this application.

2-2-114 Exemption, No Net Increase: If it is determined that a modification or replacement of an existing stationary source will result in no net increase in the emissions from the source being modified or replaced, the APCO shall exempt the applicant from the requirements of Section 2-2-302 of this Rule.

2-2-200 DEFINITIONS

2-2-201 Actual Emission Reductions: A reduction of emissions from the stationary source selected for emission offsets, from a baseline determined by source tests or other methods approved by the APCO. Baseline and reduced emissions shall be calculated as average daily emissions. If methods other than source tests (such as fuel consumed or solvent used) are used to calculate the baseline, such data must be based on the average of three years usage prior to the submission of the complete application, or other time period as approved by the APCO.

2-2-202 Best Available Control Technology (BACT): For any stationary source, except cargo carriers, the more stringent of:

202.1 The most effective emission control device or technique which has been utilized for at least one year, for the equipment comprising such stationary source; or

202.2 Any other emission control device or technique determined to be technologically feasible and cost-effective by the APCO; or

202.3 The most effective emission control limitation for the equipment comprising such stationary source which the EPA certifies, during the public comment period, is contained in an approved implementation plan of any state, unless the applicant demonstrates to the satisfaction of the APCO that such limitations are not achieveable.

Under no circumstances shall the emission control required be less stringent than the emission control required by any applicable provision of District, state or federal laws or regulations.

2-2-203 Complete Application: An application for an authority to construct a new or modified stationary source which contains sufficient information for the APCO to determine the emissions from such new or modified source.

2-2-204 Cumulative Increase: The increase in emissions of any given pollutant from a stationary source occurring after December 20, 1977, pursuant to authorities to construct or permits to operate. In calculating cumulative increases, or shutdown of any existing

sources, provided that the abatement or shutdown is not required by changes in federal, state or District laws, rules or regulations.

2-2-205 Modeling: Using an air quality simulation model, based on data and assumptions acceptable to the APCO and the Executive Officer of the ARB.

2-2-206 Modification: Any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. Unless previously limited by a permit condition the following shall not be considered changes in method of operation:

206.1 An increase in the production rate if such increase does not exceed the operating design capacity or the actual demonstrated capacity of the stationary source as approved by the APCO.

206.2 An increase in the hours of operation.

206.3 Change in ownership.

206.4 Use of an alternative fuel or raw material if the source was capable of using such fuel or raw material prior to July 1, 1972, or had received permits to use such fuel or raw material.

2-2-207 National Ambient Air Quality Standards (NAAQS): Levels of air pollution that have been established by the Environmental Protection Agency. All references to NAAQS shall be interpreted to include state ambient air quality standards.

2-2-208 Point of Maximum Ground Level Impact: The ground level geographic location where actual or projected air pollution concentrations resulting from the new or modified stationary source emissions are at a maximum concentration. If the general public is effectively excluded from the property on which the new or modified stationary source is located, such property shall not be considered as the point of maximum ground level impact.

2-2-209 Stationary Source: A unit or an aggregation of units of nonvehicular air contaminant-emitting equipment which is located on one property or on contiguous properties 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 the 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 APCO shall consider such carriers to be parts of the stationary source. Accordingly, all emissions from such carriers (excluding motor vehicles) while operating within the District and within the California Coastal Waters adjacent to the Air Basin 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 vapors; and from the loading, unloading, storage, processing and transfer of cargo.

2-2-210 California Coastal Waters: That area between the California coastline and a line starting at the California - Oregon border at the Pacific Ocean

thence to 42.0°N	125.5°W
thence to 41.0°N	125.5°W
thence to 40.0°N	125.5°W
thence to 39.0°N	125.0°W
thence to 38.0°N	124.0°W
thence to 37.0°N	123.5°W
thence to 36.0°N	122.5°W
thence to 35.0°N	121.5°W
thence to 34.0°N	120.5°W
thence to 33.0°N	119.5°W
thence to 32.0°N	118.5°W

and ending at the California - Mexico border at the Pacific Ocean.

2-2-300 STANDARDS

2-2-301 Best Available Control Technology Requirement: An applicant shall apply BACT for each pollutant which exceeds the following limits:

301.1 For all new stationary sources emitting more than 68 kg (150 lbs.) per day of organic compounds, nitrogen oxides, sulfur oxides or particulate matter, or carbon monoxide by an amount which the APCO determines would cause an excess of the NAAQS for carbon monoxide.

301.2 All modifications of existing stationary sources which will increase emissions by more than 68 kg (150 lbs.) per day of organic compounds, nitrogen oxides, sulfur oxides, or carbon monoxide in an amount which the APCO determines would cause an excess of the NAAQS for carbon monoxide.

301.3 Any modification of a stationary source which will have a cumulative increase of more than 68 kg (150 lbs.) per day of organic compounds, nitrogen oxides, sulfur dioxide or particulate matter since December 20, 1977.

2-2-302 Offset Requirement: Emission offsets for stationary sources with cumulative increase in emissions of air pollutants in excess of 112 kg (250 lbs.) per day shall be required for the following air pollutants under the following circumstances before the APCO may issue an authority to construct or modify a stationary source:

302.1 For organic compounds and nitrogen oxides if the NAAQS for ozone has been exceeded anywhere in the District more than 3 times (or for an annual standard, more than once) within the three years immediately preceding the date when the complete application is filed. Methylene chloride, 1,1,1, trichloroethane, and fully halogenated carbon compounds shall not be used as offsets against emissions increases of other organic compounds.

302.2 For nitrogen oxides, if the NAAQS for nitrogen dioxide has been exceeded any where in the District 3 times (or for an annual standard, more than once) within the three years immediately preceding the date when the complete application is filed. However, reductions of organic compounds may be used to offset increases of NO_x provided that the applicant demonstrates to the satisfaction of the APCO that the increased NO_x emissions will not cause or contribute to an excess

of any NAAQS for NO_2 at the point of maximum ground level impact.

302.3 For sulfur dioxide, carbon monoxide or total suspended particulates, unless the applicant demonstrates to the satisfaction of the APCO that such emissions will not interfere with the attainment or maintenance of any NAAQS at the point of maximum ground level impact.

2-2-303 Emission Calculation Standards: Calculation of emissions and emission offsets shall be made by following the guidelines in the ARB Model New Source Review Rule (February 16, 1979). Offsets, when required, shall be actual emission reduction sufficient to offset anticipated emission increases resulting from the construction or modification of the stationary sources. The offset ratios shall be as follows:

303.1 An offset ratio of 2.0:1 shall be required if the new or modified stationary source elects to use annual average emissions as the basis for offsets, provided that the location of offsets is within a 30-mile radius of the new or modified source for organic compounds or NO_x and within a 10-mile radius for particulate matter, SO_2 and CO.

303.2 An offset ratio of 1.2:1 shall be required if other than an annual average is used as the basis for offsets and the offsets are located within a 15-mile radius of the new or modified stationary source, for organic compounds or NO_x, and within a 5-mile radius for particulate matter, SO_2 and CO.

2-2-304 Net Air Quality Benefit: Any emission reductions may be used as offsets at ratios determined by the APCO, regardless of the distance between the new or modified stationary source and the location of the offsets, provided the applicant demonstrates to the satisfaction of the APCO that such reductions will result in a net air quality benefit in the area affected by the emissions from the new or modified stationary source and provided the written concurrence of the ARB is obtained.

2-2-305 Offsets, Resource Recovery: If an applicant for an authority to construct a resource recovery project using municipal waste demonstrates to the satisfaction of the APCO that the most likely alternative for treating such waste would result in an increase in emissions allowed under existing District permits and regulations, those emission increases which would not occur as a result of the proposed resource recovery project may be used to offset any net emissions increase from the resource recovery project in accordance with other provisions of this Rule.

2-2-306 Mandated Reductions, not Applicable: Emission reductions resulting from requirements of federal, state or District laws, rules or regulations shall not be allowed or banked as emission offsets unless a complete application was filed with the District at least 90 days prior to the adoption date of such laws, rules or regulations.

2-2-307 Denial, Permit to Operate: The APCO shall deny a permit to operate unless it is determined that the new or modified stationary source and any stationary source or sources which are modified to provide offsets have been constructed and operated substantially in accordance with the conditions on the authority to construct.

2-2-400 ADMINISTRATIVE REQUIREMENTS

2-2-401 Application: In addition to the requirements of Section 2-1-402 of Rule 1, applications for authorities to construct stationary sources subject to Rule 2 shall contain the information required by the lists and criteria adopted pursuant to Section 65940 of the California Government Code that are in effect on the date the application is filed. The APCO shall determine whether an application for a permit to construct is complete not later than 30 calendar days following receipt of the application, or after a longer time period agreed upon by both the applicant and the APCO. If the APCO determines that the application is not complete, the applicant shall be notified in writing of the decision, specifying the information that is required. Upon receipt of any resubmittal of the application, a new 30 day period to determine completeness shall begin.

2-2-402 Complete Application: Upon determination that the application is complete, the APCO shall notify the applicant in writing. Thereafter, only information regarding offsets, or information to clarify, correct or otherwise supplement the information submitted in the application, may be requested.

2-2-403 Regulations in Force Govern: The decision as to whether an authority to construct shall be granted or denied shall be based on federal, state and district BACT and offset regulations in force on the date the application is declared by the APCO to be complete.

2-2-404 Preliminary Decision: Within 60 days following the acceptance of an application as complete, or, with the consent of the applicant, such longer period as may be agreed upon, the APCO shall make a preliminary decision as to whether an authority to construct shall be approved, conditionally approved, or denied. The applicant shall be notified in writing if the application requires emission offsets.

2-2-405 Publication and Public Comment: If the application requires emission reductions from existing sources, the APCO shall within 10 days of the notification of the applicant, cause to have published in at least one newspaper of general circulation within the District, a prominant notice stating the preliminary decision of the APCO, the location of the information available pursuant to Section 2-2-407, and inviting written public comment for a 30 day period following the date of publication. During this period, which may be extended by the APCO, the APCO may elect to hold a public meeting to receive verbal comment from the public.

2-2-406 Public Inspection: If the application requires emission reductions from existing sources the APCO shall make available for public inspection at District headquarters the information submitted by the applicant, the APCO's analysis, and the preliminary decision to grant or deny the authority to construct including any proposed conditions, including the reasons therefor. The confidentiality of trade secrets shall be considered in accordance with Section 6254.7 of the Government Code. Further, all such information shall be transmitted, upon the date of publication, to the ARB and the regional office of the EPA.

2-2-407 Authority to Construct, Final Action: Within 180 days following the acceptance of the application as complete, or a longer time period agreed upon, the APCO shall take final action on the application after considering all public comments. Written notice of the final decision shall be provided to the applicant, the ARB and the EPA. The final action will also be published in at least one newspaper of general circulation within the District, and the notice and supporting documentation shall be available for public inspection at District headquarters.

2-2-408 Appeal: Appeals may be made from the decision of the APCO in accordance with the provisions of Section 2-1-410 of Rule 1.

2-2-409 Requirements, Permit to Operate: As a condition for the issuance of a Permit to Operate, the APCO shall require that the new or modified source and the stationary source or sources which provide offsets be operated in the manner assumed in making the analysis requires to determine compliance with this Regulation.

409.1 The Permit to Operate of any stationary source used to provide offsets shall be conditioned to insure that the emission reductions will be enforceable and shall continue for the reasonably expected life of the proposed source. If offsets are obtained from a source for which there is no Permit to Operate, either a permit shall be obtained or a written contract shall be required between the applicant and the owner or operator of such source,

which contract, by its terms, shall be enforceable by the APCO to ensure that such reductions will continue for the duration of the life of the proposed source.

2-2-410 Issuance, Permit to Operate: The APCO shall issue a permit to operate a stationary source subject to the requirements of this Rule if it is determined that any offsets required as a condition of an authority to construct or amendment to a permit to operate will commence not later than the initial operation of the new source or within 90 days after initial operation of the modified source, and that the offsets shall be maintained throughout the operation of the new or modified source which is the beneficiary of the offsets. Further, the APCO shall determine that all conditions specified in the authority to construct have been or will be likely complied with by any dates specified. Where a new or modified stationary source is, in whole or in part, a replacement for an existing stationary source on the same property, the APCO may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing stationary source and the new source or replacement.

2-2-411 Permit to Operate, Final Action: The APCO shall take final action to approve, approve with conditions, or disapprove a permit to operate stationary source subject to this Rule within 60 days after start-up of the new or modified stationary source. However, failure to act within the 60 day period, unless the time period is extended with the written concurrence of the applicant, shall be deemed to be a denial of the permit. Such denial may be appealed to the Hearing Board in accordance with the provisions of Section 2-1-410 of Rule 1.

REGULATION 2 - PERMITS

RULE 3 - POWER PLANTS

2-3-100 GENERAL

2-3-101 DESCRIPTION

2-3-200 DEFINITIONS

2-3-201 Determination of Compliance

2-3-300 STANDARDS

2-3-301 Authority to Construct a Power Plant

2-3-302 Permit to Operate a Power Plant

2-3-303 Power Plants, Offset Bank

2-3-304 Use of Offsets

2-3-400 ADMINISTRATIVE REQUIREMENTS

2-3-401 NOI Proceedings

2-3-402 AFC Proceedings

2-3-403 Preliminary Decision

2-3-404 Public Notice, Comment and Public Inspection

2-3-405 Determination of Compliance, Issuance

2-3-500 MONITORING AND RECORDS (Not Included)

2-3-600 MANUAL OF PROCEDURES (Not Included)

REGULATION 2 - PERMITS

RULE 3 - POWER PLANTS

2-3-100 GENERAL

2-3-101 Description: This Rule contains special provisions relating to the procedures for the review and standards for the approval of authorities to construct power plants within the District, for which a Notice of Intention (NOI) or application for Certification (AFC) has been accepted by the California Energy Commission (Commission).

2-3-200 DEFINITIONS

Determination of Compliance: A decision by the APCO, made following a review of applicable data, conducted in a manner that is identical to the review conducted to establish the eligibility of a person to receive an authority to construct a stationary source subject to Rule 2 of this Regulation.

2-3-300 STANDARDS

2-3-301 Authority to Construct a Power Plant: An authority to construct a power plant shall be issued only upon the issuance by the APCO of a Determination of Compliance, and the submittal of the Determination of Compliance to the Commission.

2-3-302 Permit to Operate a Power Plant: The APCO shall issue a permit to operate a power plant if the applicant has received certification pursuant to an AFC and after construction, the power plant, is in compliance with all conditions of the certificate, and the authority to construct.

2-3-303 Power Plants, Offset Bank: An applicant may, upon written notice to the District and the ARB, establish an emission offset bank for a power plant at a specific location. The bank shall be established no earlier than the date the NOI for the power plant is accepted by the Commission. The bank shall lapse if the Commission rejects the power plant or site, but in such cases the applicant may transfer the emission offsets contained in the bank to another power plant and location for which the Commission has accepted a NOI.

2-3-304 Use of Offsets: Emission offsets including banked emission offsets, shall be utilized in the same manner and subject to the same restrictions and ratios set forth in Rule 2 of this Regulation.

2-3-400 ADMINISTRATIVE REQUIREMENTS

NOI Proceedings: Within 4 days of receipt of a NOI, the APCO shall notify the ARB and the Commission of the District's intention to participate in the NOI proceedings. If the District chooses to participate in the NOI proceedings, the APCO shall prepare and submit a report to the ARB and the Commission prior to the conclusion of the nonadjudicatory hearings specified in Section 25509.5 of the Public Resources Code. That report shall include, at a minimum:

401.1 A preliminary specific definition of BACT for the proposed power plant.

401.2 A preliminary discussion of whether there is substantial likelihood that the requirements of District Regulations can be satisfied by the proposed power plant.

401.3 A preliminary list of conditions which the proposed power plant must meet in order to comply with District regulations.

2-3-402 AFC Proceedings: Upon receipt of an AFC, the APCO shall determine whether the information contained therein is sufficient to undertake a Determination of Compliance review. If not, the APCO shall, within 20 days of receipt of the AFC, so inform the Commission, and the AFC shall be considered incomplete and returned to the applicant for resubmittal. The APCO may also request from the applicant any information necessary for the completion of the Determination of Compliance review. If the information is not supplied, the APCO may petition the presiding Commissioner for an order directing the applicant to provide such information.

2-3-403 Preliminary Decision: Within 180 days of accpeting an AFC as complete, the APCO shall conduct a Determination of Compliance review and make a preliminary decision as to whether the proposed power plant meets the requirements of District regulations. If so, the APCO shall make a preliminary determination of conditions to be included in the Certificate, including specific BACT requirements and a description of mitigation measures to be required.

2-3-404 Public Notice, Comment and Public Inspection: The preliminary decision made pursuant to Section 2-3-403 shall be subject to the public notice, public comment and public inspection requirements contained in Section 2-2-406 and 407 of Rule 2.

State of California
AIR RESOURCES BOARD

Resolution 79-70

October 12, 1979

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 41856 of the Health and Safety Code directs the Air Resources Board to promulgate Guidelines for the regulation and control of agricultural burning for each of the air basins established by the State Board;

WHEREAS, Section 41857 of the Health and Safety Code states that the Guidelines promulgated by the Board shall be based on meteorological data, the nature and volume of materials to be burned, and the probable effect of such burning on the ambient air quality within the air basins affected;

WHEREAS, Agricultural Burning Guidelines have previously been promulgated in accordance with the provisions of the Health and Safety Code;

WHEREAS, Section 41859 states that the Board shall continuously review the Guidelines and may modify, repeal or alter such Guidelines if scientific and technological data indicate that such changes are warranted, and that before adopting any such changes, the State Board shall hold a public hearing and shall consider the criteria set forth in Section 41857;

WHEREAS, scientific data have indicated that the use of backfiring or into-the-wind striplighting for burning certain field crop wastes will effect an emission reduction from the traditional method of headfire burning;

WHEREAS, scientific data have indicated that commencing the burning of field crop waste no earlier than 10:00 a.m. will effect an emission reduction from the traditional starting time of 8:00 a.m.;

WHEREAS, the Meteorological Criteria for Regulating Agricultural Burning can be made more responsive to the needs of the districts by:

(a) Allowing redirection of acreages of agricultural waste to be burned on newly created premium permissive-burn days.

(b) Providing for the reversal of a burn/no-burn day decision;

WHEREAS, specific criteria for the issuance of no-burn day permit exceptions would provide a uniform policy for issuance of such permits with commensurate benefits to air quality;

WHEREAS, restricting the burning of agricultural waste material during the rice straw burning season (October 1 through November 15) would lessen the amount of burning and associated emissions during that critical time of year;

WHEREAS, meteorological data indicate that the valley floor portion of Placer County is more correctly regulated for burn/no-burn days by the meteorological criteria for the Sacramento Valley Air Basin Southeast Section than by the criteria used for the Mountain Counties Air Basin;

WHEREAS, the Meteorological Criteria for Regulating Agricultural Burning can be made more responsive to the needs of the districts in the Sacramento Valley Air Basin by providing separate burn/no-burn declarations above and below the inversion in the Sacramento Valley Air Basin;

WHEREAS, the Sacramento Valley Air Basin has adopted rice straw burning regulations, and the application of these regulations in the San Joaquin Valley Air Basin will effect an emission reduction from the traditional methods of drying and burning rice straw;

WHEREAS, the San Francisco Bay Area Air Quality Management District has requested the Air Resources Board to modify the Meteorological Criteria for Regulating Agricultural Burning to change the North/South boundary lines of the San Francisco Bay Area Air Basin based on meteorological data;

WHEREAS, the San Diego Air Pollution Control District has requested the Air Resources Board to revise the Meteorological Criteria for Regulating Agricultural Burning in the San Diego Air Basin;

WHEREAS, meteorological criteria for declaring burn/no-burn days for agricultural burning in the Lake Tahoe Air Basin should be specified in the Meterological Criteria for Regulating Agricultural Burning;

WHEREAS, the term "brush treated" in the Guidelines should be redefined to include material which was previously dead;

WHEREAS, the Department of Fish and Game should specify the proper amount of brush treatment when burning for wildlife and game habitat improvement;

WHEREAS, the provisions in the Guidelines for burning of cotton gin waste expired on January 1, 1979 and should be removed;

WHEREAS, in the development of the proposed revisions to the Guidelines and Meteorological Criteria, the Enforcement Branch staff of the Air Resources Board has consulted with representatives of various air pollution control agencies, the University of California Agricultural Engineering Extension, the California Farm Bureau Federation, the Statewide Air Pollution Research Center at the University of California at Riverside, the Department of Food and Agriculture and other agricultural agencies and associations;

WHEREAS, the Enforcement Branch staff of the Air Resources Board has held numerous public meetings and workshops to obtain public comment on the proposed amendments to the Guidelines and Meteorological Criteria for Regulating Agricultural Burning; and

WHEREAS, notice of a public hearing to consider the proposed revisions and amendments to the Guidelines has been given and a public hearing held in accordance with the provisions of the Health and Safety Code and of the Administrative Procedure Act, (Government Code Sections 11371 et seq.);

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board repeals Subchapter 2 of Chapter 1, Part III of Title 17 of the California Administrative Code and adopts the proposed Subchapter 2 consisting of Articles 1, 2 and 3 of Chapter 1, Part III of Title 17 of the California Administrative Code attached hereto.

BE IT FURTHER RESOLVED, that the Executive Officer of the Air Resources Board is directed to revise and refine the emission factors and total allowable particulate emissions incorporated in Section 80150(e)(1) based on scientific and technical information which is developed in the future.

I certify that the above is a true and correct copy of Resolution 79-70, as passed by the Air Resources Board.

Sally Rump
BOARD SECRETARY

State of California
AIR RESOURCES BOARD
Resolution 79-71
September 27, 1979

WHEREAS, an unsolicited research Proposal Number 864-72 entitled "Characterization of Organic Particulate Matter II" has been submitted by the Department of Health Services, Air and Industrial Hygiene Laboratory 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 864-72 entitled "Characterization of Organic Particulate Matter II" submitted by the Department of Health Services, Air and Industrial Hygiene Laboratory for an amount not to exceed $166,291;

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 864-72 entitled "Characterization of Organic Particulate Matter II" submitted by the Department of Health Services, Air and Industrial Hygiene Laboratory, for an amount not to exceed $166,291,

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 $166,291.

I certify that the above is a true
and correct copy of Resolution 79-71
as passed by the Air Resources Board.

Sally Rump

Sally Rump
Board Secretary

State of California
AIR RESOURCES BOARD

ITEM: 79-22-4(1a)
DATE: September 27, 1979

ITEM: Research Proposal No. 864-72 entitled "Characterization of Organic Particulate Matter II", Department of Health Services, Air and Industrial Hygiene Laboratory, Jerome J. Wesolowski/Bruce R. Appel.

RECOMMENDATION: Adopt Resolution 79-71 approving Research Proposal No. 864-72 for funding in an amount not to exceed $166,291.

SUMMARY: Organic (i.e., hydrocarbon-derived) particulate matter in the atmosphere is an important contributor to the total atmospheric burden of suspended particulate matter. It exists almost exclusively in the particle size range below 3.5 μm with major amounts in the range below 1 μm. Because of these physical characteristics, it contributes substantially to visibility reduction. Certain components of this material (e.g., polycyclic aromatic hydrocarbons) have been demonstrated to be hazardous to human health. Other organic aerosol components, including relatively unstable materials formed in photochemical smog, may also be hazardous. Because of its particle size, penetration into the lower respiratory tract is likely, increasing the potential for adverse health effects.

Currently, organic particulate matter in the atmosphere is measured by the weight of non-volatile residue from benzene extraction of 24-hour Hi-vol filter samples. This procedure is subject to sampling and analytical errors as well as substantial limitations in the usefulness of the result. As with total suspended particulate matter (TSP), the analysis provides no information about the specific organics or chemical classes in the sample or their origins. Furthermore, the bulk of the polar organic compounds (as well as inorganic carbon) remain unextracted using the standard procedure.

This project is a continuation of the 1975-76 project at the Department of Health Services. In that study, sampling was performed using Hi-vols and selective-solvent extraction techniques were developed for distinguishing between primary and secondary organic particulate material. Using these techniques the investigators were able to show that an appreciable loss of organic particulate material occurs during 24-hour

sampling periods with Hi-vols and the identifiable secondary organic aerosols are primarily oxidation products of anthropogenic olefins. The investigators inferred that gasoline and its combustion products were the probable dominant source of the secondary organic aerosol. The investigators also presented evidence to show that the primary aerosol was predominantly soot and oxidation products of higher molecular weight alkanes.

The etiology of organic particulate matter in the atmosphere is probably the least well understood of any of the major classes of air pollutant. Inasmuch as approximately one-third of the aerosol mass in urban areas consists of organic material, it is imperative that a clear understanding of organic aerosols be gained. This project attacks the work of developing methods for sampling and analyzing primary and secondary organic aerosol material and of making measurements at three sites outside of the South Coast Air Basin.

State of California
AIR RESOURCES BOARD
Resolution 79-72
September 27 , 1979

WHEREAS an unsolicited research Proposal Number 866-72 entitled "Correlative and Sensitive Discriminants for Air Quality Control" has been submitted by the Professional Staff Association, L.A. County/USC Medical Center 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 866-72 entitled "Correlative and Sensitive Discriminants for Air Quality Control" submitted by the Professional Staff Association, L.A. County/USC Medical Center for an amount not to exceed $108,590;

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 866-72 entitled "Correlative and Sensitive Discriminants for Air Quality Control" submitted by the Professional Staff Association, L.A. County/USC Medical Center for an amount not to exceed $108,590,

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 $108,590.

I certify that the above is a true
and correct copy of Resolution 79-72
as passed by the Air Resources Board.

Sally Rump

Sally Rump
Board Secretary

State of California
AIR RESOURCES BOARD

ITEM: 79-22-4(1b)
DATE: September 27, 1979

ITEM: Research Proposal No. 866-72 entitled "Correlative and Sensitive Discriminants for Air Quality Control", Professional Staff Association, L. A. County/USC Medical Center, Russell Sherwin.

RECOMMENDATION: Adopt Resolution 79-72 approving Research Proposal No. 866-72 for funding for an amount not to exceed $108,590.

SUMMARY: The proposed study is an extension of work done over the past two years at the USC School of Medicine under ARB sponsorship. Completed efforts consist of the development of methods for the study of cellular and biochemical indicators of nitrogen dioxide damage at near-ambient or ambient concentrations. These methods have been employed in current studies to determine the rates at which certain cells in the alveolus undergo Type I to Type II pneumocyte conversions and to preliminary studies of whether such changes are reversible. The importance of such studies lies in the function of the cells under investigation. The most common cell of the alveolar wall, in terms of area covered, is the Type I cell. It is a very thin cell whose role is the efficient exchange of gases between the atmosphere in the lung and the blood stream. The Type II cell is noted for its thickness and apparent role in producing secretions. It appears from completed studies that some Type I cells are converted to Type II cells, even at very low concentrations of NO_2. Such cellular changes are thought to be the early steps in several disease states, including emphysema. Moreover, over the short term, such changes may reduce the flow of oxygen to the blood.

Both current and completed studies into protein leakage rates also indicates changes after exposures to near ambient NO_2. Such changes have previously been observed on a gross level (edema) following acute exposures to certain air pollutants.

The present proposal would essentially complete this line of research into cellular level damages caused by intermittent low-level NO_2 exposure. The work to be done includes lowering of previously used NO_2 levels, repeating certain important exposures to provide for better statistical treatment and the possible introduction of other methods of analysis for use in the study of the effects of NO_2. Future studies might be proposed that would employ the methodologies and facilities developed for use with other pollutants or combinations of pollutants.

State of California
AIR RESOURCES BOARD
Resolution 79-73
September 27, 1979

WHEREAS, an unsolicited research Proposal Number 865-72 entitled "New Approach for Detecting Health Hazards of NO_2 Inhalation" has been submitted by the University of Southern California 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 865-72 entitled "New Approach for Detecting Health Hazards of NO_2 Inhalation" submitted by the University of Southern California for an amount not to exceed $51,739;

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 865-72 entitled "New Approach for Detecting Health Hazards of NO_2 Inhalation" submitted by the University of Southern California, for an amount not to exceed $51,739,

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 $51,739.

I certify that the above is a true
and correct copy of Resolution 79-73
as passed by the Air Resources Board.

Sally Rump

Sally Rump
Board Secretary

State of California
AIR RESOURCES BOARD

ITEM: 79-22-4(1c)
DATE: September 27, 1979

ITEM: Research Proposal No. 865-72 entitled "New Approach for Detecting Health Hazards of NO_2 Inhalation", University of Southern California, Arnis Richters.

RECOMMENDATION: Adopt Resolution 79-73 approving Research Proposal No. 865-72 for funding for an amount not to exceed $51,739.

SUMMARY: Nitrogen dioxide is a common constituent of polluted urban air in California. Current consensus on its health implication is that it can produce cellular level lung damage and effect pulmonary function. Recent results from studies at the USC School of Medicine suggest that it might be involved in nitrosation reactions with body tissues and possibly affect the establishment of circulating cancerous cells in the lung (metastasis). The results of a previously published preliminary study point to this metastasis-promoting influence of ambient levels of NO_2 in mice. If this hypothesis is borne out, the problem of reduction of NO_x levels in our urban air will assume still greater urgency.

This study would require exposing mice to filtered room air and filtered air along with 0.3, 0.5, 0.8 ppm NO_2 over a 12-week period. The animals will be infused with equal numbers of melanoma (cancer) cells. After two weeks in clean air, the animals will be sacrificed, their lungs preserved, and the melanoma nodules resulting from established cancer cells in the lung will be counted. The cancer nodules located in both the typical surfacial regions and from cross-sectional samples will be studied. The results of the study will be evaluated to determine the extent that ambient NO_2 exposures effect the metastastic process.

State of California
AIR RESOURCES BOARD
Resolution 79-74
September 27, 1979

WHEREAS, an unsolicited research Proposal Number 867-72 entitled "Geographical and Temporal Distribution of Atmospheric Mutagens in California" has been submitted by the University of California, Riverside to the Air Resource 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 867-72 entitled "Geographical and Temporal Distribution of Atmospheric Mutagens in California" submitted by the University of California, Riverside for an amount not to exceed $154,649;

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 867-72 entitled "Geographical and Temporal Distribution of Atmospheric Mutagens in California" submitted by the University of California, Riverside, for an amount not to exceed $154,649,

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 $154,649.

I certify that the above is a true
and correct copy of Resolution 79-74
as passed by the Air Resources Board.

Sally Rump

Sally Rump
Board Secretary

State of California
AIR RESOURCES BOARD

ITEM: 79-22-4(1d)
DATE: September 27, 1979

ITEM: Research Proposal No. 867-72 entitled "Geographical and Temporal Distribution of Atmospheric Mutagens in California", University of California, Riverside, James N. Pitts, Jr.

RECOMMENDATION: Adopt Resoulution 79-74 approving Research Proposal No. 867-72 for funding in an amount not to exceed $154,649.

SUMMARY: This proposal seeks funding for the second year of a two-year study to investigate the chemical nature of atmospheric concentrations of airborne mutagens. The objective of this two-year investigation is to determine the geographical and temporal patters onf mutagenic activity by using the Ames Test. Ambient particulate samples are to be collected during daytime and nighttime hours, summer and winter, in the South Coast Air Basin of California. Dose-response curves for mutagenic activity are to be established for five Salmonella strains in the presence and absence of metabolic activation. The chemical composition of the most active mutagenic samples are to be determined. At each selected monitoring site, collection of samples is to be accompanied by measurements of air quality (O_3, NO, NO_2, hydrocarbons, PAN, and aerosol mass loading) and meteorology (temperature, humidity, wind speed and direction, and visibility).

Concurrent with this project, the National Science Foundation is funding a project with these investigators to study photochemical processes and/or reactions with polluted air that may result in formation of mutagenic compounds from non-mutagenic precursors.

FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

JAN 10 1980

Office of Administrative Hearings

ENDORSED

APPROVED FOR FILING
GOV. CODE 11380.21

JAN 10 1980

Office of Administrative Hearings

DO NOT WRITE IN THIS SPACE

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

Air Resources Board
(Agency)

Date of adoption, amendment, or repeal:

December 5, 1979

By: [signature]

Executive Officer
(Title)

ENDORSED FILED
IN THE OFFICE OF

JAN 9 3 31 PM 1980

MARCH FONG EU
SECRETARY OF STATE
OF CALIFORNIA

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The attached regulations which are being adopted, amended or repealed are contained in Title 17 of the California Administrative Code.

(Optional): Division, Part, Chapter, etc., affected by this order: Subchapter 2 Agricultural Burning Guidelines

(Check as applicable:)
TYPE OF ORDER:

X Emergency
___ Certificate of Compliance
___ Certificate of Non-Compliance
___ Regular
___ Procedural and Organizational

(Check One:)
EFFECTIVE DATE:

X On filing with Secretary of State
___ On _____ (designated effective date)
___ On _____ as specified by Statutes
___ On 30th day after filing

(Check all:)
CHECKLIST OF MANDATORY REQUIREMENTS

X Eight copies of order or Certificate attached.
X Original signature on at least one copy.
X Regulation Summary (Form 399 or equivalent) attached (1 copy).
X Publication date (Notice Register) of notice for attached order or Certificate of Compliance is 9/12/79.
X Authority and reference citation placed beneath each section in attached order.

(Check one:)
REIMBURSABLE COSTS:

X These are "no cost" regulations under Revenue and Taxation Code Section 2231, and State Administrative Manual Section 6052.1.
___ These are "disclaimable cost" regulations under Revenue and Taxation Code Section 2231. A clarifying disclaimer statement is attached, pursuant to State Administrative Manual Section 6052.2.
___ These are "cost" regulations under Revenue and Taxation Code Section 2231. This agency has followed the provisions of State Administrative Manual Section 6052.3.

(Check one:)
COSTS/SAVINGS TO LOCAL, STATE AND FEDERAL GOVERNMENT

X These regulations involve no costs or savings to local, state or federal government under Government Code Section 11421.
___ These regulations do involve costs or savings to local, state or federal government under Government Code Section 11421. An estimate of those costs or savings is attached to this orde:

(Check one:)
BUILDING STANDARDS

X These regulations contain no building standards under Health and Safety Code Sections 18900-18915.
___ These regulations do contain building standards under Health and Safety Code Sections 18900-18915. The date of approval by the Building Standards Commission is _____

(Check one if attached are Conflict of Interest Regulations)
CONFLICT OF INTEREST

The attached Conflict of Interest Regulations contain the FPPC approval stamp and:

___ Are to be published in full in the Administrative Code.
___ Are to be codified by appropriate reference in the Administrative Code, and include a statement as to where the full text may be obtained.

(Check if emergency Campaign Disclosure Regulations)
CAMPAIGN DISCLOSURE

___ These are emergency regulations pertaining to campaign disclosure law and were adopted by unanimous vote of all board or commission members present at the regulation adoption proceeding.

COMPLETE REVERSE SIDE IF THESE ARE EMERGENCY REGULATIONS

DO NOT WRITE IN THIS SPACE

This agency certifies the attached orders are necessary for the immediate preservation of the public peace, health and safety or general welfare. The specific facts constituting the need for immediate action are: (attach continuation sheet, if necessary)

(Check if applicable:)

____ These emergency regulations are readoption of a previous emergency order which has not yet been certif: or it is substantially equivalent previous emergency order which has yet been certified. Approval of the Governor was obtained on:

The Agricultural Burning Guidelinelines and Meteorological Criteria adopted for inclusion into Title 17 of the California Administrative Code govern burning of agricultural wastes and protect the health and welfare of citizens living in the Sacramento and San Joaquin Valley Air Basins. It is necessary that these provisions go into effect on an emergency basis because they will provide an increased level of the protection of the public health in these air basins and will also aid the State's agricultural economy by permitting the maximum level of burning consistent with protection of the public health.

The blanket citation of authority and reference for this emergency action is:

Authority cited: Section 39600 and 39601 of the Health and Safety Code
Reference: Section 41850, 41855, 41856, 41857, 41858, 41859 of the California Health and Safety Code

The name and phone number of the agency officer to whom inquiries about the emergency order may be directed are:

NAME James J. Morgester, Chief Enforcement Branch Phone (916) 322-6022

(Complete one:)

X These regulations involve no costs or savings to local, state or federal government under Government Code Section 11421.

____ These regulations do involve costs or savings to local, state or federal government under Government Code Section 11421. An estimate of those costs or savings is attached to this order.

(Complete one:)

X To fulfill Government Code S 11421, attached is an inform digest, providing a clear an concise summary of existing and regulations, if any, rel directly to the proposed act and the effect of the pro action.

____ To fulfill Government Code S tion 11421, express terms of emergency are attached.

This agency certifies the attached orders are necessary for the immediate preservation of the public peace, health and safety or general welfare. The specific facts constituting the need for immediate action are: (attach continuation sheet, if necessary)

(Check if applicable:)

____ These emergency regulations are readoption of a previous emergency order which has not yet been certif; or it is substantially equivalent previous emergency order which has yet been certified. Approval of the Governor was obtained on:

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The blanket citation of authority and reference for this emergency action is:

Authority cited: Section 39600 and 39601 of the Health and Safety Code
Reference: Section 41850, 41855, 41856, 41857, 41858, 41859 of the California Health and Safety Code

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NAME James J. Morgester, Chief Enforcement Branch Phone (916) 322-6022

(Complete one:)

X These regulations involve no costs or savings to local, state or federal government under Government Code Section 11421.

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(Complete one:)

X To fulfill Government Code S 11421, attached is an inform digest, providing a clear an concise summary of existing and regulations, if any, rel directly to the proposed act and the effect of the pro s action.

____ To fulfill Government Code S tion 11421, express terms of emergency are attached.

STD. 400A (8-71)

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

Repeal Subchapter 2 in Title 17, California Administrative Code.

NOTE: Authority cited: §§ 39600, 41859 Health and Safety Code. Reference: §§ 39601, 41856, 41857, 41858 Health and Safety Code.

Adopt Subchapter 2 in Title 17, California Administrative Code, to read as follows:

Subchapter 2. Agricultural Burning Guidelines

Article 1. General Provisions

80100. Definitions. (a) "Agricultural Burning" means open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention.

(1) "Agricultural burning" also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified in subdivision (a).

(b) "Open burning in agricultural operations in the growing of crops or raising of fowl or animals" means:

(1) The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit, of providing a livelihood, or of conducting agricultural research or instruction by an educational institution.

(2) In connection with operations qualifying under subdivision (1):

DO NOT WRITE IN THIS SPACE

STD. 400A (8-71)

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

DO NOT WRITE IN THIS SPACE

(A) The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation.

(B) The burning of material not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by district regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or containers, where the sacks or containers are emptied in the field.

(c) "Range improvement burning" means the use of open fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.

(d) "Forest management burning" means the use of open fires, as part of a forest management practice, to remove forest debris. Forest management practices include timber operations, silvicultural practices or forest protection practices.

(e) "Brush treated" means that the material to be burned has been felled, crushed or uprooted with mechanical equipment, has been desiccated with herbicides, or is dead.

(f) "Timber operations" means cutting or removal of timber or other forest vegetation.

(g) "Silviculture" means the establishment, development, care and reproduction of stands of timber.

DO NOT WRITE IN THIS SPACE

(h) "State Board" means the State Air Resources Board, or any person authorized to act on its behalf.

(i) "Designated agency" means any agency designated by the State Board as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Division of Forestry are so designated within their respective areas of jurisdiction.

(j) A "no-burn" day means any day on which agricultural burning is prohibited by the State Board or by a district.

(k) A "permissive-burn" day means any day on which agricultural burning is not prohibited by the State Board.

(l) "District" means each county air pollution control district, regional air pollution control district, unified air pollution control district, South Coast Air Quality Management District, or the Bay Area Air Quality Management District.

(m) "Tahoe Basin" means that area, within the State of California, as defined by the California-Nevada Interstate Compact, Article II, Paragraph C, as contained in Section 5976 of the State Water Code.

NOTE: Authority cited: §§ 39600, 39601, 41856, and 41859 Health and Safety Code. Reference: § 39011 Health and Safety Code.

80101. Scope and Policy. (a) The Guidelines shall not supersede any rule or regulation of any district whose rule or regulation has been in effect for five or more years prior to September 19, 1970.

DO NOT WRITE IN THIS SPACE

(h) "State Board" means the State Air Resources Board, or any person authorized to act on its behalf.

(i) "Designated agency" means any agency designated by the State Board as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Division of Forestry are so designated within their respective areas of jurisdiction.

(j) A "no-burn" day means any day on which agricultural burning is prohibited by the State Board or by a district.

(k) A "permissive-burn" day means any day on which agricultural burning is not prohibited by the State Board.

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NOTE: Authority cited: §§ 39600, 39601, 41856, and 41859 Health and Safety Code. Reference: § 39011 Health and Safety Code.

80101. Scope and Policy. (a) The Guidelines shall not supersede any rule or regulation of any district whose rule or regulation has been in effect for five or more years prior to September 19, 1970.

DO NOT WRITE IN THIS SPACE

(b) Although any local or regional authority may establish stricter standards for the control and the regulation of agricultural burning than those set forth in the Guidelines, no local or regional authority may ban any agricultural burning.

(c) The Agricultural Burning Guidelines were developed after considering meteorological data, the nature and volume of materials to be burned, the probable effect of agricultural burning on ambient air quality, on agricultural production, and on range and forest management within the air basins.

(d) The Guidelines are not intended to permit open burning on days when such open burning is prohibited by public fire protection agencies for purposes of fire control or prevention.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41864, 41857, 41858, 41854 Health and Safety Code.

80102. Exceptions. (a) Open burning in agricultural operations in the growing of crops or raising of fowl or animals or disease or pest prevention, at altitudes above 3,000 feet mean sea level (msl), except in the Tahoe Basin, is exempt from these Agricultural Burning Guidelines.

(b) Agricultural burning in areas at altitudes above 6,000 feet (msl), except in the Tahoe Basin, is exempt from these Agricultural Burning Guidelines.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41856, 41857 Health and Safety Code.

STD. 400A (8-71)

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

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80110. Permissive-Burn or No-Burn Days. (a) Commencing no later than December 1, 1974, a notice as to whether the following day is a permissive-burn day, or a no-burn day, or whether the decision will be announced the following day, shall be provided by the State Board at 1500 daily for each of the air basins. If the decision is made the following day it shall be announed by 0745. Such notices shall be based on the Meteorological Criteria for Regulating Agricultural Burning, adopted March 17, 1971, as revised June 21, 1972, February 20, 1975, April 27, 1978 and October 12, 1979.

(b) Agricultural burning is prohibited on no-burn days, except as specified in Section 80102, in subdivisions (d) and (e) of Section 80120, and as may be permitted by a provision in an implementation plan adopted pursuant to Section 80150(c)(5).

(c) Upon request from a permittee through a designated agency, seven days in advance of a specific range improvement burn, or forest management burn, at any elevation below 6,000 feet (msl), a permissive-burn or no-burn notice will be issued by the State Board up to 48 hours prior to the date scheduled for the burn. Without further request, a daily notice will continue to be issued until a permissive-burn notice is issued.

(d) Notwithstanding subdivision (c) of Section 80110, the State Board may cancel permissive-burn notices that have been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.

STD. 400A (8-71)

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

DO NOT WRITE IN THIS SPACE

80110. Permissive-Burn or No-Burn Days. (a) Commencing no later than December 1, 1974, a notice as to whether the following day is a permissive-burn day, or a no-burn day, or whether the decision will be announced the following day, shall be provided by the State Board at 1500 daily for each of the air basins. If the decision is made the following day it shall be announed by 0745. Such notices shall be based on the Meteorological Criteria for Regulating Agricultural Burning, adopted March 17, 1971, as revised June 21, 1972, February 20, 1975, April 27, 1978 and October 12, 1979.

(b) Agricultural burning is prohibited on no-burn days, except as specified in Section 80102, in subdivisions (d) and (e) of Section 80120, and as may be permitted by a provision in an implementation plan adopted pursuant to Section 80150(c)(5).

(c) Upon request from a permittee through a designated agency, seven days in advance of a specific range improvement burn, or forest management burn, at any elevation below 6,000 feet (msl), a permissive-burn or no-burn notice will be issued by the State Board up to 48 hours prior to the date scheduled for the burn. Without further request, a daily notice will continue to be issued until a permissive-burn notice is issued.

(d) Notwithstanding subdivision (c) of Section 80110, the State Board may cancel permissive-burn notices that have been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.

STD. 400A (8-71)

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

(e) A permissive-burn or no-burn advisory outlook will be available up to 72 hours in advance of burns specified in subdivision (c) of Section 80110.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: § 41855 Health and Safety Code.

80120. Burning Permits. (a) The forms of burning permits shall be jointly prepared by the districts and the designated agencies.

(b) The form of the permit shall contain the following words or words of similar import: "This permit is valid only on those days during which agricultural burning is not prohibited by the State Air Resources Board or by a district pursuant to Section 41855 of the Health and Safety Code."

(c) Each district shall provide the designated agencies within the district with information on State laws, district rules and regulations, these Agricultural Burning Guidelines and other information as appropriate.

(d) A district may, by special permit, authorize agricultural burning on days designated by the Board as no-burn days because the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning a district shall limit the amount of acreage which can be burned in any one day and only authorize burning when downwind metropolitan areas are forecasted by the Air Resources Board to achieve the ambient air quality standards.

(e) Each district may designate a period between January 1 and May 31, during which time range improvement

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burning may be conducted by permit on a no-burn day, provided that more than 50 percent of the land has been brush treated. If the burn is to be done primarily for the improvement of land for wildlife or game habitat, the Department of Fish and Game may specify the amount of brush treatment required.

(f) Notwithstanding the provisions in subdivision (e) of this section, the State Board may prohibit range improvement burning during the period designated by the district if, in the opinion of the State Board, such prohibition is required for the maintenance of suitable air quality.

(g) Permits issued by designated agencies shall be subject to these Agricultural Burning Guidelines and to the rules and regulations of the district.

(h) Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.

(i) Each applicant for a permit shall provide information requested by the district.

(j) No person shall knowingly set or permit agricultural burning unless he has a valid permit from a designated agency. A violation of this subdivision is a violation of Section 41852 of the California Health and Safety Code.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41854, 41862, 41852 Health and Safety Code.

80130. Burning Report. (a) A report of burning pursuant to these Guidelines during each quarter of a calendar year shall be submitted to the State Board by the district within 20 days of the end of the quarter. The

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burning may be conducted by permit on a no-burn day, provided that more than 50 percent of the land has been brush treated. If the burn is to be done primarily for the improvement of land for wildlife or game habitat, the Department of Fish and Game may specify the amount of brush treatment required.

(f) Notwithstanding the provisions in subdivision (e) of this section, the State Board may prohibit range improvement burning during the period designated by the district if, in the opinion of the State Board, such prohibition is required for the maintenance of suitable air quality.

(g) Permits issued by designated agencies shall be subject to these Agricultural Burning Guidelines and to the rules and regulations of the district.

(h) Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.

(i) Each applicant for a permit shall provide information requested by the district.

(j) No person shall knowingly set or permit agricultural burning unless he has a valid permit from a designated agency. A violation of this subdivision is a violation of Section 41852 of the California Health and Safety Code.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41854, 41862, 41852 Health and Safety Code.

80130. Burning Report. (a) A report of burning pursuant to these Guidelines during each quarter of a calendar year shall be submitted to the State Board by the district within 20 days of the end of the quarter. The

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report shall include the date of each burn, the type of waste burned, and the estimated tonnage or acreage of waste burned. In the future if in the judgment of the State Board, quarterly reports are no longer necessary, the State Board may require reports at less frequent intervals.

(b) A report of permits issued pursuant to subdivision (d) of Section 80120 during each quarter of a calendar year shall be submitted to the State Board within 20 days after the end of the quarter. The report shall include the number of such permits issued, the date of issuance of each permit, the person or persons to whom the permit was issued, an estimate of the amount of wastes burned pursuant to the permit, and a summary of the reasons why denial of such permits would have threatened imminent and substantial economic loss. In the future if in the judgment of the State Board, quarterly reports are no longer necessary, the State Board may require reports at less frequent intervals.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: § 41862 Health and Safety Code.

Article 2. Implementation Plan

80140. General. (a) In accordance with Section 41863 of the California Health and Safety Code, each district in the State shall adopt an implementation plan consistent with these Agricultural Burning Guidelines. Each district shall develop its implementation plan in cooperation with the appropriate fire protection agencies having jurisdiction within the district.

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(b) Districts that have an approved implementation plan for regulating "agricultural burning" (as defined in the Agricultural Burning Guidelines adopted on June 21, 1972, filed as Administrative Code regulations with the Secretary of State on July 7, 1972) need not submit an implementation plan for regulating open burning in agricultural operations in the growing of crops or raising of fowl or animals, forest management, or range improvement, or used in improvement of land for wildlife and game habitat as defined in these Guidelines. Such approved implementation plans shall remain effective under this subdivision until modified and approved pursuant to subdivision (i) of this section. Districts shall submit modifications to their implementation plans by March 1, 1980, to include provisions for regulating agricultural burning and for disease or pest prevention which conform to the amendments to these Guidelines adopted on October 12, 1979.

(c) The form of permit(s) required under subdivision (a) of Section 80120 and the form of information required under subdivision (c) of Section 80120 shall be part of the plan.

(d) Each plan shall specify enforcement procedures.

(e) Each plan shall be submitted to the State Board for approval within ten days after adoption by the district.

(f) The State Board shall either approve, modify and approve, or reject any plan or modification of such plan submitted. Prior to disapproval or modification of any such

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(b) Districts that have an approved implementation plan for regulating "agricultural burning" (as defined in the Agricultural Burning Guidelines adopted on June 21, 1972, filed as Administrative Code regulations with the Secretary of State on July 7, 1972) need not submit an implementation plan for regulating open burning in agricultural operations in the growing of crops or raising of fowl or animals, forest management, or range improvement, or used in improvement of land for wildlife and game habitat as defined in these Guidelines. Such approved implementation plans shall remain effective under this subdivision until modified and approved pursuant to subdivision (i) of this section. Districts shall submit modifications to their implementation plans by March 1, 1980, to include provisions for regulating agricultural burning and for disease or pest prevention which conform to the amendments to these Guidelines adopted on October 12, 1979.

(c) The form of permit(s) required under subdivision (a) of Section 80120 and the form of information required under subdivision (c) of Section 80120 shall be part of the plan.

(d) Each plan shall specify enforcement procedures.

(e) Each plan shall be submitted to the State Board for approval within ten days after adoption by the district.

(f) The State Board shall either approve, modify and approve, or reject any plan or modification of such plan submitted. Prior to disapproval or modification of any such

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plan the State Board shall hold a public hearing. Approval of any plan or any part of such plan is hereby delegated to the Executive Officer of the State Board.

(g) If the plan or modification of such plan is rejected, or if no timely plan is submitted, or if the plan is economically or technically not feasible, the State Board, after a public hearing held in the basin affected, shall adopt an alternative plan.

(h) The approved implementation plan shall be enforced by the district.

(i) After a district implementation plan is approved by the State Board, modifications to the plan shall be submitted to the State Board for its approval, and shall not be effective until approved.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: § 41863 Health and Safety Code.

80150. Open Burning in Agricultural Operations in the Growing of Crops or Raising of Fowl or Animals. (a) A district with no agricultural operations in the growing of crops or raising of fowl or animals within its jurisdiction may request to be exempted from the requirements of this section.

(b) Where an implementation plan for open burning in agricultural operations in the growing of crops or raising of fowl or animals is required, the plan shall include rules and regulations which:

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(1) Require the material to be burned to be free of material that is not produced in an agricultural operation.

(2) Require the material to be arranged so that it will burn with a minimum of smoke.

(3) Require material to be reasonably free of dirt, soil and visible surface moisture.

(4) Require the material to be dried for minimum periods to be specified in the implementation plan, with separate specifications for the following: (1) trees and large branches, (2) prunings and small branches, (3) wastes from field crops that are cut in a green condition, and (4) other materials.

(5) Regulate the total amount of material that may be burned each day.

(c) In developing the rules and regulations each district shall consider additional provisions with respect to the following:

(1) Hours of burning.

(2) No-burning season or seasons.

(3) Regulating burning when the wind direction is toward a nearby populated area.

(4) Limiting the ignition of fires to approved ignition devices.

(5) Permitting on no-burn days the burning of empty sacks or containers which contained pesticides or other toxic substances, providing the sacks or containers are within the definition of "open burning in agricultural

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(1) Require the material to be burned to be free of material that is not produced in an agricultural operation.

(2) Require the material to be arranged so that it will burn with a minimum of smoke.

(3) Require material to be reasonably free of dirt, soil and visible surface moisture.

(4) Require the material to be dried for minimum periods to be specified in the implementation plan, with separate specifications for the following: (1) trees and large branches, (2) prunings and small branches, (3) wastes from field crops that are cut in a green condition, and (4) other materials.

(5) Regulate the total amount of material that may be burned each day.

(c) In developing the rules and regulations each district shall consider additional provisions with respect to the following:

(1) Hours of burning.

(2) No-burning season or seasons.

(3) Regulating burning when the wind direction is toward a nearby populated area.

(4) Limiting the ignition of fires to approved ignition devices.

(5) Permitting on no-burn days the burning of empty sacks or containers which contained pesticides or other toxic substances, providing the sacks or containers are within the definition of "open burning in agricultural

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operations in the growing of crops or raising of fowl or animals," as specified in Section 80100(b)(2)(B).

(d) Districts within the boundaries of the Sacramento Valley Air Basin and districts within the boundaries of the San Joaquin Valley Air Basin shall include in the plan rules and regulations which:

(1) Require all rice harvesting to employ a mechanical straw spreader to ensure even distribution of the straw with the following exception:

(A) Rice straw may be left in rows provided it meets drying time criteria prior to a burn as described in Section (2) below.

(2) Require that after harvest

(A) No spread rice straw shall be burned prior to a three day drying period.

(B) No rowed rice straw shall be burned prior to a ten day drying period.

(C) Sections (A) and (B) above do not apply if the rice straw makes an audible crackle when tested just prior to burning with the testing method described in Section (D) of these provisions.

(D) When checking the field for moisture, a composite sample of straw from under the mat, in the center of the mat and from different areas of the field shall be taken to insure a representative sample. A handful of straw from each area will give a good indication. Rice straw is dry enough to burn if a handful of straw selected as described above crackles when it is bent sharply.

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(E) After a rain exceeding 0.15 inch (fifteen hundredths of an inch), not withstanding (A) and (B) above, rice straw shall not be burned unless the straw makes an audible crackle when tested just prior to burning with the testing method described in Section (D), above.

(3) Require rice, barley, oat and wheat straw to be ignited only by stripfiring into-the-wind or by backfiring except under a special permit of the district issued when and where extreme fire hazards are declared by a public fire protection agency to exist, or where crops are determined not to lend themselves to these techniques.

(4) Require burning hours to be set so that no field crop burning shall commence before 10:00 a.m. nor after 5:00 p.m. of any day.

(e) In addition to the regulations required in Section (d), above, districts within the boundaries of the Sacramento Valley Air Basin shall also include in the plan rules and regulations which:

(1) Require that during the critical period from October 1 through November 15 of each year, the daily acreage, on permissive-burn days, of open burning in agricultural operations in the growing of crops or raising of fowl or animals within the basin shall be no more than that amount which would result in particulate emissions of 335 tons per day. For the purpose of evaluating emissions pursuant to this section, the emission factors included in Attachment A shall be used. The authority for determining how the acreage

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(E) After a rain exceeding 0.15 inch (fifteen hundredths of an inch), not withstanding (A) and (B) above, rice straw shall not be burned unless the straw makes an audible crackle when tested just prior to burning with the testing method described in Section (D), above.

(3) Require rice, barley, oat and wheat straw to be ignited only by stripfiring into-the-wind or by backfiring except under a special permit of the district issued when and where extreme fire hazards are declared by a public fire protection agency to exist, or where crops are determined not to lend themselves to these techniques.

(4) Require burning hours to be set so that no field crop burning shall commence before 10:00 a.m. nor after 5:00 p.m. of any day.

(e) In addition to the regulations required in Section (d), above, districts within the boundaries of the Sacramento Valley Air Basin shall also include in the plan rules and regulations which:

(1) Require that during the critical period from October 1 through November 15 of each year, the daily acreage, on permissive-burn days, of open burning in agricultural operations in the growing of crops or raising of fowl or animals within the basin shall be no more than that amount which would result in particulate emissions of 335 tons per day. For the purpose of evaluating emissions pursuant to this section, the emission factors included in Attachment A shall be used. The authority for determining how the acreage

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will be allotted to each crop waste and to each district shall rest with the Sacramento Valley Basinwide Control Council, provided that the Council may not allocate to any district an amount of acreage which would result in total particulate emissions in excess of 335 tons per day Basinwide if each district within the Basin were permitted to burn. The crop and district allocations prepared by the Basinwide Control Council shall be submitted to the Chief of the Air Resources Board Enforcement Branch by September 15 of each year.

(2) Require that no crop acreage which was harvested prior to September 10 shall be allowed to be burned during the period October 1 through November 15 of each year, unless written authority is given by the district. In granting such written authority the district shall:

(A) Ensure that the amount of acreage which is to be burned shall be included in the district's allotment specified in (1) above.

(B) Require a specific explanation of the cultural practices which require immediate burning.

(C) Require the person to specify the reason why the burning was not conducted prior to October 1.

(D) Require the exception to be valid only on permissive-burn days.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41856, 41863 Health and Safety Code.

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80160. Range Improvement Burning. (a) A district with no range improvement burning within its jurisdiction may request to be exempted from the requirements of this section.

(b) Where an implementation plan for range improvement burning is required, the plan shall include rules and regulations which:

(1) Limit the ignition of fires to approved ignition devices.

(2) Regulate the total amount of waste that may be burned each day.

(3) Require the burn to be ignited as rapidly as practicable within applicable fire control restrictions.

(4) Regulate burning when the wind direction is toward a nearby populated area.

(5) Require brush to be treated at least six months prior to the burn if economically and technically feasible.

(6) Require unwanted trees over six inches in diameter to be felled and dried prior to the burn. The minimum drying period shall be specified in the implementation plan.

(7) Specify the period, if any, in accordance with subdivision (e) of Section 80120.

(8) If the burn is to be done primarily for improvement of land for wildlife and game habitat, require

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80160. Range Improvement Burning. (a) A district with no range improvement burning within its jurisdiction may request to be exempted from the requirements of this section.

(b) Where an implementation plan for range improvement burning is required, the plan shall include rules and regulations which:

(1) Limit the ignition of fires to approved ignition devices.

(2) Regulate the total amount of waste that may be burned each day.

(3) Require the burn to be ignited as rapidly as practicable within applicable fire control restrictions.

(4) Regulate burning when the wind direction is toward a nearby populated area.

(5) Require brush to be treated at least six months prior to the burn if economically and technically feasible.

(6) Require unwanted trees over six inches in diameter to be felled and dried prior to the burn. The minimum drying period shall be specified in the implementation plan.

(7) Specify the period, if any, in accordance with subdivision (e) of Section 80120.

(8) If the burn is to be done primarily for improvement of land for wildlife and game habitat, require

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the permit applicant to file with the district a statement from the Department of Fish and Game certifying that the burn is desirable and proper.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41863, 41861 Health and Safety Code.

80170. Forest Management Burning. (a) A district with no forest management burning within its jurisdiction may request to be exempted from the requirements of this section.

(b) Where an implementation plan for forest management burning is required, the plan shall include rules and regulations which:

(1) Limit the ignition of fires to approved ignition devices.

(2) Regulate the total amount of waste that may be burned each day.

(3) Require the waste to be ignited as rapidly as practicable within applicable fire control restrictions.

(4) Regulate burning when the wind direction is toward a nearby populated area.

(5) Require the waste to be dried for minimum periods to be specified by the designated agency.

(6) Require the waste to be free of tires, rubbish, tar paper or construction debris.

(7) Require the waste to be burned, to be windrowed or piled where possible, unless good silvicultural practice dictates otherwise.

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Attachment A

Particulate emissions from burning various crop wastes.

Crop type	Pounds of particulate emissions per acre burned.	Pounds of particulate emissions per ton burned.
PRUNINGS		
Almond	8	5
Apple	11.5	5
Apricot	14.4	8
Avocado	34.5	23
Bushberry	10	4
Cherry	9	9
Citrus	7	7
Date	10	10
Fig	18	8
Grape	20	8
Kiwi	15	6
Nectarine	8	4
Olive	16.1	14
Orchard Removal	210	7
Peach	12.5	5
Pear	31.2	10
Pecan	8.75	8
Persimmon	7	8
Pistachio	7	7
Plum	11.9	7
Pomegranate	8.4	7
Prune	4.8	4
Quince	14	7
Raisin Trays	0.12	3
Walnut	7.2	6
Other Prunings	10.5	7
FIELD CROPS		
Alfalfa	35.1	45
Barley	13.9	8.2
Bean	107.5	43
Corn	58.8	14
Cotton	15.3	9
Flax	42.5	25
Asparagus	52.5	35
Oats	31.5	19.7
Peavines	77.5	31
Peanuts	100	40
Rice	27	9
Rye	68.4	36
Safflower	22.1	17

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Attachment A (continued)

Particulate emissions from burning various crop wastes.

Crop type	Pounds of particulate emissions per acre burned.	Pounds of particulate emissions per ton burned.
FIELD CROPS		
Sorghum (Milo)	63.8	22
Wheat	21.5	11.3
Other Field Crops	54	27
WEED ABATEMENT		
Ditchbanks	54	18
Weeds	28	8
Grass	16	8
Tumbleweeds	1	10

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Attachment A (continued)

Particulate emissions from burning various crop wastes.

Crop type	Pounds of particulate emissions per acre burned.	Pounds of particulate emissions per ton burned.
FIELD CROPS		
Sorghum (Milo)	63.8	22
Wheat	21.5	11.3
Other Field Crops	54	27
WEED ABATEMENT		
Ditchbanks	54	18
Weeds	28	8
Grass	16	8
Tumbleweeds	1	10

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Article 3. Meteorological Criteria for Regulating Agricultural Burning

80180. North Coast Air Basin. (a) Above 3,000 feet msl (msl is mean sea level), a permissive-burn day will be declared when the following criteria are met:

(1) Near 4:00 a.m., the mean 500 mb (mb is millibar) height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(b) Below 3,000 feet msl, a permissive-burn day will be declared when at least 3 of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 10 degrees Fahrenheit, except that during July through November it is not warmer by more than 18 degrees Fahrenheit.

(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer has a component from the east and a speed of 12 miles per hour or less.

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(c) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80190. San Francisco Bay Area Air Basin. (a) The North Section of this basin includes Marin and Napa Counties, the San Francisco Bay Area Air Basin portions of Sonoma and Solano Counties, and that portion of Contra Costa County lying north and east of a line beginning at the intersection of Vasco Road and the Alameda County line; then north along the eastern side of Vasco Road to the intersection of Camino Diablo Road and Walnut Boulevard; then continuing north along the eastern side of Walnut Boulevard to the intersection of Marsh Creek Road; then west along the northern side of Marsh Creek Road to the intersection of Deer Valley Road; then north along the eastern side of Deer Valley Road to intersection of Lone Tree Way; then west and north along the eastern side of Lone Tree Way until it becomes "A" Street; then continuing north along the eastern

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(c) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80190. San Francisco Bay Area Air Basin. (a) The North Section of this basin includes Marin and Napa Counties, the San Francisco Bay Area Air Basin portions of Sonoma and Solano Counties, and that portion of Contra Costa County lying north and east of a line beginning at the intersection of Vasco Road and the Alameda County line; then north along the eastern side of Vasco Road to the intersection of Camino Diablo Road and Walnut Boulevard; then continuing north along the eastern side of Walnut Boulevard to the intersection of Marsh Creek Road; then west along the northern side of Marsh Creek Road to the intersection of Deer Valley Road; then north along the eastern side of Deer Valley Road to intersection of Lone Tree Way; then west and north along the eastern side of Lone Tree Way until it becomes "A" Street; then continuing north along the eastern

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side of "A" Street and its northern extension to the Sacramento County line.

(b) A permissive-burn day will be declared in the North Section when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 2,500 feet above the surface is not warmer than the surface temperature by more then 13 degrees Fahrenheit except that during May through September it is not warmer by more than 18 degrees Fahrenheit.

(2) The expected daytime temperature at 2,500 feet above the surface is colder than the expected surface temperature by at least 10 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is a least 5 miles per hour.

(c) The South Section of this basin includes San Francisco, San Mateo, Santa Clara and Alameda Counties, and that portion of Contra Costa County lying south and west of a line beginning at the intersection of Vasco Road and the Alameda County line; then north along the eastern side of Vasco Road to the intersection of Camino Diablo Road and Walnut Boulevard; then continuing north along the eastern side of Walnut Boulevard to the intersection of Marsh Creek Road; then west along the northern side of Marsh Creek Road to the intersection of Deer Valley Road; then north along the eastern side of Deer Valley Road to the intersection of Lone Tree Way; then west and north along the eastern side of Lone Tree Way until it becomes "A" Street; then continuing

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north along the eastern side of "A" Street and its northern extension to the Sacramento County Line.

(d) A permissive-burn day will be declared in the South Section when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 2,500 feet above the surface is not warmer than the surface temperature by more than 11 degrees Fahrenheit except that during May through September it is not warmer by more than 16 degrees Fahrenheit.

(2) The expected daytime temperature at 2,500 feet above the surface is colder than the expected surface temperature by at least 10 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80200. North Central Coast Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature difference through a surface-based inversion, if any, is less than seven degrees Fahrenheit.

(2) During May through September, the expected afternoon onshore airflow at the coastline is at least five miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control

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north along the eastern side of "A" Street and its northern extension to the Sacramento County Line.

(d) A permissive-burn day will be declared in the South Section when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 2,500 feet above the surface is not warmer than the surface temperature by more than 11 degrees Fahrenheit except that during May through September it is not warmer by more than 16 degrees Fahrenheit.

(2) The expected daytime temperature at 2,500 feet above the surface is colder than the expected surface temperature by at least 10 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80200. North Central Coast Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature difference through a surface-based inversion, if any, is less than seven degrees Fahrenheit.

(2) During May through September, the expected afternoon onshore airflow at the coastline is at least five miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control

notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80210. South Central Coast Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature difference through a surface-based inversion, if any, is less than 11 degrees Fahrenheit.

(2) During May through September, the expected afternoon onshore airflow at the coastline is at least five miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

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NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80220. South Coast Air Basin. (a) A permissive-burn day will be declared when at least one of the following criteria is met:

(1) The expected height of the inversion base, if any, near 6:00 a.m. at Los Angeles International Airport is 1,500 feet msl or higher.

(2) The expected maximum mixing height during the day is above 3,500 feet above the surface.

(3) The expected mean surface wind between 6:00 a.m. and noon is greater than five miles per hour.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80230. San Diego Air Basin. (Except that portion which lies east of a line 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, and 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

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NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80220. South Coast Air Basin. (a) A permissive-burn day will be declared when at least one of the following criteria is met:

(1) The expected height of the inversion base, if any, near 6:00 a.m. at Los Angeles International Airport is 1,500 feet msl or higher.

(2) The expected maximum mixing height during the day is above 3,500 feet above the surface.

(3) The expected mean surface wind between 6:00 a.m. and noon is greater than five miles per hour.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80230. San Diego Air Basin. (Except that portion which lies east of a line 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, and 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

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(B) The expected daytime resultant wind direction in the marine layer has a westerly component.

(C) The expected daytime resultant wind speed in the marine layer is at least five miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80240. Northeast Plateau Air Basin. (a) A permissive-burn day will be declared when the following critera are met:

(1) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be

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. Criteria for this portion are those of the Southeast Desert Air Basin.)

(a) A permissive-burn day will be declared when the following criteria are met:

(1) Above 3,000 feet msl*:

(A) Near 4:00 a.m., the inversion top is less than 3,000 feet msl or the temperature difference through the inversion is less than seven degrees Fahrenheit.

(B) The expected daytime resultant wind speed between 3,000 and 6,000 feet msl is at least 5 miles per hour.

(2) Below 3,000 feet msl*:

(A) The maximum mixing depth is expected to be at least 1,500 feet msl.

*In place of the standard 3,000 feet msl level, the elevation may be specified in increments of 500 feet on a day-to-day basis as determined from vertical temperature soundings.

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(B) The expected daytime resultant wind direction in the marine layer has a westerly component.

(C) The expected daytime resultant wind speed in the marine layer is at least five miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80240. Northeast Plateau Air Basin. (a) A permissive-burn day will be declared when the following critera are met:

(1) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be

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issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80250. Sacramento Valley Air Basin. (a) Above 3,000 feet msl*, a permissive-burn day will be declared when the following criteria are met:

(1) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(b) Below 3,000 feet msl*, in the counties of Shasta, Tehama, Butte, and Glenn (North Section of Basin), a permissive-burn day will be declared when at least 3 of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 8 degrees Fahrenheit.

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*Ibid.

(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer has a component from the south.

(c) Below 3,000 feet msl*, in the counties of Colusa, Yolo, and Solano (Southwest Section of Basin), a permissive-burn day will be declared when at least 3 of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer has a component from the south or from the east.

(d) Below 3,000 feet msl*, in the counties of Sacramento, Sutter, and Yuba (Southeast Section of Basin) and that

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*Ibid.

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(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer has a component from the south.

(c) Below 3,000 feet msl*, in the counties of Colusa, Yolo, and Solano (Southwest Section of Basin), a permissive-burn day will be declared when at least 3 of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer has a component from the south or from the east.

(d) Below 3,000 feet msl*, in the counties of Sacramento, Sutter, and Yuba (Southeast Section of Basin) and that

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*Ibid.

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portion of Placer County (of the Mountain Counties Air Basin) below 1,500 feet msl, a permissive-burn day will be declared when at least 3 of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer has a component from the south.

(e) Special situations in the Basin are:

(1) Burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

(2) Except for the period October 1 through November 15 of each year, a premium permissive-burn day will be declared when the conditions for a permissive-burn day above are met and near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet

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above the surface is not warmer than the surface temperature by more than 5 degrees Fahrenheit.

(3) If, when a no-burn day decision is declared, the federal ambient air quality standard for ozone, carbon monoxide, hydrocarbons, total suspended particulate, or state visibility standard is expected to be exceeded during the valid period, a note to this effect will be appended to the announcement.

(4) A permissive-burn or no-burn day decision that has been announced may be changed by the Air Resources Board at any time prior to 10:00 a.m. if the meteorological and air quality situation that actually unfolds so warrants it.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80260. San Joaquin Valley Air Basin. (a) The North Section of this basin includes San Joaquin, Stanislaus, and Merced Counties.

(b) A permissive-burn day will be declared in the North Section when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

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above the surface is not warmer than the surface temperature by more than 5 degrees Fahrenheit.

(3) If, when a no-burn day decision is declared, the federal ambient air quality standard for ozone, carbon monoxide, hydrocarbons, total suspended particulate, or state visibility standard is expected to be exceeded during the valid period, a note to this effect will be appended to the announcement.

(4) A permissive-burn or no-burn day decision that has been announced may be changed by the Air Resources Board at any time prior to 10:00 a.m. if the meteorological and air quality situation that actually unfolds so warrants it.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80260. San Joaquin Valley Air Basin. (a) The North Section of this basin includes San Joaquin, Stanislaus, and Merced Counties.

(b) A permissive-burn day will be declared in the North Section when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

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(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(c) The South Section of this basin includes Madera, Fresno, Kings, Tulare, and Kern Counties.

(d) A permissive-burn day will be declared in the South Section when the following criteria are met:

(1) Above 3,000 feet msl*:

(A) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 2 of Section 80320.

(B) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 2 of Section 80320.

(2) Below 3,000 feet msl*:

(A) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(B) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(C) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(e) Special situations in the Basin are:

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*Ibid.

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(1) Burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

(2) A premium permissive-burn day will be declared when the conditions for a permissive-burn day above are met and near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 5 degrees Fahrenheit.

(3) If, when a no-burn day decision is declared, the federal ambient air quality standard for ozone, carbon monoxide, hydrocarbons, total suspended particulate, or state visibility standard is expected to be exceeded during the valid period, a note to this effect will be appended to the announcement.

(4) A permissive-burn or no-burn day decision that has been announced may be changed by the Air Resources Board at any time prior to 10:00 a.m. if the meteorological and air quality situation that actually unfolds so warrants it.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

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(1) Burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

(2) A premium permissive-burn day will be declared when the conditions for a permissive-burn day above are met and near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 5 degrees Fahrenheit.

(3) If, when a no-burn day decision is declared, the federal ambient air quality standard for ozone, carbon monoxide, hydrocarbons, total suspended particulate, or state visibility standard is expected to be exceeded during the valid period, a note to this effect will be appended to the announcement.

(4) A permissive-burn or no-burn day decision that has been announced may be changed by the Air Resources Board at any time prior to 10:00 a.m. if the meteorological and air quality situation that actually unfolds so warrants it.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

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CONTINUATION SHEET
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WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

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80270. Great Basin Valleys Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 2 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 2 of Section 80320.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80280. Southeast Desert Air Basin and that portion of the San Diego Air Basin which lies east of a line 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

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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.

(a) A permissive-burn day will be declared when at least three of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

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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.

(a) A permissive-burn day will be declared when at least three of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

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(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer is not southeasterly.

(b) There are special sitations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80290. Mountain Counties Air Basin. (Except that portion of Placer County below 1,500 feet msl which is governed by the meteorological criteria for the Southeast Section of the Sacramento Valley Air Basin).

(a) A permissive-burn day will be declared when the following criteria are met:

(1) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 1 of Section 80320.

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(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80300. Lake County Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 10 degrees Fahrenheit, except that during July through November it is not warmer by more than 18 degrees Fahrenheit.

(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the

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(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80300. Lake County Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 10 degrees Fahrenheit, except that during July through November it is not warmer by more than 18 degrees Fahrenheit.

(2) The expected daytime temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the

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criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

80310. Lake Tahoe Air Basin. (a) A permissive-burn day will be declared when the following criteria are met:

(1) Near 4:00 a.m., the mean 500 mb height over the Basin is less than the limiting mean height given in Table 3 of Section 80320.

(2) The expected 4:00 p.m. mean 500 mb height over the Basin is less than the limiting mean height given in Table 3 of Section 80320.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

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NOTE: Notwithstanding the criteria listed in the preceding for each air basin, the Air Resources Board may announce permissive-burn or no-burn days based on expected meteorological conditions and on the estimated effect on air quality of the agricultural burning.

80320. Tables Referred to in Article 3.

Limiting mean 500-millibar heights*, by month.

	Table 1	Table 2	Table 3
January	5710*	5750*	5630*
February	5710	5740	5620
March	5710	5740	5630
April	5720	5760	5660
May	5770	5800	5710
June	5820	5850	5780
July	5850	5880	5830
August	5870	5890	5840
September	5850	5870	5810
October	5820	5850	5760
November	5770	5810	5700
December	5730	5780	5650

*All heights in meters.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

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NOTE: Notwithstanding the criteria listed in the preceding for each air basin, the Air Resources Board may announce permissive-burn or no-burn days based on expected meteorological conditions and on the estimated effect on air quality of the agricultural burning.

80320. Tables Referred to in Article 3.

Limiting mean 500-millibar heights*, by month.

	Table 1	Table 2	Table 3
January	5710*	5750*	5630*
February	5710	5740	5620
March	5710	5740	5630
April	5720	5760	5660
May	5770	5800	5710
June	5820	5850	5780
July	5850	5880	5830
August	5870	5890	5840
September	5850	5870	5810
October	5820	5850	5760
November	5770	5810	5700
December	5730	5780	5650

*All heights in meters.

NOTE: Authority cited: §§ 39600, 39601, 41856, 41859 Health and Safety Code. Reference: §§ 41855, 41857 Health and Safety Code.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

ITEM: Public Hearing to Consider Revisions to the Agricultural Burning Guidelines and to the Meteorological Criteria for Regulating Agricultural Burning.

Public Hearing Date: October 12, 1979

Response Date: October 12, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

Certified: Sally Rump
BOARD SECRETARY

Date: December 17, 1979

State of California

Memorandum

To : Huey D. Johnson, Secretary
Resources Agency

Date : December 17, 1979

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

From : Air Resources Board

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

Sally Rump
Board Secretary

attachments
(Resolution 79-70)

State of California
AIR RESOURCES BOARD

Resolution 79-75
September 27, 1979

WHEREAS, the Air Resources Board, pursuant to Sections 39002, 39003, and 39500 of the Health and Safety Code, is responsible for the control of air pollution from motor vehicles;

WHEREAS, the Air Resources Board, pursuant to Sections 43013 and 43101 of the Health and Safety Code, has been directed to adopt and implement emission standards for the control of air contaminants from motor vehicles;

WHEREAS, the Air Resources Board, pursuant to Section 41511 of the Health and Safety Code, is authorized to adopt regulations requiring action as necessary for the determination of the amount of emissions from any source;

WHEREAS, the Air Resources Board, pursuant to Sections 39600, 39601, and 39605 of the Health and Safety Code, is directed to adopt rules and regulations and do such acts as necessary, including the holding of public hearings, for the proper execution of its powers and duties;

WHEREAS, the California Supreme Court in Western Oil and Gas Association v. Orange County Air Pollution Control District, 14C. 3d 411 (1975), ruled that the Board has the authority to regulate the fuel content of gasoline including lead content, pursuant to the aforesaid provisions;

WHEREAS, the California ambient air quality standard for lead is exceeded by a wide margin in most urban areas of the State, and the primary source of the lead in the ambient air is lead additives in gasoline;

WHEREAS, a state of emergency had been declared to exist in certain counties in the State of California as a result of a severe gasoline shortage;

WHEREAS, the Air Resources Board has reaffirmed its position that lead in the ambient air represents a hazard to the public health and welfare;

WHEREAS, the Board has historically documented that the concentrations of lead in the ambient air are lower during the summer months and through the month of September;

WHEREAS, the Board desires to prevent the misfueling of late model cars designed to run only on unleaded fuel by making more unleaded fuel available;

WHEREAS, testimony received by the Board following public meetings of May 10, 1979 and May 17, 1979 adequately demonstrates to the Board's satisfaction that refiners of motor vehicle fuels, if granted a limited waiver of the current lead requirements, could produce more unleaded and leaded gasoline and thereby ease the critical shortages facing Californians and at the same time reduce the risk to the environment from the adverse results of misfueling;

WHEREAS, a public hearing upon thirty days notice and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (California Government Code Sections 11371 et seq.);

NOW, THEREFORE, BE IT RESOLVED, that the Board amends Section 2253 of Title 13 of the California Administrative Code by adding Subsections (h) and (i), set forth in Attachment A hereto.

I certify that the above is a true
and correct copy of Resolution 79-75
as passed by the Air Resources Board

Sally Rump

Sally Rump
Board Secretary

ATTACHMENT A

(h) The Executive Officer may grant to a refiner for a three-month period (January - March, April - June, July - September, October - December) or any remaining portion thereof, a waiver of the requirement of Section 2253(a) or Section 2253(b) if:

1) a state of emergency in gasoline supply for the ~~entire~~ state or ~~the applicable~~ any portion thereof has been declared by the Governor, and

2) the Executive Officer determines that the granting of waivers to all refiners who would be eligible for such a waiver would not interfere with the attainment and maintenance of the National Ambient Air Quality Standard for lead for the period of the waiver. ~~in the area covered by the waiver.~~

Prior to taking action pursuant to this Section (h) the Executive Officer shall consult with the Department of Health regarding the ambient concentrations of lead which the Executive Officer predicts will occur as a result of such action.

(i) The Executive Officer may require conditions on a waiver to enable the Executive Officer to determine the effect of the granting of the waiver and to minimize the adverse effects of the use of higher lead content gasoline.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Adoption of Amendments to Section 2253 of the California Administrative Code Limiting the Lead Content of Gasoline Sold in California

Public Hearing Date: September 27, 1979

Response Date: September 27, 1979

Issuing Authority: Air Resources Board

Comment: None Received

Response: N/A

CERTIFIED: Sally Rump
Board Secretary

Date: September 27, 1979

State of California
AIR RESOURCES BOARD

Supplemental Staff Report Re Significant Environmental Issues

Public Hearing to Consider Amendments to State Regulations Which Limit the Lead Content of Gasoline Sold in California

79-22-1

Date of Release: September 27, 1979

Scheduled for Consideration: September 27, 1979

1. Discussion

Section 60007 of the Board's regulations in Title 17, California Administrative Code, directs the staff to report to the Board regarding environmental issues raised by public comments, for consideration by the board on any matter for which a public hearing is required.

The staff has received no comments identifying any environmental issues pertaining to this item. The staff report, in Section V identifies significant environmental issues.

2. Recommendation

The staff recommends that the Board adopt, before it takes any final action on this item, the attached proposed Response to Significant Environmental Issues.

State of California
AIR RESOURCES BOARD
Resolution 79-76

September 26, 1979

WHEREAS, Tom Quinn served as Chairman of the California Air Resources Board with distinction from January 1975 through July 1979; and

WHEREAS, his bold leadership transformed the Air Resources Board into a dynamic and vital force in air pollution control; and

WHEREAS, governmental and environmental leaders throughout the state, the nation and in other countries look to California for ideas and direction as a consequence of California's innovative approaches to solving pollution problems; and

WHEREAS, Tom Quinn's diligent enforcement actions brought massive and continuing violators such as Kaiser Steel, Chrysler and American Motors into compliance with state environmental regulations; and

WHEREAS, Tom Quinn earned the respect and admiration of those he regulated as well as of those whose hope for blue skies he worked to realize; and

WHEREAS, his dedication to protecting the public health of all the citizens of this state--young and old--has earned the gratitude of everyone who has ever suffered from air pollution; and

WHEREAS, his energy, wit, and ability to keep his sense of humor in the darkest of crisis have been a joy to all of us;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board extends deepest appreciation to Tom Quinn for his contributions to the Air Resources Board, and its sincere thanks for the privilege of joining him in the long struggle against air pollution.

I certify that the above is a true and correct copy of Resolution 79-76, as passed by the Air Resources Board.

Sally Rump

Sally Rump, Board Secretary

State of California

AIR RESOURCES BOARD

Resolution 79-78
September 26, 1979

WHEREAS, the Board on March 23, 1979, adopted Rule 424 for the Kern County Air Pollution Control District;

WHEREAS, the Air Resources Board at its meeting held September 7 and 12, 1979 in Bakersfield reviewed the provisions of Rule 424;

WHEREAS, on the basis of testimony presented to the Board at the September 7 and 12, 1979 meeting the Board determined that Rule 424 should be modified as it affects small oil producers and directed the staff to draft an amendment to Rule 424 responsive to the Board's concerns;

WHEREAS, the staff's proposal adequately defines small oil producers and modifies their obligations under Rule 424 in accordance with the ability to comply with the Rule's requirements;

NOW THEREFORE BE IT RESOLVED, that Kern County Air Pollution Control District's Rule 424 be amended as set forth in Attachment A hereto;

BE IT FURTHER RESOLVED that the Executive Officer is directed to draft proposed amendments which will clarify the provisions of Rule 424 relating to the averaging of emissions and relating to cogeneration, and to present such proposed amendments at a public hearing;

BE IT FURTHER RESOLVED that the Air Resources Board hereby encourages the Kern County Air Pollution Control District and local industry to develop an alternative to Rule 424 based on detailed modeling to relate emissions to air quality as a substitute for linear rollback.

BE IT FURTHER RESOLVED that the Air Resources Board affirms its intention to continue a close working relationship with the Kern County Air Pollution Control District to assure that modeling studies used by the District in developing an alternative to Rule 424 will have early input from and prompt review by Air Resources Board staff.

I certify that the above is a true and correct copy of Resolution 79-78 as passed by the Air Resources Board.

Sally Rump

Sally Rump
Board Secretary

Attachment A

Addition to Rule 424 of Kern County Air Pollution Control District as adopted by the Air Resources Board at the public hearing of September 26, 1979:

F. Small Producer Exemption

1. The owner or operator of one or more existing steam generator(s) which held a valid permit to operate such generator(s) in calendar year 1978 shall be exempt from the provisions of Sections (B)(2) and (C) of this Rule, if:

   a. The total permitted heat input capacity of such steam generator(s) located within Kern County in 1978 was less than 250 million Btu's per hour; and

   b. The total oil production in 1978 by such owner or operator from all oil production sources in the United States was less than 5700 barrels of oil per year for each million Btu's per hour of steam generator capacity in Kern County for which the owner or operator held valid permits to operate in 1978.

2. An owner or operator which is exempt from the provisions of Sections (B)(2) and (C) of this Rule pursuant to Subsection (F)(1) shall comply with each of the following requirements:

   a. By July 1, 1981, submit to the air pollution control officer a plan for achieving compliance with this Rule. The compliance plan shall identify each steam generator subject to this Rule and shall indicate the specific control technique(s) and resulting emission rate for each such steam generator.

   b. By January 1, 1983, submit to the air pollution control officer copies of purchase orders for all control equipment and low sulfur fuels identified in the compliance plan.

   c. Commencing January 1, 1983, and every twelve months thereafter through January 1, 1985, submit to the air pollution control officer a written report describing the owner's or operator's progress in implementing the compliance plan.

   d. Commencing January 1, 1985, shall limit the emissions from each existing steam generator to no more than 0.12 pounds for sulfur per million Btu's of heat input.

State of California
AIR RESOURCES BOARD

Resolution 79-79

November 29, 1979

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

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

C. WHEREAS, the entire Los Angeles County portion of the Southeast Desert Air Basin (SEDAB) and portions of Riverside County and San Bernardino County located within the Southeast Desert Air Basin are designated nonattainment for oxidant and total suspended particulate (TSP) under provisions of Section 107(d) of the Clean Air Act;

D. WHEREAS, the South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) were designated by the ARB on April 7, 1978 as the local co-lead agencies for preparation of the 1979 oxidant and total suspended particulate nonattainment plan for the Riverside County portion of the SEDAB;

E. WHEREAS, Health and Safety Code Sections 41560-41562 provide that the ARB shall adopt a locally prepared nonattainment plan and authorize the ARB to make such revisions to a nonattainment plan as are necessary to meet the requirements of the Clean Air Act;

F. WHEREAS, the ARB is the designated lead agency for the San Bernardino County and Los Angeles County SEDAB plans and has committed itself to a coordinated program for the development of the nonattainment plans for ozone and total suspended particulates with the active participation of other agencies possessing resources and expertise in the air quality and transportation fields;

G. WHEREAS, the three SEDAB plans were reviewed by the cities in the region, county boards of supervisors, SCAQMD, SCAG, other interested organizations, and the public;

H. WHEREAS, the Riverside County SEDAB plan was adopted by the SCAQMD on March 2, 1979 and by SCAG on March 1, 1979, after noticed hearing to meet the requirements of the Clean Air Act as amended in 1977;

I. WHEREAS, the SCAQMD transmitted the Riverside County SEDAB plan to the ARB for approval as a revision to the SIP;

J. WHEREAS, on October 15, 1979, the SCAQMD staff transmitted a suggested amendment to the Riverside plan for ARB consideration as a revision to the SIP, which amendment would make nonsubstantive changes to the locally adopted plan;

K. WHEREAS, the Board finds:

1. That the state and national ambient air quality standards for photochemical oxidant (ozone) are exceeded in the San Bernardino and Los Angeles County APCDs and in the Riverside County portion of the SEDAB; and

2. That organic gases have been demonstrated to be a chemical precursor to photochemical oxidant (ozone), and contribute to or are responsible for exceedances of the state oxidant standard and the national ozone standard within the SEDAB; and

3. That the state and national ambient air quality standards (annual and 24-hour) for total suspended particulate matter are exceeded in the San Bernardino and Los Angeles County APCDs; and

4. That violations of the national TSP standards are caused primarily by wind blown rural fugitive dust, with some contribution from secondary aerosols and are not caused by traditional urban sources; and that EPA policy allows rural areas with TSP violations of this origin to be designated "unclassified";

5. That further increases in emissions of precursors will interfere with progress toward achievement of the national ambient air quality standards for ozone and total suspended particulates and of the state air quality standards for oxidant and total suspended particulates:

REASONABLY AVAILABLE CONTROL MEASURE FINDINGS

L. WHEREAS, the Board finds that the respective local district determinations of reasonably available control measures contained in rules set forth below do not meet the requirements of Section 172 of the Clean Air Act as follows:

1. The Board finds that the Los Angeles and San Bernardino County APCDs have not adopted reasonably available control measures to regulate the emissions from degreasing operations other than Rule 442 which controls use of solvents in general. EPA has published a control techniques guideline that proposes control of degreasing operations which would augment the control required by Rule 442. These guidelines are considered by EPA to be the presumptive norm for reasonably available control technology. Also, eight other California districts have rules in effect similar to the Board's model rule for degreasing, which rules are more stringent for

regulating degreasing emissions than are the districts' Rule 442;

2. The Board finds that the South Coast Air Quality Management District's rule (effective in the SEDAB portion of Riverside County) regulating the emissions from degreasing operations is less stringent than reasonably available control technology because this rule exempts degreasing operations that use emulsion cleaners. The EPA control techniques guideline does not provide for such an exemption, and these guidelines are considered by EPA to be the presumptive norm for reasonably available control technology. Also, eight other California districts have in effect degreasing rules which do not exempt the use of emulsion cleaners;

3. The Board finds that the Los Angeles County APCD does not have a reasonably available control measure to regulate the emissions from the use of architectural coatings except for Rule 442 which controls use of solvents in general. The Board has approved a model rule for the control of emissions from the use of architectural coatings, and Rule 442 is not as effective in controlling such emissions as the model rule. Rules virtually the same as the model rule are in effect in more than 15 districts in the state. The experience under these rules has demonstrated that architectural coating manufacturers and users can comply with the model rule, considering technological and economical feasibility. Therefore, reasonably available control technology for the control of emissions from the use of architectural coatings is at least as stringent as the Board's model rule;

4. The Board finds that the San Bernardino County APCD does not have reasonably available control measures for regulating emissions from Stage I gasoline marketing. The District's Rules 461 and 462 do not contain provisions as stringent as the Board's model Stage I rules. Rules 461 and 462 require submerged fillpipes and vapor controls only at bulk dispensing facilities with daily throughputs greater than or equal to 20,000 gallons, whereas the Board's model rules require control of all facilities with storage tanks having capacities of 250 gallons or more. EPA has published control techniques quidelines that propose control for emissions from storage tanks with a capacity of 250 gallons or more. These guidelines are considered by EPA to be the presumptive norm for reasonably available control technology. Also, more than 15 California districts have rules similar to the Board's model rules for the control of Stage I gasoline marketing emissions;

NEW SOURCE REVIEW FINDINGS

M. WHEREAS, the Board finds that Rules 213, 213.1 and 213.2 of the San Bernardino and Los Angeles County Air Pollution Control Districts will not likely achieve and maintain state and national ambient air quality standards and do not meet the requirements of the federal Clean Air Act, in the following respects:

Applicability Date

The Board finds that NSR Rules 213, 213.1, and 213.2 of the San Bernardino and Los Angeles County APCDs do not meet the requirements of the 1977 Amendments to the Clean Air Act for the reasons set forth below. The Clean Air Act requires an adequate new source review rule to be in effect by July 1, 1979. Therefore, applications of those rules to permits received after July 1, 1979 violates the requirements of Sections 110(a)(2)(I), 129, 172, and 173 of the Clean Air Act.

Precursors

The Board finds that known and recognized precursors exist to several criteria pollutants designated by EPA, and that such precursors must be regulated in a nonattainment area to achieve and maintain national ambient air quality standards. The failure of Rule 213 to specify the relationship between such precursors and secondary pollutants may prevent adequate consideration and mitigation of precursor impacts on air quality as required by Clean Air Act Section 172.

Innovative Technology Exemption

The Board finds that allowing the exemption for innovative technology to apply to all air contaminants emitted by the new source or modification, rather than to those air contaminants controlled by the innovative technology, will not ensure net air quality benefits from the new or modified source, and that the potentially large increase in air contaminants from the sources not controlled by the innovative technology may, in fact, have an adverse impact on air quality. This will interfere with the attainment and maintenance of national ambient air quality standards, in violation of the requirements of Sections 110, 129, 172, and 173 of the Clean Air Act.

Concurrence

The Board finds that numerous issues addressed under Rules 213, 213.1 and 213.2 require a uniform statewide approach and implementation. The failure of these rules to include any provisions to bring about statewide uniformity violates Sections 110, 129, 172, and 173 of the Clean Air Act.

Calculation of Emissions

The Board finds that if maximum allowable emissions rates are used as a basis for determining emissions from existing sources for the purpose of calculating emissions offsets, there is a likelihood that in numerous cases new sources will be permitted which will, in fact, increase emissions from actual emission levels existing prior to construction or modification. This will interfere with the attainment and maintenance of national ambient

air quality standards in violation of the requirements of Sections 110, 129, 172, and 173 of the Clean Air Act.

Standards for Discretion of Air Pollution Control Officer

The Board finds that the vesting of discretion in the District Air Pollution Control Officer to determine exemptions from the offset requirements of Rule 213 and to calculate emission increases and decreases, in the absence of clearly defined standards and criteria governing the exercise of such discretion, renders these rules difficult to enforce on a consistent basis, and may be also result in actual emission increases from new sources. The exercise of such discretion without specified standards violates Sections 110, 129, 172, and 173 of the Clean Air Act.

Technical Changes

The Board finds that Rules 213, 213.1 and 213.2 are in certain particulars unclear and hence difficult to interpret and apply. This violates Sections 110 and 172 of the Clean Air Act.

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

O. WHEREAS, a public hearing regarding all three NAPs upon 30 days notice and other administrative proceedings has been held in accordance with the Clean Air Act, and applicable provisions of the California Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5); and of the Health and Safety Code.

AREA AND LEAD AGENCY DESIGNATIONS

1. NOW, THEREFORE BE IT RESOLVED, that the Board recommends the continued designation of the South Coast Air Quality Management District and the Southern California Association of Governments as the co-lead agencies for nonattainment area planning in the Riverside County portion of the SEDAB, subject to the agreement between the ARB the SCAQMD and SCAG upon a division of responsibilities for continued planning as required by Section 174 of the Clean Air Act. The Board further recommends that the division of responsibilities should take the form of a detailed work program for air quality planning in the Riverside County portion of SEDAB and a Memorandum of Understanding (MOU) between the ARB, the SCAQMD, and SCAG;

2. BE IT FURTHER RESOLVED, that the Board requests within 90 days that Los Angeles County, San Bernardino County, SCAG, and SCAQMD agree upon and submit to ARB a division of responsibilities and roles of local agencies in the continuing air quality planning program required by Section 174 of the Clean Air Act;

3. BE IT FURTHER RESOLVED, that SEDAB is redesignated from nonattainment to unclassified for TSP pursuant to EPA policy for areas in which TSP violations are caused by rural fugitive dust;

INCLUSION OF EPA CONTROL TECHNIQUES GUIDELINES 1 (CTG)
AND ARB CATEGORY I REASONABLY AVAILABLE CONTROL MEASURES (RACMs)

4. BE IT FURTHER RESOLVED, that the Board finds that rules and regulations in the affected portions of the SEDAB either have not been adopted or do not meet the requirements of Section 172(b) of the Clean Air Act as follows:

Riverside County Portion of SEDAB

Degreasing

San Bernardino County Portion of SEDAB

Gasoline Marketing
Degreasing

Los Angeles County Portion of SEDAB

Architectural Coatings
Degreasing

Therefore, the Board requests the SCAQMD (for Riverside County portion of the SEDAB), and the San Bernardino and Los Angeles County Air Pollution Control Districts to adopt appropriate enforceable reasonably available control measures (RACMs) to regulate emissions from the source categories named above. These RACMs are to be as effective as associated ARB model rules. The Executive Officer is delegated the authority to adopt by March 3, 1980, after public hearing, enforceable rules for architectural coatings, Stage I gasoline marketing, and degreasing for the Los Angeles and San Bernardino County APCDs and the SCAQMD (for Riverside County portion of the SEDAB) if the districts do not adopt rules as effective as the associated RACMs. The Executive Officer is authorized to submit such adequate rules as he or the districts may adopt to the EPA as SIP revisions;

NEW SOURCE REVIEW

5. BE IT FURTHER RESOLVED, that the Board requests the Los Angeles and San Bernardino County APCDs to adopt rules as effective as the ARB model NSR rules for their portions of the SEDAB nonattainment area, and to apply such rules to all pending permit applications received after July 1, 1979. The districts are requested to submit, as part of the nonattainment plan only those portions of the rule applicable to national standards. The Executive Officer is delegated the authority to adopt by March 3, 1980, after public hearing, appropriate NSR rules if the districts have not done so. The Executive Officer is authorized to submit such adopted rules to the EPA as SIP revisions;

6. BE IT FURTHER RESOLVED, that the Board finds that a measure to control emissions from petroleum dry cleaning operations is included in the plans for San Bernardino and Los Angeles Counties for further study;

7. BE IT FURTHER RESOLVED, that the Board requests the local agencies to consider modifying grading permit requirements to minimize the fugitive emissions of total suspended particulates occurring during windstorms due to the loss of vegetation;

AIR QUALITY ANALYSIS

8. BE IT FURTHER RESOLVED, that the Board finds the Riverside County, San Bernardino County, and Los Angeles County desert nonattainment areas to be rural areas as defined by EPA policy on rural area nonattainment plans; therefore, these areas are not required to conduct an air quality analysis for ozone nor to demonstrate reasonable further progress;

CONTINUING PLANNING AND IMPLEMENTATION PROGRAM

9. BE IT FURTHER RESOLVED, that the Board finds that pollutant transport from the South Coast Air Basin contributes substantially to the pollutant load in the Riverside County, San Bernardino County, and Los Angeles County desert nonattainment areas, and further finds that no quantitative figures have been developed on the magnitude of pollutant transport. The Board also finds that additional study is needed to quantify the effect of local emissions on ozone concentrations in the SEDAB. The Board therefore directs staff to work with the affected APCDs to conduct a study to determine to what degree transport contributes to the pollutant load in these desert nonattainment areas;

10. BE IT FURTHER RESOLVED, that the Board finds emission inventories in the San Bernardino County and Riverside County plans are for larger areas than the nonattainment planning area, and that this may have caused overestimations in the TSP and NOx emissions in these plans. Therefore, the Board directs staff to work with the affected APCDs to develop for the first update of the plans inventories covering only the planning areas;

POPULATION GROWTH AND CONSISTENCY

11. BE IT FURTHER RESOLVED, that the Board finds, to meet the Clean Air Act requirements for consistency of the SIP and other planning programs, participating local agencies should integrate air quality concerns with land use and transportation planning processes. Integration of all planning processes will assist in assuring that growth and development do not negate air quality gains made from stationary source controls, but rather contribute to overall air quality improvement;

12. BE IT FURTHER RESOLVED, that the Board is concerned that rapid development of certain portions of the SEDAB could result in significant increases in pollutant emissions and therefore requests the local agencies to work with SCAG to develop a well-defined process and schedules to achieve and maintain consistency among local general plans, future revisions of the SCAG development guide, and the forecasts in the AQMP;

CLASS I PSD AREA

13. BE IT FURTHER RESOLVED, that the Board requests staff to work with local agencies and interested parties during the development of the Prevention of Significant Deterioration program to consider mechanisms to permit populated areas to choose the level of degradation allowed; one mechanism to be considered is the designation of Class I areas to protect particularly sensitive population groups, such as senior citizens with respiratory conditions.

TRANSPORTATION

14. BE IT FURTHER RESOLVED, that the Board requests local agencies to work with SCAG and the County Transportation Commissions to evaluate, consider, and implement reasonably available transportation control measures as expeditiously as feasible. The Board supports giving priority and funding to transportation measures which benefit air quality;

ADOPTION

15. BE IT FURTHER RESOLVED, that except as otherwise specified above, the Board finds that the Riverside County (SCAQMD amended version) and the San Bernardino County, and Los Angeles County SEDAB plans, as attached to ARB staff report number 79-28-1, contain the elements necessary to meet the requirements of Part D of the Clean Air Act as amended. The Board adopts these plans, as amended by attached errata, as revisions to the State Implementation Plan, and authorizes the Executive Officer to submit to EPA for inclusion in the SIP these plans, this resolution, and acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D.

I certify that the above is a true and correct copy of Resolution 79-79 as passed by the Air Resources Board.

Sally Rump

Sally Rump, Board Secretary

State of California
AIR RESOURCES BOARD

ERRATA TO THE SUMMARY AND STAFF REPORT

Regarding

Public Hearing to Consider the Adoption, as Amendments to the California State Implementation Plan, of Plans for the Attainment and Maintenance of National Ambient Air Quality Standards for the Southeast Desert Air Basin Portions of Riverside, Los Angeles, and San Bernardino Counties.

I. Summary

1. Page 1, Recommendation No. 2, line 1: Add "by March 3, 1980," after the word "rules".

2. Page 1, Recommendation No. 2, line 8: Insert a period after the word "County" and delete line 9 consisting of the words "by January 21, 1980."

3. Page 1: Delete Recommendation No. 3 and renumber Nos. 4 and 5 to Nos. 3 and 4, respectively.

II. Staff Report

1. Page 1, paragraph 2, sentence 2: Delete the words "after being unable to obtain agreements from local agencies to lead this effort" and add "at the request of the localities because adequate funding was not available for the counties to prepare the plans."

2. Page 3, last paragraph, line 1: Strike the words "Riverside County APCD's rule" and add "South Coast Air Quality Management District's rule (effective in the desert portion of Riverside County)."

3. Page 4, paragraph 1, line 2: Strike the word "because" and put a period after the word "operations".

   Page 4, paragraph 1, line 3: Strike the words "Riverside County APCD's" and add "South Coast Air Quality Management District's".

4. Page 4, paragraph 2, line 1: Strike the words "Riverside County APCD's" and add "South Coast Air Quality Management District's".

5. Page 5, paragraph 1: Delete the sentence.

6. Page 5, paragraph 3: Delete the last sentence.

7. Page 6, Table 1: Delete the "X" notations for the Recommended Board Action to "Add or Modify, ARB Adopt" for Control of Unpaved Road Emissions, Control of Farm Operations, and MVIP. Insert "X" notations in the "Commit to Further Study" column for Control of Unpaved Road Emissions.

   Page 7, Table 1, and page 8, Table 1: Delete the "X" notations in the "Commit to Further Study" column for "MVIP".

8. Page 9, paragraph 1, line 2: Strike the words "by January 21, 1980".

III. Proposed Nonattainment Plans for San Bernardino County and Los Angeles County Portions of the Southeast Desert Air Basin

1. Delete Appendix C and reference of the appendix in the Table of Contents, and change existing Appendix D to Appendix C.

2. Page 3, paragraph 2, sentence 2: Strike the words "after being unable to obtain agreement from local agencies to lead this effort" and add "at the request of the localities because adequate local funding was not available for the counties to prepare the plans."

3. Page 4, paragraph 1, last sentence: Delete "Although the San Bernardino County Board of Supervisors had not made use of this option, they may wish to do so for the purpose of economy and efficiency in pursuing the air pollution control program" and in its place add: "The San Bernardino County Board of Supervisors has chosen not to pursue this option."

4. Page 5, paragraph 2: Strike sentences 3 and 4 and replace with "ARB, as lead agency, has prepared this plan for the Planning Area at the request of the local governments because adequate local funding was not available for the counties to prepare the plans."

5. Page 5, last paragraph, line 4: Change "Appendix D" to "Appendix C" (for the Los Angeles County Plan, refer to paragraph 3, line 4).

6. (For San Bernardino County Plan only.) Page 6, section A, paragraph 1, line 1: Delete the words "are no data" and replace with "is limited data".

7. Page 9, last paragraph, line 2: Delete the word "the".

8. (For San Bernardino County Plan only.) Page 10, paragraph 1, line 2: Delete the words "to the east" and substitute with "in the western part". Line 3: Add a semicolon after "County" and add "the station in Lancaster is in Los Angeles County." Then add as a last sentence to that paragraph, "A monitoring

station was established at Twenty-Nine Palms during March of 1978, which has recorded maximum readings of 0.13 ppm ozone during May and June of 1979."

9. (For San Bernardino County Plan only.) Page 13, paragraph 4, line 1: Delete the word "two" and replace with "three".

(For San Bernardino County Plan only.) Page 13, paragraph 4, line 2: Delete the word "both" and replace with "two".

Page 13, paragraph 4, line 3: Delete the word "impossible" and replace with "difficult". (These changes apply to page 13 of the San Bernardino County SEDAB Plan only. For the Los Angeles County SEDAB Plan, refer to page 12, the last paragraph.)

10. Page 26, paragraph 2, line 4: Delete "January 21, 1980". (For Los Angeles County, changes should be made to paragraph 1, lines 2 and 3.)

Page 26, paragraph 2, line 5: Delete the words "will adopt" and replace with "will consider adoption of". (These changes apply to the San Bernardino County SEDAB Plan only. For identical word changes in the Los Angeles County SEDAB Plan, refer to page 26, paragraph 1, line 3.)

11. Pages 27 and 28 (pages 26 and 27 for Los Angeles County Plan): Delete all of "Section D".

Change the following Section E to Section D and Section F to Section E.

12. Section G on pages 31 and 32 will be completely deleted. (For Los Angeles County, section G is on pages 30 and 31.) Section H on page 32 will become section F. (For Los Angeles County, section H is on page 31.)

13. (San Bernardino County Plan) Page 24, paragraph 2, line 5: Delete "by January 21, 1980" (for Los Angeles County Plan, change should be made to page 23, paragraph 2, line 4).

14. (San Bernardino County Plan Page 29, paragraph 3, line 4: Delete "by January 21, 1980" (for Los Angeles County Plan, change should be made to same page, paragraph 1, line 4).

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

ITEM: Public Hearing to Consider the Adoption, as Amendments to the California State Implementation Plan, of Plans for the Attainment and Maintenance of National Ambient Air Quality Standards for the Southeast Desert Air Basin Portions of Riverside, Los Angeles, and San Bernardino Counties. (Board Agenda Item 79-28-1)

Date of Public Hearing: November 29, 1979

Response Date: November 29, 1979

Issuing Authority: Air Resources Board

Comment: None received.

Response: N/A

Certified: Sally Rump
Board Secretary

Date: 12/13/79

State of California

Memorandum

To : Huey D. Johnson
Secretary
RESOURCES AGENCY

Date : December 13, 1979

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

From : Air Resources Board

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

Sally Rump

Sally Rump
BOARD SECRETARY

ATT: Resolution 79-79

State of California
AIR RESOURCES BOARD

Resolution 79-80

October 23, 1979

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

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

WHEREAS, the South Coast Air Basin was designated as a nonattainment area for ozone, carbon monoxide, nitrogen dioxide, and primary particulate matter pursuant to Section 107(d) of the Clean Air Act;

WHEREAS, the air pollution control districts in California are required by Section 40001 of the Health and Safety Code to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain the state ambient air quality standards and to endeavor to achieve and maintain the national ambient air quality standards;

WHEREAS, Section 40402 of the Health and Safety Code states the legislative finding that rapid abatement of existing emission levels in the South Coast Air Basin is necessary in order to achieve ambient air quality standards;

WHEREAS, Section 40443 of the Health and Safety Code required the South Coast District Board to adopt revised and updated emission limitations for inclusion in the SIP by December 31, 1977;

WHEREAS, Sections 41650-41652 of the Health and Safety Code authorize the Board, pursuant to public hearing, adopt revisions to a nonattainment plan necessary to comply with the requirements of the Clean Air Act;

WHEREAS, Section 42301 of the Health and Safety Code requires that the permit system established by a district for the construction, modification, and operation of sources of air contaminants insures that any article, machine, equipment, or contrivance will not prevent or interfere with the attainment or maintenance of state or national ambient air quality standards;

WHEREAS, Section 40506 requires the South Coast District Board to establish rules for the issuance of permits to construct or operate sources of air contaminants in accordance with specific legislative declarations, including the necessity for the attainment of national ambient standards and for the consistency of construction and operation of new sources with the Basin's air quality goals;

WHEREAS, Health and Safety Code Section 41700 states that no person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public or which cause, or have a natural tendency to cause, injury or damage to business or property;

WHEREAS, Public Resources Code Section 21080.5 and ARB rules and regulations in Title 17 of the California Administrative Code require that no activity will be adopted as proposed if feasible alternatives or regulation measures are available to substantially lessen any adverse environmental impact of the activity;

WHEREAS, Health and Safety Code Section 39002 directs the state board, after public hearings, to undertake control activities in any area wherein it determines that the local or regional authority is not meeting the responsibilities given to it by Division 26 of the Health and Safety Code or by any other provision of law;

WHEREAS, the ARB has been directed by Section 39600 to do such acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board by Division 26 or by any other provision of law;

WHEREAS, the ARB is required by Sections 41500 and 41507 of the Health and Safety Code to review the rules and regulations and programs of the districts to determine whether the rules and regulations and programs assure that reasonable provision is made to achieve and maintain the national ambient air quality standards;

WHEREAS, the ARB is directed by Section 41504 to establish a program or rules or regulations as it deems necessary to enable the district to achieve and maintain the ambient air quality standards upon finding that the program or rules or regulations of the district will not likely do so;

WHEREAS, the state board held public hearings on April 26 and 27, and May 10, 1979, to consider the approval of the nonattainment area plan developed by the Southern California Association of Governments and the South Coast Air Quality Management District (SCAQMD) as a revision to the State Implementation Plan, and instructed the SCAQMD at that time to submit to ARB for review, rules adopted by the District to implement the plan;

WHEREAS, the state board on April 26 and 27, May 10, and October 22 and 23, 1979, has held public hearings and in compliance with the requirements of Sections 39002, 41502, 41650-41652 of the Health and Safety Code and of the Clean Air Act and EPA regulations, to determine whether the District has adopted rules and regulations which assure that reasonable provisions are made to achieve and maintain state and national ambient air quality standards and whether the District's Rules and Regulations meet the requirements of the Clean Air Act;

WHEREAS, the Board finds:

1. That the state and national ambient air quality standards for photochemical oxidant (ozone) are exceeded in the SCAQMD; and

2. That organic gases have been demonstrated to be a chemical precursor to photochemical oxidant (ozone), and contribute to or are responsible for exceedances of the state oxidant standard and the national standard; and

3. That the SCAQMD does not have in place new source review rules or regulations which adequately require the denial of a permit for construction, modification, or operation of emission sources which would prevent or interfere with the attainment or maintenance of the state and national ambient air quality standards; and

4. That oxides of nitrogen have also been demonstrated to be chemical precursors to photochemical oxidant (ozone) and contribute to or are responsible for exceedance of ambient air quality standards for ozone; and

5. That analysis of current air quality data indicates that increased emissions of oxides of nitrogen in the SCAQMD will lead to aggravation of existing exceedances of the national standard, the state oxidant standards, and the national nitrogen dioxide standard; and

6. That the state and national ambient air quality standards (annual and 24-hour) for total suspended particulate matter and the state visibility standard are exceeded in the SCAQMD; and

7. That sulfur oxides emitted in portions of the Basin as a result of the combustion of sulfur-containing fuels lead to the formation of sulfate aerosols in the atmosphere, contributing to exceedances of both the state ambient air quality standards for sulfates and visibility and the state and national ambient air quality standards for total suspended particulate matter; and

8. That a substantial fraction of the oxides of nitrogen emitted in the Basin is converted to nitrate aerosols in the atmosphere, contributing to exceedances of the state and national ambient air quality standards for total suspended particulate matter and the state visibility standard; and

9. That further increases in emissions of ozone, sulfate, oxides of nitrogen, and total suspended particulate precursors will interfere with progress toward achievement of the national ambient air quality standards for ozone, nitrogen dioxide, and total suspended particulates and of the state air quality standards for oxidant, sulfates and total suspended particulates; and

10. That Regulation XIII of the SCAQMD will not likely achieve and maintain the state's ambient air quality standards and does not meet the requirements of the federal Clean Air Act, as is set forth in detail below.

WHEREAS, the Board makes the following further findings:

Applicability Date

The Board finds that NSR Rules 213, 213.1, and 213.2 do not meet the requirements of the 1977 Amendments to the Clean Air Act, as set forth in ARB Resolution 79-27 adopted May 10, 1979, and do not conform to the provisions of the South Coast Air Basin Nonattainment Plan. Application of those rules to permits received after July 1, 1979, violates the requirements of Sections 110(a)(2)(I), 129, 172, and 173, of the Clean Air Act. The amendment adopted by the Board to Section 1301(c) of Regulation XIII meets the requirements of the Clean Air Act by insuring that an adequate NSR rule applies to all permit applications received after July 1, 1979.

Definition of Air Contaminant

The Board finds that emissions of ethane will adversely affect ambient ozone concentrations, and that emissions of 1,1,1-trichloroethane, methylene chloride and trichlorotrifluoroethane will likely result in depletion of the ozone layer and/or injurious effects to public health, and may be expected to affect adversely plant and insect life. The failure of Regulation XIII to consider such emissions in evaluating new or modified source applications violates the requirements of Section 172(b)(11)(A) of the Clean Air Act. The Amendment adopted by the Board to Section 1302(c) of Regulation XIII meets the requirements of Section 172(b)(11)(A) by requiring analysis of techniques to control emissions of the identified substances, and is a feasible mitigation measure which will substantially lessen the adverse impacts associated with the emissions of such substances.

BACT

The Board finds that the definition of BACT contained in Regulation XIII does not require continuing evaluation and implementation of technologically feasible and cost-effective emissions control techniques. The failure of Regulation XIII to require such measures violates the provisions of Sections 110, 129, 171(3) and 173 of the Clean Air Act. The amendment adopted by the Board to Rule 1302(e) of Regulation XIII meets the requirements of those sections of the Clean Air Act by requiring evaluation and implementation of BACT.

Offshore Emissions

The Board finds that emissions from the offshore portions within California Coastal Waters of new or modified onshore facilities, including cargo carriers, will have a significant adverse impact on air quality within the South Coast Air Basin. Regulation XIII does not meet the requirements of Sections 110 and 173 of the Clean Air Act in that it does not take into account such emissions in determining the total source emissions from a new or modified onshore facility and does not require that the impact of these emissions be assessed or mitigated. The amendments adopted by the Board to Regulation XIII taking into the acount the impacts of such offshore emissions meet the requirements of the Clean Air Act.

Modeling

The Board finds that the SCAQMD does not have the necessary financial and personnel resources to perform adequately complex modeling in connection with applications for new or modified sources, and that without ARB concurrence in the modeling used by SCAQMD, there is no assurance of statewide uniformity. This lack of adequate resources to perform modeling and of statewide uniformity violates the provisions of Sections 110(a)(2)(C) and (F), 129, 172, and 173 of the Clean Air Act. The amendment adopted by the Board to Rule 1302(l) of Regulation XIII meets the requirements of the Clean Air Act by assuring that, through the participation of adequate and expert ARB staff, sufficient resources will be committed to develop and implement state-of-the-art modeling on a uniform statewide basis.

Precursors

The Board finds that known and recognized precursors exist to several criteria pollutants designated by EPA, and that such precursors must be regulated in a nonattainment area to achieve and maintain national ambient air quality standards. The failure of Regulation XIII to specify the relation of such precursors and secondary pollutants may prevent adequate consideration and mitigation of precursor impacts on air quality as required by Clean Air Act Section 172 and the Nonattainment Plan for the South Coast Air Basin. The amendment adopted by the Board to Rule 1302(o) of Regulation XIII meets the requirements of the Clean Air Act by assuring adequate consideration during preconstruction review of new and modified sources of such precursors which could otherwise interfere with attainment and maintenance of national ambient air quality standards by the dates specified in the Act.

Stationary Source Definition

The Board finds that the definition of stationary source set forth in Rule 1302(p) of Regulation XIII does not provide for the aggregation of related air-contaminant-emitting and non-air-contaminant-emitting facilities. This allows a permit applicant to construct numerous pieces of logically connected and related, but remotely located, facilities but does not require the integrated evaluation of emissions from such remotely located yet directly affected facilities. This failure creates a risk of significant emissions increases which would not be mitigated. This definition is therefore not an appropriate definition of a common sense industrial grouping in accord with the definition of major source or modification contained in Sections 111, 172, and 173 of the Clean Air Act as interpreted by the Court of Appeals for the District of Columbia in Alabama Power and Light v. Costle, slip opinion No. 78-1006 (June 18, 1979). The amendment adopted by the Board to Rule 1302(p) of Regulation XIII meets the requirements of the Clean Air Act by requiring a complete, integrated evaluation of emissions from such related sources. Since the provisions of Rule 1307 relating to emission offset requirements are predicated on the narrow stationary source definition adopted by the District, the Board finds that the amendments adopted to the emission offset requirements of Rule 1307 are necessary to make those requirements consistent with the amended stationary source definition, and with the net air quality benefit requirements of Sections 110, 129, 171, 172, and 173 of the Clean Air Act.

Innovative Technology Exemption

The Board finds that allowing the exemption for innovative technology to apply to all air contaminants emitted by the new source or modification, rather than to those air contaminants controlled by the innovative technology, will not ensure net air quality benefits from the new or modified source, and that the potentially large increase in air contaminants from the sources not controlled by the innovative technology may, in fact, have an adverse impact on air quality. This will interfere with the attainment and maintenance of national ambient air quality standards, in violation of the requirements of Sections 110, 129, 172, and 173 of the Clean Air Act. The amendments adopted by the Board to Rule 1304(g) of Regulation XIII meet the requirements of the Clean Air Act in that they insure that adequate emission reductions will be obtained by new or modified source applicants, resulting in a net air quality benefit for those air contaminants not controlled by the innovative technology.

Concurrence

The Board finds that numerous issues addressed under Regulation XIII require a uniform statewide approach and implementation. The failure of Regulation XIII to include any provisions to bring about statewide uniformity violates Sections 110, 129, 172, and 173 of the Clean Air Act. The amendments adopted by the Board to Regulation XIII requiring ARB concurrence in specified District action meet the requirements of the Clean Air Act by providing a means of insuring statewide uniformity.

Calculation of Emissions

The Board finds that if maximum allowable emissions rates are used as a basis of emissions from existing sources for the purpose of calculating emissions offsets, there is a likelihood that in numerous cases new sources will be permitted which will, in fact, increase emissions from actual emission levels existing prior to construction or modification. This will interfere with the attainment and maintenance of national ambient air quality standards, in violation of the requirements of Sections 110, 129, 172, and 173 of the Clean Air Act. The amendments adopted by the Board to Rule 1306(c) of Regulation XIII meet the requirements of the Clean Air Act in that they insure that actual, rather than allowable maximum, emission rates are used and thus bring about a net air quality benefit.

Emission Offsets

The Board finds that permitting emission offsets reductions to 150 lbs/day of affected air contaminants rather than to zero will not insure net air quality benefits from new or modified sources and, because of the large number of sources with emissions above 150 lbs/day, may in fact, have an adverse impact on air quality. The emissions reduction cut-off at 150 lbs/day is inconsistent with the South Coast Air Basin Nonattainment Plan and does not represent a net air quality benefit as required by Sections 110, 129, 171, 172, and 173 of the Clean Air Act. The amendment adopted by the Board to Rule 1307(a) of Regulation XIII insures that adequate emission reductions will be obtained by new or modified source applications, results in a net air quality benefit in all cases, and hence meets the requirements of the Clean Air Act.

Eligibility of Emission Offsets

The Board finds that allowing emission offsets to occur at great distances from the new source or modification, without regard to geographical or meteorological criteria, and without requiring modeling to ensure that the emission offsets will, in fact, mitigate the adverse air quality impacts of the new source or modification, will interfere with the attainment and maintenance of ambient air quality standards. This policy contained in Regulation XIII does not satisfy the net air quality benefit requirements contained in Sections 110, 129, 171, 172, and 173 of the Clean Air Act. The amendment adopted by the Board to Rule 1308(b)(3) of Regulation XIII ensures that if sources of emissions offsets are located at great distances from where the emissions increases occur, those offsets will only be allowed if they will result in a net air quality benefit in the area affected by the new source or modification.

Lack of Standards for Executive Officer Discretion

The Board finds that the vesting of discretion in the District Executive Officer to determine exemptions from the offset requirements of Regulation XIII (Rule 1304(h)) and to calculate emission increases and decreases (Rule 1306(e) as adopted by the SCAQMD October 5, 1979), in the absence of clearly defined standards and criteria governing the exercise of such discretion, renders Regulation XIII difficult to enforce on a consistent basis, and may also result in actual emission increases from new sources. The exercise of such discretion without specified standards violates Sections 110, 129, 172, and 173 of the Clean Air Act. The amendments adopted by the Board to Rules 1304(h) and 1306(e) meet the requirements of the Clean Air Act by removing from Regulation XIII areas of unlimited discretion, which renders the Regulation uncertain and hence unenforceable and which may interfere with attainment of national ambient air quality standards.

Technical Changes

The Board finds that Regulation XIII is in certain particulars unclear and hence difficult to interpret and apply. This violates Sections 110 and 172 of the Clean Air Act. The technical amendments adopted by the Board to Regulation XIII insure that the Regulation is enforceable and hence meets the requirements of the Clean Air Act.

NOW THEREFORE BE IT RESOLVED, that the Air Resources Board amends Regulation XIII of the South Coast Air Quality Management District Rules and Regulations as set forth in Attachment A to this Resolution.

BE IT FURTHER RESOLVED, that the aforesaid rules and regulations as amended shall become effective immediately and shall apply to all permit applications received after July 1, 1979, as to which final action has not been taken as of the date of adoption of this Resolution. Regulation XIII as amended by this Resolution shall have the same force and effect as rules and regulations adopted by the SCAQMD, and shall be enforced by the District in accordance with Section 41504 of the Health and Safety Code.

BE IT FURTHER RESOLVED, that the SCAQMD Regulation XIII as amended by this Resolution may subsequently be amended by the District, provided that no such amendment shall be effective unless and until the Executive Officer of the State Air Resources Board finds that such amendment does not impair the overall effectiveness or stringency of said Regulation, or efforts to attain statewide uniformity. The Executive Officer shall be deemed to have made such a finding unless he notifies the District to the contrary within thirty days of the filing with the Board of such amendments.

BE IT FURTHER RESOLVED, that the Board encourages the District to adopt, subject to the concurrence of the Executive Officer as provided in this Resolution and in Section 1314 of Regulation XIII as amended by this Resolution, any technical amendments it deems necessary and desirable to facilitate application of Regulation XIII.

I certify that the above is a true and correct copy of Resolution 79-80 as adopted by the Air Resources Board.

Sally Rump.

Sally Rump, Board Secretary

As Amended
October 23, 1979

REGULATION XIII
New Source Review

Rule 1300	State Ambient Air Quality Standards
Rule 1301	General
Rule 1302	Definitions
Rule 1303	Applicability and Analysis
Rule 1304	Exemptions from Regulation XIII
Rule 1305	Special Permit Provisions
Rule 1306	Emission Calculations
Rule 1307	Emission Offsets
Rule 1308	Eligibility of Emission Offsets
Rule 1309	Banking
Rule 1310	Analysis, Notice, and Reporting
Rule 1311	Power Plants
Rule 1312	Alternative Siting
Rule 1313	Permits to Operate
Rule 1314	Requirements for Amending Regulation XIII

REGULATION XIII

Rule 1300. State Ambient Air Quality Standards

For the purpose of this regulation, all references to the national ambient air quality standards shall be interpreted to include state ambient air quality standards.

Rule 1301. General

(a) Purpose
This regulation sets forth the requirements for the preconstruction review of new stationary sources or modifications to existing stationary sources, to ensure that the construction of such stationary sources does not interfere with the attainment of the national ambient air quality standards, without unnecessarily restricting future economic growth within the District.

(b) Applicability to Non-attainment Areas
The requirements of this regulation shall apply to preconstruction review of stationary sources in those areas of non-attainment of the national ambient air quality standards for such non-attainment air contaminants.

(c) Existing Rules
This regulation shall supersede Rules 213, 213.1, 213.2, 213.3, 203.1, and 203.2 except that such rules shall apply to applications for permits to construct and operate submitted prior to ~~the date of adoption of this regulation~~ July 1, 1979.

Rule 1302. Definitions

For the purpose of this regulation the following definitions shall apply:

(a) Affected Air Contaminant means any air contaminant for which the net emission increase from a stationary source of that air contaminant is greater than 68 kilograms (150 pounds) per day, except carbon monoxide for which the value is an increase greater than 340 kilograms (750 pounds) per day.

(b) Affected Source means a new stationary source or modification to an existing stationary source which results in a net increase in the emissions of any air contaminant of more than 68 kilograms (150 pounds) per day except carbon monoxide for which the value is an increase of more than 340 kilograms (750 pounds) per day.

(c) Air Contaminant means any air pollutant ~~or precursor~~ for which there is a national ambient air quality standard, or precursor to such air pollutant, including but not limited to carbon monoxide, sulfur dioxide, nitrogen oxides, particulate matter, lead, and organic gases, but excluding methane~~, ethane, trichlorofluoromethane, dichlorodifluoromethane~~.

Rule 1302 (Cont'd)

(d) Basin means either the South Coast Air Basin or that portion of the Southeast Desert Air Basin within the South Coast Air Quality Management District. The boundaries of each air basin shall be as defined by the California Air Resources Board.

(e) Best Available Control Technology (BACT) means the more stringent of:

(1) The most effective emission control technique which has been achieved in practice, for such permit unit category or class of source; or

(2) The control technique which will result in the most stringent emissions limitation contained in any state implementation plan approved by the Environmental Protection Agency for such permit unit category or class of source unless the owner or operator of the proposed source demonstrates to the satisfaction of the Executive Officer that such control techniques are not available (i.e. that such emissions limitations are not presently achievable). No control technique, the application of which would result in emissions from a new or modified source in excess of the amount allowable under applicable new source performance standards specified in Regulation IX of these Rules and Regulations may be considered Best Available Control Technology; or

(3) Any other emissions control technique found, after public hearing, by the District or the Air Resources Board to be technologically feasible and cost effective for such class or category of sources or for a specific source.

(f) Southern California Coastal Waters means that area between the California coastline and a line starting at 34.5°N, 120.5°W at the Pacific Ocean (Pt. Conception),

thence to 34.5°N	121.0°W
thence to 34.0°N	120.5°W
thence to 33.0°N	119.5°W
thence to 32.5°N	118.5°W

and ending at the California-Mexico border at the Pacific Ocean.

(g) Cogeneration Project means a project which:

(1) makes use of exhaust steam, waste steam, heat, or resultant energy from an industrial, commercial, or manufacturing plant or process for the generation of electricity, or,

(2) makes use of exhaust steam, waste steam, or heat from a thermal power plant, in an industrial, commercial, or manufacturing plant or process.

For the purposes of this definition the "industrial, commercial or manufacturing plant or process" shall not be a thermal power plant or portion thereof. A cogeneration project shall not consist of steam or heat developed solely for electrical power generation. To qualify as a cogeneration project, the processes listed in (1) and (2) above must concurrently recover, for useful purposes, at the first stage of heat transfer, not less than 25 percent of the energy.

(h) Contiguous Properties mean two or more parcels of land in actual physical contact or separated solely by a public roadway or other public right-of-way.

Rule 1302 (Cont'd)

(i) Exempt Permit Unit means a specific article, machine, equipment, or other contrivance which may cause the issuance or control the issuance of air contaminants but which has been exempted from permit requirements by Rule 219.

(j) Intermittent Source means a stationary source which may operate annually, but which emits 80 percent or more of the annual emissions on less than 120 days per year.

(k) Mobile Source means a device by which any person or property may be propelled, moved, or drawn upon a roadway, stationary rails or tracks, waterways, or through the atmosphere, and which emits air contaminants.

(l) Modeling means using an air quality simulation model, for sulfur oxides, oxides of nitrogen, carbon monoxide, and particulate matter based on specified assumptions and data, and which model has been approved in writing by the Executive Officer and the Executive Officer of the Air Resources Board.

(m) Modification means any physical change in, change in method of operation of, or addition to an existing stationary source, requiring an application for permit to construct except that routine maintenance or repair shall not be considered to be a physical change. A change in the method or operation, unless previously limited by an enforceable permit condition, shall not include:
(1) An increase in the production rate, if such increase does not exceed the maximum design capacity of the source.
(2) An increase in the hours of operation.
(3) A change in ownership of a source.

(n) Permit Unit means any article, machine, equipment, or other contrivance, or combination thereof, which may cause the issuance or control the issuance of air contaminants, and which requires a permit pursuant to these Rules and Regulations.

(o) Precursor means a substance that, when released, to the atmosphere, forms or causes to be formed or contributes to the formation of another air contaminant for which a national ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards.

Precursors	Secondary Pollutants
Hydrocarbons and substituted hydrocarbons (reactive organic gases)	a) photochemical oxidant (ozone) b) the organic fraction of suspended particulate matter
Nitrogen oxides (NO_x)	a) nitrogen dioxide (NO_2) b) the nitrate fraction of suspended particulate matter c) photochemical oxidant (ozone)
Sulfur oxides (SO_x)	a) sulfur dioxide (SO_2) b) sulfates (SO_4) c) the sulfate fraction of suspended particulate matter.

Rule 1302 (Cont'd)

(p) Seasonal Source means a stationary source which operates during a period of less than 120 days and only within one five consecutive month period per year.

(q) Stationary Source includes any structure, building, facility, equipment, installation, or operation (or aggregation thereof) which is located on one or more contiguous properties within the District and which is owned, operated, or under shared entitlement to use by the same person.
Items of air-contaminant-emitting equipment shall be considered aggregated into the same stationary source, and items of nonair-contaminant-emitting equipment shall be considered associated with air-contaminant-emitting equipment only if:
a. The operation of each item of equipment is dependent upon, or affects the process of, the others; or
b. The operation of all such items of equipment involves a common raw material or product.
Emissions from all such aggregated items of air-contaminant-emitting equipment and all such associated items of nonair-contaminant-emitting equipment of a stationary source shall be considered emissions of the same stationary source. To the extent required in Rule 1306, the emissions from mobile sources shall be considered as emissions from the stationary source.

Rule 1303. Applicability and Analysis

(a) Applicability
The provisions of this regulation shall apply to new stationary sources or modifications to existing stationary sources and relocation to non-contiguous property of existing stationary sources as provided in subsection (c) which result in a net emission increase from such stationary source of any air contaminant greater than 68 kilograms (150 pounds) per day except carbon monoxide for which the value is an increase of 340 kilograms (750 pounds) per day.

(b) Analysis
The Executive Officer shall deny the permits to construct for permit units subject to this regulation as provided by Rule 1303(a) unless:
(1) The new source or modification complies with all applicable rules and regulations of the District; and
(2) The applicant certifies in writing prior to the issuance of such permit that all stationary sources owned or operated by such person (or by any entity controlling, controlled by, or under common control with such person) in the State of California are in compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401, et. seq.) and all applicable emission limitations and standards which are part of the state implementation plan approved by the Environmental Protection Agency or on a compliance schedule approved by the appropriate federal, state or district officials.

Rule 1303 (Cont'd)

The requirements of this subsection shall apply to stationary sources with allowable emissions of any air contaminant of 25 tons per year or more; and

(3) The new source or modification will be constructed using BACT for each affected air contaminant. In carrying out this provision, the Executive Officer shall annually publish a guideline of BACT for commonly processed permit unit categories or classes of sources. BACT for other permit unit categories or classes of sources shall be determined on a case by case basis; and

(4) The net increase in emissions for each affected air contaminant has been offset pursuant to Rule 1307; and

(5) The applicant has substantiated with modeling or other analyses approved by the Executive Officer that the new source or modification will not cause a violation or make measurably worse an existing violation of any national ambient air quality standard at the point of maximum ground level impact. However, modeling shall not be required if all offset sources are within a distance of 8 kilometers (5 miles) from the affected permit units; and

(6) The Executive Officer determines that the new source or modification will not result in emissions which interfere with the schedule of reasonable further progress set forth in the state implementation plan for the South Coast Air Quality Management District, approved by the Environmental Protection Agency.

(c) The provisions of this regulation shall apply to existing stationary sources relocated to non-contiguous properties, provided:

(1) The relocation distance is greater than 8 kilometers (five miles) and the emissions of any air contaminant, at the new location, are greater than 68 kilograms (150 pounds) per day except carbon monoxide for which the value is 340 kilograms (750 pounds) per day; or

(2) The relocation distance is less than 8 kilometers (five miles) and there is a net emission increase of any air contaminant greater than 68 kilograms (150 pounds) per day except carbon monoxide for which the value is an increase of 340 kilograms (750 pounds) per day.

Rule 1304. Exemptions from Regulation XIII

Upon approval by the Executive Officer, and provided BACT is employed on the subject permit units, an exemption from this regulation, for one or more air contaminants as appropriate, shall be allowed for the permit unit or source which:

(a) Fuel Conversion
Is exclusively a modification to convert from use of gaseous fuels to liquid fuels because of a demonstrable shortage of gaseous fuels (for the purpose of this subsection, modification shall include the permit units for storing, or transferring such fuel at the facility), provided:

Rule 1304 (Cont'd)

(1) the applicant demonstrates that best efforts have been made to obtain the required emission offsets, and the applicant certifies that the required offsets will be sought until construction of the modification begins, and that all required offsets available shall be used; and
(2) the applicant agrees to conditions on the operating permit requiring conversion to gaseous or other equivalent low-polluting fuels should they become available; or

(b) Portable Equipment
Is portable and used for not more than one 90 consecutive day period in any twelve consecutive month period within the District; or

(c) Essential Public Services
Will be used exclusively for providing essential public services; including but not limited to 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) Air Pollution Control Equipment
Is air pollution control equipment used solely to reduce the issuance of air contaminants from an existing stationary source, provided the applicant establishes with modeling that the affected source will not cause a new violation or make measurably worse an existing violation of any national ambient air quality standard at the point of maximum ground level impact; or

(e) Resource Conservation and Energy Projects
Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for useful energy generation, a resource recovery project using municipal wastes, or other energy-related project but excluding such other energy-related projects at power plants or refineries, provided:
(1) the applicant establishes by modeling that the affected source will not cause a new violation or make measurably worse an existing violation of any national ambient air quality standard at the point of maximum ground level impact; and
(2) the applicant demonstrates that best efforts have been made to obtain the required emission offsets, and that the applicant certifies that required offsets will be sought until construction of the affected source begins, and that all required offsets available shall be used; and
(3) the Executive Officer determines that the project will not interfere with the schedule of reasonable further progress set forth in the state implementation plan for the South Coast Air Quality Management District, approved by the Environmental Protection Agency; or

(f) Relocations
Is a relocation of an existing stationary source within a distance of 8 kilometers (five miles) and the net increase in emissions of any air contaminant is less than 68 kilograms (150 pounds) per day, except carbon monoxide for which the value is a net increase of 340 kilograms (750 pounds) per day.

Rule 1304 (Cont'd)

(g) Innovative Technology
Is innovative equipment or a process which:
(1) the applicant demonstrates will likely result in a significantly lower emission rate from the affected source than would have occurred with the use of previously recognized BACT; and
(2) can be expected to serve as a model for emission reduction technology; and
(3) the applicant establishes by modeling that the affected source will not cause the violation of, or make measurably worse an existing violation of any national ambient air quality standard at the point of maximum ground level impact. This exemption shall apply only to air contaminants which are reduced by the innovative equipment or process. Written concurrence shall be obtained from the Air Resources Board prior to granting this exemption.

(h) Exemptions for projects which the Executive Officer determines will result in significant basinwide benefits to air quality may be allowed provided the concurrence of the Air Resources Board is obtained.

Rule 1305. Special Permit Provisions

(a) Modifications to Equipment Under Existing Permits
Any person operating permit units who plans to make modifications to those permit units for the purpose of effecting emission reductions required by Rule 1307, shall submit applications for new permits to construct or operate for both the basic and control equipment involved in such reductions, regardless of whether modifications or additions are to be made to the basic or control equipment, or both.

(b) Surrender of Permits
Existing permits to operate pertaining to the basic and control equipment as specified above shall be surrendered and cancelled at the time such new permits to operate are issued. Permits to operate for equipment taken out of service to effect an emission reduction under Rule 1307 shall be surrendered at the time the affected permit unit or source is issued a permit to operate.

(c) Evaluation
In evaluating the applications submitted pursuant to this rule the Executive Officer shall:
(1) Determine completeness of the application and inform the applicant of such pursuant to Rules 210 and 1310(a); and
(2) Evaluate only those portions of the applicant's operations which pertain to the reduction to be made under the provisions of this regulation. No other review or analysis shall be made for the purpose of issuing new permits pursuant to this rule; and

Rule 1305 (Cont'd)

(3) Consider emission reductions only if before the applications are determined to be complete, rules or regulations have not been adopted which would require the same emission reductions from the same equipment type as those proposed by the applicant.

Rule 1306. Emission Calculations

Deleted.

Rule 1306. Emission Calculations

This rule shall be used as the basis to calculate whether Regulation XIII applies because of the daily emission increases delineated under Rule 1303. This rule shall also be used as the basis to calculate annual emission increases which are to be used for offset calculations under Rule 1307 and for emission banking under Rule 1309.

(a) Accumulation of Emissions

(1) Mobile and stationary source emission increases and decreases for each air contaminant, including the emission increases or decreases directly associated with the affected permit units or source, shall be summed either (A) within the last five years prior to the date of submittal of applications for permits to construct or (B) from October 8, 1976. Whichever time period of (A) or (B) is less will be the basis for accumulating emission increases or decreases. In those cases where (B) is the appropriate time period for determination, emission increases of any air contaminants occurring from October 8, 1976, to date of adoption shall be forgiven up to a maximum amount of 45 kilograms (100 pounds) per day.

(2) Such sum of accumulated emissions, after proper calculations, shall be the basis for the threshold determination of Rule 1303, for the offset requirements of Rule 1307, and for emission banking of Rule 1309.

(3) Emission increases or decreases occurring during the period described in subsection (a)(1) are those associated with a new or modified permit to operate or a permit to construct issued during the same period, excluding any emissions reductions required to comply with federal, state, or district laws, rules or regulations.

(b) If in calculating emission increases and decreases, it is determined that violations of District, state or federal laws, rules, regulations, permit conditions, or orders occurred during the period used to determine the operating conditions, adjustments to the operating conditions shall be made to determine the emissions the existing source would have caused without such violations. The provisions of this subsection shall not apply to ambient air quality standards.

Rule 1306 (Cont'd)

(c) Emission Increases for Stationary Sources

(1) Emission increases from new permit units in a stationary source shall be calculated using the maximum rated capacity, the maximum proposed daily hours of operation, and the actual materials to be processed.

(2) Emission increases from modified permit units in a stationary source shall be calculated using the maximum rated capacity, the maximum proposed daily hours of operation, and the actual materials to be processed after modification. The emissions before modification shall be based on the actual average emissions during the highest three years occurring in the five year period prior to the date of submittal of the application for permits to construct the modification.

(3) To the extent that conditional permits restrict the operation of the permit units, such restricted operations shall be used as the basis for calculations.

(4) Emission reductions appropriate to the air pollution reduction equipment or process shall be used in the calculations of subsections (1), (2) and (3).

(d) Emission Increases for Mobile Sources

(1) For mobile sources, the daily emission increases for each air contaminant used in the accumulation of emission increases under subsection (a) and for the threshold determination of Rule 1303 shall be calculated based on usage established by records or other data approved by the Executive Officer.

(2) Mobile source emission increases to be accumulated are:

(A) Motor vehicle emissions while loading and unloading cargo.

(B) Diesel locomotive emissions while loading and unloading cargo.

(C) Ship emissions while loading and unloading cargo and while hoteling.

(D) In-plant vehicles.

(E) All cargo carriers (excluding motor vehicles) while operating within the Basin, including marine cargo vessels while operating within the Southern California Coastal Waters which load or unload at the source.

(e) Emission Reductions for Stationary Sources

(1) For stationary source permit units the daily emission reductions for each air contaminant used in the accumulation of emission reductions under subsection (a) and for the threshold determination of Rule 1303 shall be calculated using the actual emissions. For modifications to permit units or for permit units or stationary sources taken out of service, the emissions before modification or before being taken out of service shall be calculated using the sum of the actual emissions during the highest three years of the previous five year period, divided by the total number of actual operating days in those three years.

Rule 1306 (Cont'd)

(2) To the extent that conditional permits restrict the operation of the permit units, such restricted operations shall be used as the basis for calculations.

(3) Emission reductions appropriate to the air pollution reduction equipment or process, if any, shall be used in the calculations of subsections (1) and (2).

(f) Emission Reductions for Mobile Sources

(1) For mobile sources, the daily emission reductions for each air contaminant used in the accumulation of emission reductions under subsection (a) and for the threshold determination of Rule 1303 shall be calculated based on usage established by records or other data approved by the Executive Officer.

(2) Mobile source emission reductions which shall be accumulated are:

(A) Reduced motor vehicle emissions while loading and unloading cargo.

(B) Reduced ship emissions while loading and unloading cargo and while hoteling.

(C) Reduced in-plant vehicles emissions.

(D) Reduced diesel locomotive emissions while loading and unloading cargo.

(E) Reduced cargo carrier emissions (excluding motor vehicle emissions) while operating within the Basin, including marine cargo vessels while operating within the Southern California Coastal Waters, which load or unload at the source.

(g) Emissions to be Offset

(1) For the purpose of determining required emission offsets pursuant to Rule 1307, the procedures and requirements of subsections (a), (b), (c), (d), (e), and (f) of this rule shall be used and the resultant affected air contaminant rate shall be converted to annual emissions using actual annual operating schedules. Emission decreases to provide such emission offsets shall be based on the emission calculations of subsections (h) and (i).

(h) Stationary Source Emission Decreases for Offsets and Banking

(1) Emission decreases from existing stationary source permit units or exempt permit units used for calculating offsets or banking shall be calculated using the actual operating conditions and actual operating schedule of each permit unit.

(2) Such emission decreases shall be based on actual average annual emissions. The actual annual average shall be calculated by dividing the total actual emissions emitted during the highest three years of the previous five year period by three.

(3) To the extent that conditional permits restrict the operation of the permit units, such restricted operations shall be used as the basis for calculations.

Rule 1306 (Cont'd)

(4) Emission reductions appropriate to the air pollution reduction equipment or process, if any, shall be used in the calculations of subsections (1) and (2).

(i) Other Emission Decreases for Offsets and Banking

(1) Emission decreases from other sources to be calculated for offset or banking purposes shall be on the basis listed in subsections (i)(2) and (i)(3).

(2) If the decreases are from mobile sources, the calculation shall be based upon:

(A) For light duty motor vehicles, the make and model year of the vehicles and 11,000 miles per year driven for each vehicle; or

(B) For other mobile sources, the annual usage established by use records or other data approved by the Executive Officer; or

(C) Notwithstanding Rule 1307 the offset factor for mobile source emission reductions shall be 2.0.

(3) If the decreases are from other sources, the calculations shall be on the basis approved by the Executive Officer.

Rule 1307. Emission Offsets

(a) Offset Calculation

Affected sources shall offset all emission increases of all affected air contaminants greater than 68 kilograms (150 pounds) per day, except carbon monoxide for which the value is an increase greater than 340 kilograms (750 pounds) per day, as determined pursuant to Rule 1306 times the offset factor determined as follows:

(1) For increased emissions due to replacement of permit units pursuant to Rule 1306(c)(1)(A) provided such replacement occurs in the same stationary source: Offset factor = 1.0

(2) For increased emissions due to modifications to existing permit units provided compensating emission reductions occur at permit units located in the same stationary source and within 8 kilometers (5 miles) of the existing permit units: Offset factor = 1.1

(3) For increased emissions due to new permit units provided compensating emission reductions occur at permit units located in the same stationary source and within 8 kilometers (5 miles) of the new permit units: Offset factor = 1.2

(4) For increased emissions with compensating emission reductions not in the same stationary source in all other circumstances: Offset factor = 1.2 + b(x)

where: x = the distance in kilometers between the affected source permit unit and the offset source permit unit

b = 0; when x is less than 8 kilometers (5 miles)

Rule 1307 (Cont'd)

b = 0.01; when x is equal to or greater than 8 kilometers (5 miles)

(b) Seasonal Sources
In addition to the requirements of section (a) above, seasonal emissions used for offset shall generally occur during the same five consecutive month period as the new source or modification operates. Seasonal offset sources shall not offset any other affected source other than a seasonal source.

(c) Intermittent Sources
In addition to the requirements of section (a) above, for affected intermittent sources and intermittent offset sources the emission increases and reductions shall be shown on annual emission profiles. Separate profiles for the affected and offset source shall be constructed by plotting on the same graph the absolute value of the source emissions and offset reductions in order of descending magnitude. The abscissa shall show the number of days in the year and the ordinate shall show the source emissions and offset reductions. Separate profiles shall be constructed for each affected air contaminant. The offset profile shall at no point fall below the profile of the affected intermittent source. Intermittent offset sources shall not offset any affected source other than an intermittent source.

(d) Interbasin Offsets
Interbasin offsets shall be allowed where the Executive Officer finds them to be the best offsets available to reduce air contaminants in the South Coast Air Quality Management District, and finds them adequate to result in a net air quality benefit in the area impacted by the affected source, provided the written concurrence of the Air Resources Board is obtained.

Rule 1308. Eligibility of Emission Offsets

(a) Source Eligibility
All offset sources and offset emissions shall be subject to the approval of the Executive Officer. In determining the eligibility of emission offsets within a Basin pursuant to this regulation, the Executive Officer shall consider reductions of the same air contaminant as the result of:

(1) For stationary sources the additional control of air contaminants from or removal from service of:

(A) Existing permit units, provided that in accordance with Rule 1305, new applications for permits to construct and operate are submitted for modified permit units or are surrendered for permit units taken out of service; or

(B) Existing exempt permit units, excluding equipment used in conjunction with any structure designed and used exclusively as a dwelling and excluding mobile

Rule 1308 (Cont'd)

sources. If modified or controlled in order to be used as an offset source, such equipment shall lose its exempt status and such permit unit will be subject to the requirements of Rule 203; or

(2) For mobile source emission reductions, provided the applicant demonstrates sufficient control over the mobile sources to assure the claimed reductions are realized, and provided the emission reductions are the result of:

(A) substitution and usage of high occupancy vehicles for low occupancy vehicles; or

(B) installation of additional emission control devices; or

(C) any other means, upon prior written approval of the Executive Officer; or

(3) For emission reductions which result from energy conservation projects; or

(4) For emission reductions by any other means, upon prior written approval of the Executive Officer.

(b) Offset Eligibility Requirements

The Executive Officer shall disallow an emission offset unless:

(1) the Executive Officer determines the offset is enforceable; and

(2) the affected source applicant demonstrates the degree of emission reduction; and

(3) in cases where the offset permit units are located more than 24 kilometers (15 miles) from the affected source permit units, the applicant demonstrates, through modeling, to the satisfaction of the Executive Officer that the offsets will result in a net air quality benefit in the area impacted by the affected source.

(c) Changes in Operating Hours

For the purpose of this rule, reductions in emissions due to changes in the hours of operation shall not qualify as an offset.

(d) Interpollutant Offsets

For the purpose of offsetting increased particulate emissions the Executive Officer may allow offsets of reactive hydrocarbons, SO_2 or NO_x, provided the applicant demonstrates to the satisfaction of the Executive Officer that required particulate emission offsets are not available. ~~For the purposes of this regulation, reductions in the emissions of ten kilograms of reactive hydrocarbons, four kilograms of sulfur oxides or two kilograms of oxides of nitrogen shall be considered equivalent to a reduction of one kilogram of particulate matter.~~ The rate of emission reductions between hydrocarbons, SO_2 or NO_x and particulate matter shall be determined by the Executive Officer based on existing air quality data and subject to the approval of the Air Resources Board.

(e) Emission reductions of 1,1,1-trichloroethane, methylene chloride, or trichlorotrifluoroethane shall not qualify as offsets for increases in emissions of reactive hydrocarbons.

Rule 1309. Banking

Reserved

Rule 1310. Analysis, Notice, and Reporting

(a) Completeness of Application
The Executive Officer shall determine whether the application is complete not later than 30 calendar days after receipt of the application, or after such longer time as both the applicant and the Executive Officer may agree. Such determination shall be transmitted in writing immediately to the applicant at the address indicated on the application. If the application is determined to be incomplete, the determination shall specify which parts of the application are incomplete and how they can be made complete. Upon receipt by the Executive Officer of any resubmittal of the application, a new 30-day period in which the Executive Officer must determine completeness shall begin. Completeness of an application or resubmitted application shall be evaluated on the basis of the guideline for such, published by the Executive Officer. After acceptance of an application as complete, the Executive Officer shall not subsequently request of an applicant any new or additional information which was not specified in the Executive Officer's list of items to be included within such applications. However, the Executive Officer may, during the processing of the application, request an applicant to clarify, amplify, correct, or otherwise supplement the information required in such list in effect at the time the complete application was received. Making any such request does not waive, extend, or delay the time limits in this rule for decision on the completed application, except as the applicant and Executive Officer may both agree.

(b) Requirements for Public Notice
For those sources subject to this regulation or exempt pursuant to Rule 1304(a), (c), (d), (e), or (g) following acceptance of an application as complete, the Executive Officer shall:

(1) Perform the evaluations required to determine compliance with this regulation and make a preliminary written decision as to whether a permit to construct should be approved, conditionally approved, or disapproved, or exempt. The decision shall be supported by a succinct written analysis; and

(2) Within 10 calendar days following such decision, publish a notice by prominent advertisement in at least one newspaper of general circulation in the District stating the preliminary decision of the Executive Officer and where the public may inspect the information required to be made available under subsection (b)(3). The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary decision; and

Rule 1310 (Cont'd)

(3) At the time notice of the preliminary decision is published, make available for public inspection at the District office the information submitted by the applicant, the supporting analysis for the preliminary decision, and the preliminary decision to grant or deny the permit to construct, including any proposed permit conditions, and the reasons therefor. The confidentiality of trade secrets shall be considered in accordance with Section 6254.7 of the Government Code; and

(4) No later than the date of publication of the notice required by subsection (b)(2), forward the analysis, the preliminary decision, and copies of the notice to the Air Resources Board (attn: Chief, Stationary Source Control Division) and the Regional Office of the U.S. Environmental Protection Agency; and

(c) Comments
Consider all written comments submitted during the 30-day public comment period; and

(d) Final Action
Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Executive Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency, and the California Air Resources Board, shall publish such notice in a newspaper of general circulation, and shall make the notice and all supporting documents available for public inspection at the District office.

Rule 1311. Power Plants

This section shall apply to all power plants proposed to be constructed in the District and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission (Commission).

(a) Intent to Participate and Preliminary Report
Within fourteen days of receipt of an NOI, the Executive Officer shall notify the California Air Resources Board and the Commission of the District's intent to participate in the NOI proceeding. If the District chooses to participate in the NOI proceeding, the Executive Officer shall prepare and submit a report to the California Air Resources Board and the Commission prior to the conclusion of the nonadjudicatory hearings specified in Section 25509.5 of the Public Resources Code. That report shall include, at a minimum:

(1) a preliminary specific definition or description of BACT for the proposed facility; and

(2) a preliminary discussion of whether there is substantial likelihood that the requirements of this regulation and all other District regulations can be satisfied by the proposed facility; and

(3) a preliminary list of conditions which the proposed facility must meet in order to comply with this regulation or any other applicable District regulation.

Rule 1311 (Cont'd)

The preliminary determinations contained in the report shall be as specific as possible within the constraints of the information contained in the NOI.

(b) Determination of Compliance Review
Upon receipt of an AFC for a power plant, the Executive Officer shall conduct a Determination of Compliance review. This Determination shall consist of a review identical to that which would be performed if an application for a permit to construct had been received for the power plant. If the information contained in the AFC does not meet the requirements which would otherwise comprise a complete permit to construct application pursuant to these Regulations, the Executive Officer shall, within 20 calendar days of receipt of the AFC, so inform the Commission, and the AFC shall be considered incomplete and returned to the applicant for resubmittal.

(c) Application for Permit to Construct
The Executive Officer shall consider the AFC to be equivalent to an application for a permit to construct during the Determination of Compliance review, and shall apply all provisions of these Regulations which apply to applications for a permit to construct.

(d) Additional Information
The Executive Officer may request from the applicant any information necessary for the completion of the Determination of Compliance review. If the Executive Officer is unable to obtain the information, the Executive Officer may petition the presiding Commissioner for an order directing the applicant to supply such information.

(e) Preliminary Decision
Within 180 days of accepting an AFC as complete, the Executive Officer shall make a preliminary decision on:
(1) whether the proposed power plant meets the requirements of this regulation and all other applicable District rules and regulations; and
(2) in the event of compliance, what permit conditions will be required including the specific BACT requirements and a description of required mitigation measures.

(f) Preliminary Decision Public Notice Requirements
The preliminary written decision made under subsection (e) shall be treated as a preliminary decision under Rule 1310(b)(1) and shall be finalized by the Executive Officer only after being subject to the public notice and comment requirements of Rule 1310.

(g) Determination of Compliance
Within 240 days of the filing date, the Executive Officer shall issue and submit to the Commission a Determination of Compliance or, if such a determination cannot be issued, shall so inform the Commission. A Determination of Compliance shall confer the same rights and privileges as a permit to construct only when and if the Commission approves the AFC, and the Commission certificate includes all conditions of the Determination of Compliance.

Rule 1312. Alternative Siting

Reserved

Rule 1313. Permits to Operate

(a) Analysis
The Executive Officer shall analyze the effects on air quality of sources subject to this regulation as determined in Rule 1303(a) and shall deny the permit to operate unless:
(1) the owner or operator of the source has submitted a completed application for permit to construct. Such application is deemed complete upon receipt by the applicant of the notice from the Executive Officer pursuant to Rule 1310; and
(2) it is determined that the new source or modification, and any sources which provide offsets have been taken out of service or constructed and operated in a manner consistent with the condition of the permit to construct; and
(3) it is determined that any offsets required as a condition of the permit to construct will commence at the time of or prior to initial operations of the new source or modification. For a new source or modification which will be a replacement, in whole or part, for an existing source on the same or contiguous property, a maximum of 90 days may be allowed as a start up period for simultaneous operation of the subject sources; and
(4) it is determined that all conditions specified in the permit to construct have been or will be complied with by any dates specified in such permits.

(b) Permit Conditions
The Executive Officer shall require as a condition for the issuance of any permit to operate for a new or modified source, that the source and any offset source be operated consistent with any conditions imposed on their respective permits to construct.

(c) Change of Ownership
The Executive Officer shall exempt from the provisions of this rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change in ownership.

(d) No Permit to Construct Issued
For new or modified permit units or sources which are constructed without the required permit to construct, the permit to operate application shall, for the purposes of this regulation, be considered a permit to construct application. The Executive Officer shall deny the permit to operate unless the new source or modification complies with all rules in this regulation whether the rules pertain to a permit to construct or permit to operate.

Rule 1314. Requirements for Amending Regulation XIII

On and after October 23, 1979, this Regulation may be amended by the SCAQMD, provided that no such amendment shall be effective unless and until the Executive Officer of the State Air Resources Board finds that such amendment does not impair the overall effectiveness or stringency of said Regulation, or efforts to attain statewide uniformity. The Executive Officer shall be deemed to have made such a finding unless he notifies the District to the contrary within thirty days of the filing with the Board of such amendments.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Amendments to the Rules and Regulations of the South Coast Air Quality Management District

Public Hearing Date: October 22, 1979

Issuing Authority: Air Resources Board

Comment: Ethane, 1,1,1 trichloroethane, methylene chloride, and trichlorotrifluoroethane are omitted from the definition of air contaminant contained in Rule 1302(c) of Regulation XIII. These substances may have an adverse environmental impact in that ethane will adversely effect ambient ozone concentrations, and that emissions of 1,1,1 trichloroethane, methylene chloride, and trichlorotrifluoroethane will likely result in depletion of the ozone layer and/or injurious effects to public health, and may be expected to affect adversely plant and insect life.

Response: The Board proposes to mitigate the identified adverse environmental effects by including emissions of such substances in the definition of air contaminants contained in Regulation XIII.

CERTIFIED: Sally Rump
Board Secretary, Air Resources Board

Date: October 23, 1979

ADOPTED

State of California
AIR RESOURCES BOARD

Resolution 79-84

December 19, 1979

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 2059, which reads:

2059. Assembly-Line Test Procedures - 1981 Model Year.
New 1981 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 1981 Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," adopted December 19, 1979.

BE IT FURTHER RESOLVED, that the Board hereby adopts the "California Assembly-Line Test Procedures for 1981 Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," dated December 19, 1979.

BE IT FURTHER RESOLVED, that the Board hereby finds that its regulations in Section 2059, 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 aggregrate, at least as protective of public health and welfare as applicable federal regulations.

I certify that the above is a true and correct copy of Resolution 79-84, as passed by the Air Resources Board.

Sally Rump

Board Secretary

State of California

AIR RESOURCES BOARD

California Assembly-Line Test Procedures for ~~1980~~ 1981 Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles

A. General Provisions

1. Applicability

These test procedures, adopted pursuant to Section 43210 of the California Health and Safety Code, are applicable to vehicle manufacturers of ~~1980~~ 1981 model year gasoline and diesel powered passenger cars, light-duty trucks, and medium-duty vehicles having an engine displacement of 50 cubic inches (820 cubic centimeters) or greater, except motorcycles, subject to registration and manufactured for sale in California.

2. Compliance

The procedures specify two types of tests: (1) a short inspection test to be applied to every vehicle before sale, and (2) a quality audit test according to the "California Exhaust Emission Standards and Test Procedures for ~~1980~~ 1981 Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles." A vehicle is in compliance with these assembly-line standards and test procedures when that vehicle is in compliance with the inspection test requirements and that vehicle's engine family is in compliance with the quality audit test requirements. Since quality audit evaluations occur less

frequently than the inspection tests, a vehicle which passes the inspection test may be presumed to be in compliance with the full assembly-line procedures pending meeting the quality audit evaluation of that vehicle's engine family.

3. Decal

Section 43200 of the Health and Safety Code requires manufacturers to affix a window decal in accordance with specific requirements. No vehicle subject to these test procedures may be sold and registered in this state which is not in compliance with the requirements of Section 43200 and this paragraph.

For vehicles manufactured during the first calendar quarter of model production and not to exceed 45 calendar days thereafter, the exhaust emissions shown on the window decal shall be the highest values from the engine family emission data fleet passing certification. Not more than 45 calendar days after the first quarter and each succeeding calendar quarter of production, the exhaust emissions shown on the window decal shall be the average quality audit

frequently than the inspection tests, a vehicle which passes the inspection test may be presumed to be in compliance with the full assembly-line procedures pending meeting the quality audit evaluation of that vehicle's engine family.

3. Decal

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For vehicles manufactured during the first calendar quarter of model production and not to exceed 45 calendar days thereafter, the exhaust emissions shown on the window decal shall be the highest values from the engine family emission data fleet passing certification. Not more than 45 calendar days after the first quarter and each succeeding calendar quarter of production, the exhaust emissions shown on the window decal shall be the average quality audit

values for the engine family during the previous calendar quarter of production. These values shall include the deterioration factor. During the second calendar quarter, however, the manufacturer may continue using the decal showing the highest values from the engine family emission data fleet, if the first calendar quarter is a short production period (less than a full calendar quarter). For engine families certified by carry-over, the emission data values from the last full quarter of the previous year's production may be used. For a model-year build-out production period, the decal emission values used for the previous production quarter may be used. Each vehicle emission decal shall have the following statement displayed thereon:

"This vehicle has been tested under and conforms to California Assembly-Line Test Requirements."

4. Access

Air Resources Board personnel and mobile laboratories shall have access to vehicle assembly plants, distribution facilities and test facilities for the purpose of vehicle selection, testing and observation. Scheduling of access shall be arranged with the designated manufacturer's representative and shall not unreasonably disturb normal operations.

5. Variations and Exemptions

Variations from these procedures which produce substantially equivalent results may be authorized by the Executive Officer. In extraordinary circumstances where compliance with these procedures is not possible or practicable, a manufacturer may appeal to the Air Resources Board for a temporary exemption.

B. Inspection Test Procedures

This inspection test shall be performed on all vehicles subject to these test procedures.

1. Inspection Test Procedures

(a) Functional Test

Functional tests of the engine components and control systems which affect emissions shall be made prior to the steady-state emissions tests. If a vehicle fails one or more functional tests, it must be repaired and pass a functional retest before it can be emission tested.

A list of the items to be functionally checked and a procedure for performing these checks shall be submitted to the Executive Officer prior to the start of production. Within 60 days of its receipt the Executive Officer may require revisions to the proposal.

5. Variations and Exemptions

Variations from these procedures which produce substantially equivalent results may be authorized by the Executive Officer. In extraordinary circumstances where compliance with these procedures is not possible or practicable, a manufacturer may appeal to the Air Resources Board for a temporary exemption.

B. Inspection Test Procedures

This inspection test shall be performed on all vehicles subject to these test procedures.

1. Inspection Test Procedures

(a) Functional Test

Functional tests of the engine components and control systems which affect emissions shall be made prior to the steady-state emissions tests. If a vehicle fails one or more functional tests, it must be repaired and pass a functional retest before it can be emission tested.

A list of the items to be functionally checked and a procedure for performing these checks shall be submitted to the Executive Officer prior to the start of production. Within 60 days of its receipt the Executive Officer may require revisions to the proposal.

(b) Steady State Emissions Test

The vehicle engine shall be adjusted to the manufacturer's specifications for delivery to the customer prior to the steady-state emissions test. This test shall consist of a determination of HC and CO exhaust concentrations with the engine operating in a normal idle condition. All tests, including those of control limit test vehicles, shall be conducted as follows:

(1) Vehicles shall be tested in the normal "warmed-up" operating temperature range, i.e., after the choke is fully open and the engine is at curb idle speed, but before thermal override devices are actuated to prevent overheating. The test may be performed in any transmission gear; however the same gear shall be used for control limit test vehicles and production vehicles. For each engine family, the idle test may be performed without AIR provided that the control limit vehicles are tested both with and without AIR. The requirements of section B.(3)(g) must be met with AIR.

The control limit test vehicles and all production vehicles should be warmed-up and tested in the same manner.

(2) The sampling probes of the analytical system shall be inserted into the exhaust outlets far enough to avoid dilution with the outside air. Where this is not possible, a tailpipe extension shall be used.

(3) A vehicle which fails a steady-state emissions test shall be retested or repaired and shall pass on retest prior to sale.

2. Evaluation

Any vehicle tested by the steady-state emissions test showing emissions less than the control limits established for its engine family or subgroup and which had previously passed the functional tests will be considered to be in compliance with the inspection test requirements.

3. Control Limits

The control limits for each engine family or subgroup at the start of a model year will be determined as follows:

(a) Measure the emissions from the first 100 vehicles of each engine family or subgroup tested by the steady-state assembly-line inspection test.

(b) Determine the mean emission level and standard deviation for each pollutant (HC and CO).

(c) The control limit for each pollutant is the sum of the mean plus two times the standard deviation for that pollutant.

(d) Until the first control limits are established the manufacturer shall use temporary control limits based on the first ten tests. These ten vehicles are deemed to meet the control limits so established.

(3) A vehicle which fails a steady-state emissions test shall be retested or repaired and shall pass on retest prior to sale.

2. Evaluation

Any vehicle tested by the steady-state emissions test showing emissions less than the control limits established for its engine family or subgroup and which had previously passed the functional tests will be considered to be in compliance with the inspection test requirements.

3. Control Limits

The control limits for each engine family or subgroup at the start of a model year will be determined as follows:

(a) Measure the emissions from the first 100 vehicles of each engine family or subgroup tested by the steady-state assembly-line inspection test.

(b) Determine the mean emission level and standard deviation for each pollutant (HC and CO).

(c) The control limit for each pollutant is the sum of the mean plus two times the standard deviation for that pollutant.

(d) Until the first control limits are established the manufacturer shall use temporary control limits based on the first ten tests. These ten vehicles are deemed to meet the control limits so established.

(e) (i) For control systems that do not use catalytic converters - If the HC control limit value is determined in subparagraph (c) is less than 100 ppm, the HC control limit value may be increased by up to 50 ppm, not to exceed 100 ppm. If the CO control limit determined in subparagraph (c) is less than 1.0 percent, the CO control limit may be increased by up to 0.5 percent, not to exceed 1.0 percent.

(ii) For control systems that use catalytic converters - If the HC control limit value determined in subparagraph (c) is less than 50 ppm, the control limit value may be increased by up to 30 ppm, not to exceed 50 ppm.

If the CO control limit determined in subparagraph (c) is less than 0.5 percent, the CO control limit may be increased by up to 0.3 percent, not to exceed 0.5 percent.

(f) Idle control limit values may be rounded to the nearest 10 ppm HC and 0.1 percent CO in conformance to ASTM E29-67 except where this would result in a zero value.

(g) The maximum allowable steady-state control limits for HC and CO are those values used as the idle mode standard shown in Section 2176, Title 13 of the California Administrative Code for the ~~1980~~ 1981 model-year. An exemption to this requirement will be granted providing the manufacturer submits emission data with each quarterly report listed in one of the options below:

(1) Submit with each quarterly assembly-line report HC and CO emission values measured at engine idle speed for each quality audit vehicle tested and the computed mean and standard deviation of HC and CO emission results for the total number of vehicles tested, by engine family. Measurements of HC and CO shall be conducted immediately following completion of the dynamometer run and vehicles shall be in a state described under B.1 (b) (1) above. If less than 30 vehicles were quality audit tested during the reporting quarter the computation of the means and standards deviation are not required.

(2) Submit quarterly HC and CO emission values measured at engine idle speed for a minimum of 30 vehicles in the engine family or sub-group immediately after these vehicles have complied with the assembly-line inspection procedures and have either been run-in a distance of 50 miles (on the road or dynamometer) or after other appropriate engine break-in has been performed and the engine is operating at a fully warmed-up condition as described in B.1 (b) (1) above. In addition to emission results of individual vehicles, the mean and standard deviation shall be computed and submitted.

(3) The manufacturer may propose other methods to achieve results equivalent to the two options above. These emission data shall be obtained from stabilized vehicles which have emission control systems with no defects and are properly adjusted to manufacturers specifications.

(h) Control limits with AIR operating shall be calculated and reported for information purposes for those engine families that are tested without AIR in operation.

(1) Submit with each quarterly assembly-line report HC and CO emission values measured at engine idle speed for each quality audit vehicle tested and the computed mean and standard deviation of HC and CO emission results for the total number of vehicles tested, by engine family. Measurements of HC and CO shall be conducted immediately following completion of the dynamometer run and vehicles shall be in a state described under B.1 (b) (1) above. If less than 30 vehicles were quality audit tested during the reporting quarter the computation of the means and standards deviation are not required.

(2) Submit quarterly HC and CO emission values measured at engine idle speed for a minimum of 30 vehicles in the engine family or sub-group immediately after these vehicles have complied with the assembly-line inspection procedures and have either been run-in a distance of 50 miles (on the road or dynamometer) or after other appropriate engine break-in has been performed and the engine is operating at a fully warmed-up condition as described in B.1 (b) (1) above. In addition to emission results of individual vehicles, the mean and standard deviation shall be computed and submitted.

(3) The manufacturer may propose other methods to achieve results equivalent to the two options above. These emission data shall be obtained from stabilized vehicles which have emission control systems with no defects and are properly adjusted to manufacturers specifications.

(h) Control limits with AIR operating shall be calculated and reported for information purposes for those engine families that are tested without AIR in operation.

Control limit values shall be recalculated for each production quarter based on the measured emissions from at least 100 vehicles produced during the last half of the preceding quarter of production for each engine family or subgroup tested by the steady-state emissions test. When production levels do not permit compliance with the above, data from vehicles produced during the first half of the preceding quarter may be used. If the quarterly production of any engine family is less than 100 vehicles, the manufacturer shall use the test results from all vehicles produced during that quarter in determining the control limit values for the next quarter.

The Executive Officer shall be notified within one week if control limit values are recalculated following running changes which affect idle emissions levels. The new control limit values and the date they first went into effect shall be part of the notification.

All testing, reports, evaluations, etc. shall be by engine family except when the Executive Officer has approved a breakdown by subgroups (e.g., different carburetors, engine displacements, control systems, transmissions, and inertia weights), by assembly plant, or both.

Note: Data from any vehicle indicating gross engine malfunction, and/or failure or disconnection of any emission control component, shall be excluded from that used for generating control limits. Retest data on vehicles exceeding the control limits shall not be used in determining control limits for subsequent quarters.

4. Reports

Reports shall be submitted to the Air Resources Board within 45 calendar days of the end of each calendar quarter and within 45 calendar days of the end of the manufacturer's model production year. Results for two different model years shall not be combined statistically.

The report shall include:

(a) The temporary quarterly control limit values obtained for the first quarter of production.

(b) The mean and the standard deviation of the steady-state emissions tests used to determine the quarterly control limits.

(c) The steady-state control limit values for the next quarter's production.

(d) From a representative sample of vehicles approved by the Executive Officer, the number and percentage of vehicles:

(1) failing the first test

(2) repaired or adjusted.

All HC values should be stated as hexane equivalents for NDIR measurement and ppm carbon if a flame ionization detector is used. The hexane equivalent conversion value shall be supplied for each different model of flame ionization detector used and for each engine family.

C. Quality Audit Test Procedures

1. Standards and Test Procedures

The emission standards and the exhaust sampling and analytical procedures shall be those described in the "California Exhaust

4. Reports

Reports shall be submitted to the Air Resources Board within 45 calendar days of the end of each calendar quarter and within 45 calendar days of the end of the manufacturer's model production year. Results for two different model years shall not be combined statistically.

The report shall include:

(a) The temporary quarterly control limit values obtained for the first quarter of production.

(b) The mean and the standard deviation of the steady-state emissions tests used to determine the quarterly control limits.

(c) The steady-state control limit values for the next quarter's production.

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All HC values should be stated as hexane equivalents for NDIR measurement and ppm carbon if a flame ionization detector is used. The hexane equivalent conversion value shall be supplied for each different model of flame ionization detector used and for each engine family.

C. Quality Audit Test Procedures

1. Standards and Test Procedures

The emission standards and the exhaust sampling and analytical procedures shall be those described in the "California Exhaust

Emission Standards and Test Procedures for ~~1980~~ 1981 Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles" applicable to vehicles tested for exhaust emissions only, with the following exceptions or additions:

(a) After the inspection tests, no emissions tests may be performed on a quality-audit vehicle prior to the first quality audit test, except where such tests are run on all vehicles manufactured for sale in California.

(b) The vehicle shall begin the test sequence as received from the inspection test, except for mileage accumulation or engine run-in. The schedule for mileage accumulation or engine run-in and any changes to the schedule must be submitted to the Executive Officer with each quarterly report. This schedule must be adhered to for all quality audit testing within an engine family and subgroup or engine family and assembly plant as appropriate.

(c) A new carbon canister may be installed on the vehicle at the start of the test sequence. The test sequence shall consist of one Urban Dynamometer Driving Schedule (UDDS) test procedure, followed by a cold-soak and CVS test. The Federal test procedure requirement, consisting of heating the fuel before the CVS test, is to be omitted. The manufacturer may request permission to use an alternate preconditioning procedure provided the manufacturer demonstrates that it will not affect the loading of the carbon canister when compared with the UDDS.

(d) Except as provided in paragraph C.1.(f) below, no vehicle selected for quality audit testing shall be repaired or adjusted after passing the inspection test except for a vehicle that: (1) is not testable, e.g. cannot be started, transmission or brakes lock-up, (2) is not reasonably operative, e.g. some transmission gears not functioning, (3) is unsafe to test, or (4) would be damaged by testing.

Each adjustment or repair performed on a vehicle prior to each test shall be included in the regular quarterly reports. The vehicle condition and symptoms and reason(s) for each repair or adjustment shall also be listed.

~~(d)~~ (e) If a vehicle is shipped to a remote facility for quality audit testing, correction of damage or maladjustment, which ~~may reasonably~~ be is found to have resulted from shipment of the vehicle, is permitted only after the initial test of the vehicle, except as provided in paragraph (d) above. ~~for compelling reasons. Compelling reasons are that the vehicle is not testable, or is not reasonable operative, or is not safe to drive, or that damage to the vehicle would be likely if the vehicle were tested.~~

All adjustments or repairs performed on vehicles prior to each test

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All adjustments or repairs performed on vehicles prior to each test

shall be reported to the Executive Officer by inclusion in the quarterly report. The vehicle condition and symptoms and reason(s) for each repair or adjustment shall also be listed. In the event a retest is performed application may be made to the Executive Officer for permission to substitute the after-repair test results for the original test results. The Executive Officer will either affirm or deny the application. ~~within ten working days.~~ When requested by the manufacturer, no more than 10 days after the production quarter, response from the Executive Officer will be within 10 working days.

(f) If a vehicle is shipped to a remote facility for quality audit testing, no pre-delivery type inspection, adjustment or repair of vehicles selected for quality audit is allowed except as follows: if subsequent to shipping from the assembly-line, the manufacturer performs the particular inspection and correction of damage or maladjustment at designated preparation facility locations for all vehicles produced and the manufacturer's written inspection instructions are approved by the Executive Officer, then these specific inspections and corrections will be allowed prior to testing quality audit vehicles.

~~However, if 100% of the manufacturer's production is given a particular correction of damage or maladjustment by the manufacturer's~~

~~own-personnel-subsequent-to-consignment-for-shipping-from-that manufacturer's-assembly-line,-that-same-correction-of-damage or-maladjustment-will-be-allowed-prior-to-initial-testing-to-the specific-vehicles-randomly-selected-for-testing,-provided-the manufacturer's-written-instructions-are-submitted-to-the-Executive Officer.~~

(g) If the emission test results of a vehicle are determined to be invalid by the manufacturer, the vehicle must be retested. Emission results from all tests shall be reported. A detailed report on the reasons for each invalidated test shall be included in the quarterly report.

2. Vehicle Sample Selection

The vehicle manufacturer shall randomly select vehicles within each engine family for quality audit testing. Each selected vehicle for quality audit testing must pass the inspection test, be equipped with emission control systems certified by the ARB, and be representative of the manufacturer's California sales. The procedure for randomly selecting vehicles must be submitted to the Executive Officer prior to production.

A continuous sample rate shall be chosen by the manufacturer to provide a sample which is representative of the total production. The manufacturer shall select a sample rate which he or she determines will be satisfactory for use by the Air Resources Board in determining the number of vehicles in the entire population of a particular engine

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A continuous sample rate shall be chosen by the manufacturer to provide a sample which is representative of the total production. The manufacturer shall select a sample rate which he or she determines will be satisfactory for use by the Air Resources Board in determining the number of vehicles in the entire population of a particular engine

family which do not meet Board established emission standards by extrapolation from the percentage of the sample not meeting the standards. The results from the sample may be extrapolated to the entire population subject to the provisions relating to vehicle exclusion contained in Paragraph 3 below. The sample rate so chosen shall not be less than 2.0%. The manufacturer shall notify the Executive Officer of any changes to the sample rate. The date of such change shall be reported in accordance with Paragraph 4 below.

Four wheel drive vehicles which can be manually shifted to a two wheel drive mode will be tested in the normal on-highway two wheel drive mode of operation. If full time four wheel drive vehicles are selected, substitutions may be made with comparable two wheel drive vehicles of the same engine family. If comparable two wheel drive vehicles are not available, selected full time four wheel drive vehicles will be tested after having the front drive wheels temporarily disengaged or the front end of the vehicle elevated.

The Executive Officer may, upon notice to the manufacturer, require the sample rate to be increased to a maximum of ten percent of production (not to exceed 30 additional vehicles) of the calendar quarterly production of any engine family by invoking Section 2110, Chapter 3, Title 13 of the California Administrative Code.

3. Evaluation

The evaluation shall be performed on sample sizes containing 30 or more vehicles. If a sample size for a particular production quarter is less than 30 vehicles, the data from that quarter shall

be combined with the data from each successive quarter until at least 30 vehicles have been quality-audit tested. If the sample size for the last quarter's production does not contain at least 30 vehicles, the data from the last quarter shall be combined with each preceding quarter until the sample size contains at least 30 vehicles. For an engine family which contains both light-duty trucks and medium-duty vehicles, all references in this test procedure to engine family shall mean light-duty truck subgroup or medium-duty vehicle subgroup.

Based upon additional information submitted by a manufacturer, the Executive Officer may allow rejection of any data from vehicles if they are considered to be not representative of production.

For each production quarter if 30 or more vehicles are tested, the ARB shall consider that probable cause exists for finding a violation by any engine family if the average emissions of any pollutant, after multiplying the emission data of each vehicle by the appropriate certification deterioration factor, ~~and the assigned methane content correction factor (for hydrocarbons only),~~ exceed the applicable ~~1980~~ 1981 exhaust emission standards, when rounded to the same number of significant digits as the standard.

The Executive Officer may invoke Section 2109, Chapter 3, Title 13 of the California Administrative Code if probable cause is found for a full or combined production quarter. The Executive Officer may invoke Section 2110, Chapter 3, Title 13 of the California

be combined with the data from each successive quarter until at least 30 vehicles have been quality-audit tested. If the sample size for the last quarter's production does not contain at least 30 vehicles, the data from the last quarter shall be combined with each preceding quarter until the sample size contains at least 30 vehicles. For an engine family which contains both light-duty trucks and medium-duty vehicles, all references in this test procedure to engine family shall mean light-duty truck subgroup or medium-duty vehicle subgroup.

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The Executive Officer may invoke Section 2109, Chapter 3, Title 13 of the California Administrative Code if probable cause is found for a full or combined production quarter. The Executive Officer may invoke Section 2110, Chapter 3, Title 13 of the California

Administrative Code if probable cause is found for a short start-up production period (less than a full calendar quarter), for the first thirty vehicles quality audit tested during any production quarter or from the start of production, or for vehicles evaluated in accordance with the monthly evalution required by paragraph 4 below. In addition, the ARB may seek statutory penalties pursuant to Sections 43211 and 43212 of the California Health and Safety Code at the end of each full or combined calendar quarter of production.

If the Executive Officer invokes Section 2109 or 2110, an evaluation will be made on vehicles produced subsequent to the invocation of a plan adopted pursuant to Section 2109 or 2110 as long as the sample size contains at least 30 vehicles.

If more than 1.0 percent (at least two vehicles) of the sample within an engine family has projected emissions which exceed the applicable standards by more than 2.33 standard deviations at the time of any evaluation of that family's average emissions, the manufacturer shall report such fact to the Executive Officer within 10 working days. Within 30 working days the manufacturer shall submit: (a) an analysis of the projected average emissions for each engine code/transmission type/inertia weight combination within that family; (b) an engineering evaluation of the cause of failure for each vehicle which exceeded the standard by more than 2.33 standard deviations; (c) the manufacturer's opinion as to the nature of the problem; and (d) any corrective action proposed by the manufacturer.

The Executive Officer shall review the report, and may require that the proposed corrective action be taken. If, after review of the report, the Executive Officer finds the proposed corrective action inadequate, the Executive Officer may invoke Section 2109 or 2110, as appropriate.

Non-Methane or Total Hydrocarbon Measurements
~~Methane Content Correction Factor (MCCF)~~

1. For an engine family certified to the non-methane hydrocarbon standard ~~(0.39) either: the measured total hydrocarbon value shall be multiplied by the non-methane deterioration factor (DF) and by a MCCF of 0.89 for passenger cars and 1.0 for trucks (or alternate value approved by the ARB). Or:~~ the manufacturer shall ~~may~~ measure the non-methane hydrocarbon content which shall be multiplied by the non-methane deterioration factor (DF).

2. For an engine family certified to the total hydrocarbon standard, ~~(0.41)~~, the measured total hydrocarbon value shall be multiplied by the total hydrocarbon deterioration factor (DF). ~~and by the MCCF of 0.89 for passenger cars and 1.0 for trucks (or other alternate values approved by the Executive Officer.)~~

4. Reports

Each vehicle manufacturer shall submit a report to the Air Resources Board within 45 calendar days after the end of each calender quarter and 45 calendar days after the end of the production year. More

The Executive Officer shall review the report, and may require that the proposed corrective action be taken. If, after review of the report, the Executive Officer finds the proposed corrective action inadequate, the Executive Officer may invoke Section 2109 or 2110, as appropriate.

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2. For an engine family certified to the total hydrocarbon standard, ~~(0.41)~~, the measured total hydrocarbon value shall be multiplied by the total hydrocarbon deterioration factor (DF). ~~and by the MCCF of 0.89 for passenger cars and 1.0 for trucks (or other alternate values approved by the Executive Officer.)~~

4. Reports

Each vehicle manufacturer shall submit a report to the Air Resources Board within 45 calendar days after the end of each calender quarter and 45 calendar days after the end of the production year. More

frequent reports may be required if the Executive Officer invokes Section 2109 or 2110, Chapter 3, Title 13 of the California Administrative Code. Each vehicle manufacturer shall review the test results of the first 30 test vehicles of each engine family for each calendar quarter of production or from the start of production, and the quarter's cumulative test results of each engine family at the end of each month. If the sample size is 30 or more vehicles and either of the two conditions specified in the Evaluation Section are met, the Executive Officer shall be notified within 10 working days.

The quarterly report shall include the following:

(a) The total production and sample size for each engine family.

(b) A description of each test vehicle ((i.e., data of test, engine family, engine size, vehicle identification number, fuel system (e.g., number of venturi, fuel injection, etc.), transmission type, test ~~inertia~~ weight used, dynamometer power absorber setting in horsepower, engine code or calibration number and test location)).

(c) The CVS exhaust emission data ~~(corrected for methane, if applicable)~~ and carbon dioxide data for each test vehicle. The data reported shall be rounded to one significant figure beyond the number of significant figures in the applicable standard. Deterioration

factors shall be stated, then applied to the data. The data reported after the deterioration factors are applied shall be rounded using the "rounding off method" specified in ASTM: E29-67 to the number of places to the right of the decimal point as follows for all vehicles:

	HC	CO	NOx	CO_2
~~Passenger cars~~	.XXX	.XX	.XX	.X
~~Trucks~~	~~.XX~~	~~.X~~		

(d) The retest emissions data as described in paragraph (c) above for any vehicles failing the initial test, and description of the corrective measures taken including specific components replaced or adjusted.

(e) A statistical analysis of the quality-audit test results for each engine family stating:

(1) Number of vehicles tested.

(2) Average emissions and standard deviation of the sample for hydrocarbons ~~(corrected for methane, if applicable)~~, carbon monoxide and oxides of nitrogen both before and after applying deterioration factors. In the latter case, the individual test points shall be multiplied by deterioration factors prior to computing the average and standard deviation. The average emissions and standard deviation of the sample for carbon dioxide shall also be listed.

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	HC	CO	NOx	CO_2
~~Passenger cars~~	.XXX	.XX	.XX	.X
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(e) A statistical analysis of the quality-audit test results for each engine family stating:

(1) Number of vehicles tested.

(2) Average emissions and standard deviation of the sample for hydrocarbons ~~(corrected for methane, if applicable)~~, carbon monoxide and oxides of nitrogen both before and after applying deterioration factors. In the latter case, the individual test points shall be multiplied by deterioration factors prior to computing the average and standard deviation. The average emissions and standard deviation of the sample for carbon dioxide shall also be listed.

(3) The applicable exhaust emission standards to be met, listing specific options selected and designating when 100,000 mile standards apply and where non-methane or total hydrocarbon standards apply.

~~(f) Since the manufacturer has the option of certifying vehicles with either non-methane or total hydrocarbon instrumentation, the specific method used for quality audit testing shall be indicated for each engine family.~~

(f) Every aborted test and reason for abort shall be reported.

(g) If both four-wheel and two-wheel drive vehicles are included in a light duty truck engine family under 4,000 pounds inertia weight, then quality audit test data from four-wheel drive vehicles shall be distinguished from and summarized separately from two-wheel drive vehicles.

(h) Control limits with AIR operating shall be calculated and reported for information purposes for those engine families that are tested without AIR in operation.

(i) The final report shall include the date of the end of the manufacturer's model production year for each engine family.

The reports required by this paragraph and paragraph B.4. should be sent to:

Chief, Mobile Source Control Division
~~Vehicle-Emissions-Control-Division~~
California Air Resources Board
9528 Telstar Avenue
El Monte, CA 91731

DEFINITIONS

The definitions in Section 1900 (b), Chapter 3, Title 13 of the California Administrative Code shall apply with the following additions:

1. Calendar Quarter is defined as those three month periods of time which start on the 1st days of January, April, July and October.
2. First or Last Calendar Quarter Production is defined as the calendar quarter in which the production of an engine family begins or ends.
3. End of Assembly-Line is defined as that place where the final inspection test or quality audit test is performed.
4. Assembly-Line Tests are those tests or inspections which are performed at the end of the assembly-line.
5. Assembly-Line Quality Audit Test is defined as the test performed on a minimum sample of 2.0% of the production vehicles for sale in California.
6. Assembly-Line Inspection Tests are those steady-state and functional tests performed on production vehicles for sale in California.
7. Functional Test is defined as a type of test or inspection which is performed on engines or vehicles to detect if the emission control system is operating properly.
8. Gross Engine Malfunction is defined as one yielding an emission value greater than the sum of the mean plus three (3) times the standard deviation. This definition shall apply only for determination of control limits.

The reports required by this paragraph and paragraph B.4. should be sent to:

Chief, Mobile Source Control Division
~~Vehicle Emissions Control Division~~
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5. Assembly-Line Quality Audit Test is defined as the test performed on a minimum sample of 2.0% of the production vehicles for sale in California.
6. Assembly-Line Inspection Tests are those steady-state and functional tests performed on production vehicles for sale in California.
7. Functional Test is defined as a type of test or inspection which is performed on engines or vehicles to detect if the emission control system is operating properly.
8. Gross Engine Malfunction is defined as one yielding an emission value greater than the sum of the mean plus three (3) times the standard deviation. This definition shall apply only for determination of control limits.

State of California

Memorandum

To : Huey D. Johnson
Secretary
RESOURCES AGENCY

Date : March 24, 1980

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

From : Air Resources Board

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

Sally Rump

Sally Rump
BOARD SECRETARY

attachments
Resolution 79-84

STATE OF CALIFORNIA
AIR RESOURCES BOARD

Resolution 79-85

November 29, 1979

WHEREAS, the ARB is responsible for the preparation of federally required State Implementation Plan (SIP) amendments which provide for reasonable further progress toward attainment of federal air quality standards;

WHEREAS, the ARB has now reviewed, commented upon, amended, and adopted SIP revisions for all areas in the state which do not yet meet the federal standards;

WHEREAS, completion of the SIP amendment process presented a major challenge to both the ARB staff and the Board;

WHEREAS, adoption of the SIP amendments and their submittal to the EPA signifies a continuing commitment and a major step towards California's goal of a clean air environment for all of the people of the state; and

WHEREAS, the adoption of these SIP amendments has required a coordinated, intensive effort by each of ARB's eight divisions and the Executive Office staff since passage of the Clean Air Act Amendments of 1977;

NOW, THEREFORE, BE IT RESOLVED, that the Board finds that submission to EPA of effective, technically sound, and well-drafted plans to attain the federal standards was only possible because of the outstanding efforts put forth by the ARB staff,

BE IT FURTHER RESOLVED, that the Board expresses its appreciation to the entire ARB staff for a job well done and hereby commends the staff individually for contributing to the achievement of clean air in California;

BE IT FURTHER RESOLVED, that the Board requests the Executive Officer to transmit forthwith a copy of this resolution to every member of the ARB staff.

Mary D. Nichols, Chairwoman

Laurence S. Caretto, Vice-Chairman

Marjorie W. Evans, Member

James G. Leathers, Member

Alvin S. Gordon, Member