

State of California  
AIR RESOURCES BOARD

Resolution 80-55

October 22, 1980

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Board to adopt vehicle emission standards and test procedures in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, Section 43652 of the Health and Safety Code requires that every 1955 through 1965 model year motor vehicle subject to registration in this state be equipped with a certified device to control its exhaust emissions in accordance with a schedule of installation adopted by the Board;

WHEREAS, the Board adopted a schedule for installation of exhaust retrofit devices on 1955 through 1965 light-duty motor vehicles (Section 2007, Title 13, California Administrative Code) commencing September 1, 1972 in the South Coast Air Basin; December 1, 1972, in the San Diego Air Basin; and March 1, 1973, in the San Francisco Bay Area Air Basin;

WHEREAS, Section 43659(a) of the Health and Safety Code requires that the Board annually review the 1955 through 1965 exhaust retrofit program and evaluate the benefits of continuing the requirements;

WHEREAS, Section 43659(c) of the Health and Safety Code authorizes the Board, upon determination that the 1955 through 1965 exhaust retrofit requirement is no longer a significant factor for the attainment and maintenance of ambient air quality standards, to adopt a regulation terminating the requirement;

WHEREAS, Section 43659(d) of the Health and Safety Code requires that all 1955 through 1965 model year light-duty motor vehicles equipped with an exhaust retrofit device prior to a program termination date shall continue to be so equipped;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project having adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available;

WHEREAS, the Board has quantified the air quality impacts of terminating the 1955 through 1965 exhaust retrofit program in 1980 and finds that such impacts would be minimal and that feasible mitigation measures are not available in light of the segment of the population upon which the costs of mitigation measures would be imposed;

WHEREAS, the Board finds that the number of 1955 through 1965 model year light-duty vehicles yet to be retrofitted is small, that the emission reduction potential of continuing the program beyond 1980 is small, and that the costs of this small reduction is being imposed on individuals who are often from low income groups;

WHEREAS, the Board finds that the incremental cost effectiveness of continuing the 1955 through 1965 model year light-duty exhaust retrofit program beyond 1980 worsens markedly due to the associated fuel penalty and increasing costs of gasoline;

WHEREAS, the Board finds that the availability of 1955 through 1965 model year light-duty exhaust retrofit devices may become a significant problem due to the present depletion of inventories which are not being restocked;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5, Part 1, Division 3, Title 2 of the Government Code;

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

Add subsection 2007.5 to read:

2007.5 Termination of the 1955 through 1965 Model Year Light-Duty Motor Vehicle Exhaust Emission Control Device Requirements. Commencing January 1, 1981, the requirement for new installations of 1955 through 1965 model year light-duty exhaust retrofit devices pursuant to Section 2007 shall be terminated. All 1955 through 1965 model year light-duty motor vehicles with exhaust retrofit devices which were installed prior to the January 1, 1981, termination date shall continue to be so equipped.

I certify that the above is a true and correct copy of Resolution 80-55, as adopted by the Air Resources Board.

  
BOARD SECRETARY

# Memorandum

To : Huey D. Johnson  
Secretary  
Resources Agency

Date : November 3, 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

Attach: Resolution 80-<sup>44</sup>55  
~~XXXXXXXXXXXX~~

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Office of the Secretary

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Resources Agency of California

State of California  
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Repeal of the 1955-65 Model Year Motor Vehicle Exhaust Retrofit Emission Control Requirements - Title 13, California Administrative Code Section 2007

Agenda Item No. 80-20-2

Public Hearing Date: October 22, 1980

Response Date: October 22, 1980

Issuing Authority: Air Resources Board

Comment: The concern was expressed that some increase in emissions will result over levels currently predicted in the State Implementation Plan if this retrofit program is repealed. Given current air quality, some witnesses urged the Board not to repeal any program that effects emissions reductions, even though the reductions are very small. They urged the Board to either retain the program or adopt mitigation measures.

Response: The Board made a finding that the environmental impact of the program is not significant, within the meaning of the California Environmental Quality Act. The Board acknowledged that a slight increase in emissions will result from repealing the program. However, the Board made a finding that mitigation measures are not feasible because of the segment of the population upon which the costs of mitigation would fall, namely a relatively small number of individuals, who are often in lower income brackets. The Board found imposition of the costs of either the current retrofit program or alternatives to it upon that segment of the population to be economically infeasible and therefore found mitigation measures to be infeasible under the California Environmental Quality Act and Board regulations.

CERTIFIED:

Sally Rump  
Sally Rump  
Board Secretary

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