State of California
AIR RESOURCES BOARD

Resolution 90-46

July 12, 1990

Agenda Item No.: 90-09-03

WHEREAS, Health and Safety Code Section 39606(b) directs the Air Resources Board (ARB or Board) to "adopt standards of ambient air quality for each air basin in consideration of the public health, safety, and welfare...", and whereas the Board has adopted such standards as set forth in Section 70200 of Title 17, California Code of Regulations;

WHEREAS, Health and Safety Code Sections 39600, 39605, and 40916 authorize the Board to act as necessary to execute the powers and duties granted to and imposed upon the Board and to assist the local and regional air pollution control and air quality management districts (districts) in their efforts to attain the state ambient air quality standards;

WHEREAS, Health and Safety Code Section 39003 directs the Board to "systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state";

WHEREAS, Health and Safety Code Section 40910 states that districts shall "endeavor to achieve and maintain state ambient air quality standards for ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide by the earliest practicable date..." and "...shall consider the full spectrum of emissions sources and focus particular attention on reducing the emissions from transportation and areawide emission sources.";

WHEREAS, Health and Safety Code Sections 40911 and 40913 require districts which have not attained such state ambient air quality standards to prepare and submit to the Board no later than June 30, 1991, a plan for their attainment and maintenance by the earliest practicable date;

WHEREAS, Health and Safety Code Section 40914(a) requires the plan to achieve a reduction in districtwide emissions of at least five percent per year for each nonattainment pollutant or its precursors unless an alternative measure of progress is approved;

WHEREAS, the California Clean Air Act, in Sections 40918, 40919, and 40920 of the Health and Safety Code, requires:

> areas with moderate air pollution to include in such plans, to the extent necessary to meet the planning requirements of the Act, provisions to develop an indirect source control program, among other specified measures;
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> areas with serious air pollution to include, in addition to all measures specified above, transportation control measures to substantially reduce passenger vehicle trips and miles traveled per trip, among other specified measures;

areas with severe air pollution to include, in addition to all measures specified above, transportation control measures to achieve an average during weekday commute hours of 1.5 or more persons per passenger vehicle by 1999 and no net increase in vehicle emissions after 1997;

WHEREAS, the Board adopted Resolution #88-60 on December 8, 1988, which states the Board's commitment to assist state, regional, and local efforts to reduce emissions from motor vehicles by reducing the growth in usage and by reducing dependency on the single occupancy vehicle;

WHEREAS, Health and Safety Code Sections 41500 and 41503(a) require the Board to review each district's plan to determine whether the attainment date specified therein represent the earliest practicable date and whether the measures contained in the plan are sufficient to achieve and maintain the state ambient air quality standards;

WHEREAS, Health and Safety Code Section 40716(a) states that the district may adopt and implement regulations to reduce or mitigate emissions from indirect and areawide sources of air pollution and to encourage or require the use of ridesharing, vanpooling, flexible work hours, or other measures which reduce the number or length of vehicle trips;

WHEREAS, Health and Safety Code Section 40440(b)(3) requires the South Coast Air Quality Management District (AQMD) to adopt rules and regulations to provide for indirect source controls in those areas of the South Coast AQMD in which there are high-level, localized concentrations of pollutants or with respect to any new source that will have a significant effect on air quality in the South Coast Air Basin.

WHEREAS, Health and Safety Code Sections 42300 and 42311(a) authorize the districts to establish permit systems and fee schedules to cover the cost of district programs related to permitted sources, while Section 42311(g) authorizes the districts to assess fees on areawide and indirect sources which are regulated, but for which permits are not required, to recover the costs of district programs related to these sources;

WHEREAS, the staff has prepared a draft guidance document titled <u>California Clean Air Act Guidance for the Development of Indirect Source Control Programs</u>, and has participated in public workshops to discuss various approaches to indirect source control programs on two occasions, one on June 12, 1990 in Sacramento, and one on June 22, 1990, in Los Angeles; and

WHEREAS, after considering the staff report and the public comments presented, the Board finds that:

1. significant emissions reductions are needed in the nonattainment areas to achieve the state standards and to meet the requirements of the California Clean Air Act;

2. emissions from on-road motor vehicles account for a significant portion of the total emissions in the state ranging from four percent for PM10 to 67 percent for carbon monoxide;

3. use of the motor vehicle is increasing at a rapid rate, in significant part due to population growth, but also due to the general increasing use of the motor vehicle;

4. use of the motor vehicle is associated with travel to and from both existing and new indirect sources, such as employment sites, shopping centers, housing developments, airports, and commercial or industrial developments;

5. technological controls on tailpipe and evaporative emissions, despite their increasing stringency, are not sufficient in the long run to result in an overall decrease of motor vehicle-related emissions due to increased vehicle use;

6. significant emissions reductions can and should be achieved by reducing motor vehicle usage through the implementation of indirect source control programs in nonattainment districts;

7. indirect source control programs can also be an effective strategy to maintain state standards;

8. there are a number of different approaches which can be used to reduce emissions from both new and existing indirect sources and these approaches include, but are not limited to: a permit program, source specific regulations or ordinances, increased participation in the CEQA process, and the integration of land use policies, transportation policies, and air quality policies, in conjunction with, or in lieu of, any or all other approaches; and

9. participation by cities and counties, and other affected parties, will enhance the effectiveness of indirect source control programs.

NOW, THEREFORE, BE IT RESOLVED that the Board advocates the development of indirect source control programs for both new and existing sources as an effective tool to attain and maintain state ambient air quality standards as expeditiously as practicable and as a key strategy in the 1991 plans.

BE IT FURTHER RESOLVED that the Board encourages the districts to actively involve city and county governments as early as possible in the process.

BE IT FURTHER RESOLVED that the Board approves the document titled California Clean Air Act Guidance for the Development of Indirect Source Control Programs, July 1990, as the basis for developing indirect source control programs in response to the requirements set forth in the California Clean Air Act.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to request all nonattainment districts, in cooperation with city and county governments, to evaluate the degree to which an indirect source control program should be implemented and to include the evaluation with the 1991 plan submittals.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to forward the guidance document to the districts for consideration in preparing their 1991 plans and to notify the districts that the Board will use this guidance as a starting point in reviewing district plans and regulations pertaining to indirect source control programs.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to continue to assist the districts as necessary to develop and implement effective indirect source control programs.

BE IT FURTHER RESOLVED that the Board encourages the exploration of other options and recognizes that the guidance set forth in this document will need to be refined as more is learned about indirect source control measures and their implementation.

I hereby certify that this is a true and correct copy of Resolution 90-46 as adopted by the Air Resources Board.

Judith M. Lounsbury

Judith M. Lounsbury, Board Secretary