State of California
AIR RESOURCES BOARD

Resolution 90-54

September 13, 1990

Agenda Item No. : 90-13-1

WHEREAS, the Clean Air Act as amended (42 U.S.C., Sec. 7401, et seq.), authorizes and requires the Environmental Protection Agency (EPA) to establish national ambient air quality standards (Section 109) and to oversee the effort by the states to attain those standards;

WHEREAS, the nucleus of the effort to attain and maintain ambient air quality standards is the State Implementation Plan (SIP), mandated by Section 110 (a)(1) of the Clean Air Act, which requires states to submit a SIP, and bear primary responsibility for its implementation (Section 101(a)(3);

WHEREAS, in conjunction with this authority, EPA has promulgated regulations (40 C.F.R. 51.151 et seq.) that require the adoption of contingency plans as part of the SIP for the prevention and abatement of air pollution emergency episodes;

WHEREAS, California Health and Safety Code Section 39602 provides that the Air Resources Board (the Board) is designated the air pollution control agency for all purposes set forth in federal law, including preparation of the SIP, and to this end shall coordinate the activities of all air pollution control districts necessary to comply with the Clean Air Act;

WHEREAS, California Health and Safety Code Section 40001 requires air pollution contol districts to adopt and enforce rules and regulations that provide for the prevention and abatement of air pollution episodes, if so requested by the Board;

WHEREAS, the Board adopted a contingency plan, known as the Air Pollution Emergency Plan, in 1974 and amended in 1977, to provide for the prevention and abatement of air pollution emergency episodes;

WHEREAS, the Board periodically reviews the State contingency plan to ensure that it reflects current scientific knowledge;

WHEREAS, the Board has received a recommendation from the Department of Health Services, dated February 24, 1989, to modify the episode criteria for oxidants in the State contingency plan;

WHEREAS, after considering the report prepared by ARB staff, the recommendation of the the Department of Health Services and the written and oral testimony presented on this matter, the Board finds:

1. The Department of Health Services has reviewed a substantial body of research on the health effects of ozone which provides a stronger scientific foundation for the episode criteria than when it was last reviewed in 1977;

2. The recommendations of the staff and the Department of Health Services to amend the Air Pollution Emergency Plan, when implemented, will better protect the health of the citizens of California;

3. The change in terminology in the Air Pollution Emergency Plan from oxidant to ozone reflects current technically acceptable language;

4. The creation of a health advisory for children and individuals engaging in vigorous exercise which would be declared when oxidant (ozone) reaches 0.15 ppm will result in enhanced protection of public health; and

5. The districts with five or fewer exceedances per year, at a level greater than or equal to 0.15 ppm ozone, should not be required to forecast health advisories, but should instead focus their efforts toward educating the public about air pollution and establishing procedures for notifying the public when 0.15 ppm ozone episodes do occur.

NOW, THEREFORE, BE IT RESOLVED, that the California Air Pollution Emergency Plan be amended as follows:

a. Change the Air Pollution Emergency Plan terminology to refer to ozone rather than oxidant to reflect the recent change in the 1-hour ozone ambient air quality standard for ozone.

b. Create a health advisory for children and individuals engaging in vigorous exercise which would be declared when oxidant (ozone) reaches 0.15 ppm.

c. Require notification to affected individuals by the air quality management and air pollution control districts.

d. Not require districts with five or fewer exceedances per year, at a level of greater than or equal to 0.15 ppm ozone, to forecast health advisories. These districts should focus their efforts toward educating the public about air pollution and establishing procedures for notifying the public when 0.15 ppm ozone episodes occur.

BE IT FURTHER RESOLVED, that the air quality management and air pollution control districts are directed pursuant to Health and Safety Code Section 40001 to amend their rules and regulations consistent with this resolution.