State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: PUBLIC HEARING TO CONSIDER THE ADOPTION AND AMENDMENT OF REGULATIONS REGARDING TEST METHODS FOR DETERMINING EMISSIONS FROM NONVEHICULAR SOURCES

Agenda Item No.: 90-1-2

Public Hearing Dates: November 8, 1989
Continued to: January 11, 1990

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this istem. The staff report identified no adverse environmental effects.

Response: N/A

Certified: Judith M. Lounsbury
Judith M. Lounsbury
Board Secretary

Date: 9/10/90

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RESOURCES AGENCY OF CALIFORNIA

State of California
AIR RESOURCES BOARD

Resolution 90-6

January 11, 1990

Agenda Item: 90-1-2

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

WHEREAS, Section 39607(d) of the Health and Safety Code requires the Board to adopt test procedures to measure compliance with its nonvehicular emission standards and those of the air pollution control and air quality management districts ("districts");

WHEREAS, Section 41954 of the Health and Safety Code requires the Board to adopt procedures for determining the compliance of any system designed for the control of gasoline vapor emissions during gasoline marketing operations with performance standards established by the Board;

WHEREAS, the Board has previously adopted Sections 94100-94145, Title 17, California Code of Regulations, which establish 45 test methods for determining whether a nonvehicular (stationary) source is in compliance with the district emission standards;

WHEREAS, the Board has previously adopted the "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Bulk Plants" and the "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Terminals", (together the "Vapor Recovery Certification and Test Procedures"), which are incorporated by reference respectively in Sections 94002 and 94003, Title 17, California Code of Regulations;

WHEREAS, the Board's staff has now proposed one new test method for gathering emissions data and determining compliance with district nonvehicular emission standards, has proposed amendments to four existing nonvehicular source test methods and to the Vapor Recovery Certification and Test Procedures, and has proposed that the Vapor Recovery Certification and Test Procedures be referenced as nonvehicular source test methods so that they are applicable to determination of compliance with pertinent district emission limitations;

WHEREAS, the new test method and proposed amendments have been thoroughly evaluated by the Board's staff;

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

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 3.5); and

WHEREAS, the Board finds that:

Adoption of the new regulations set forth in Attachment A and of new Method 434 as set forth in Attachment B, with the modifications set forth in Attachment C, is necessary and appropriate to satisfy the requirements of Section 39607(d) of the Health and Safety Code;

The amendments to the four existing test methods and amendments to the Vapor Recovery Certification and Test procedures set forth in Attachment B, with the modifications set forth in Attachment C, and the amendments to the regulations set forth in Attachment A incorporating the test methods and procedures, are necessary and appropriate to expand the applicability of the methods and procedures, to improve their accuracy, and to clarify their provisions; and

The actions approved herein will have no significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the adoption of Sections 94146, 94148, and 94149, Title 17, California Code of Regulations, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board hereby approves the adoption of new Method 434 as set forth in Attachment B, with the modifications set forth in Attachment C.

BE IT FURTHER RESOLVED that the Board hereby approves the amendments to Sections 94002, 94003, 94132, 94135, 94139, and 94140, Title 17, California Code of Regulations, as set forth in Attachment A, and approves the amendments to the four existing test methods and the Vapor Recovery Certification and Test Procedures as set forth in Attachment B with the modifications set forth in Attachment C.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt the regulatory changes set forth in Attachment A and B with the modifications set forth in Attachment C, after making them available to the public for a period of fifteen days, with such further modifications as may be appropriate in light of written comments submitted, provided that the Executive Officer shall present the regulations to the Board for further consideration if the Executive Officer determines that this is warranted in light of the supplemental written comments received.

I hereby certify that the above is a true and correct copy of Resolution 90-6, as adopted by the Air Resources Board.

Judith M. Lounsbury

Judith M. Lounsbury, Board Secretary