State of California
AIR RESOURCES BOARD

Resolution 91-1

February 14, 1991

Agenda Item: 91-1-1

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 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, the Board has previously adopted Sections 94100-94146 and 94148-94149, Title 17, California Code of Regulations, which establish 48 test methods for determining whether a nonvehicular (stationary) source is in compliance with the district emission standards;

WHEREAS, the Board's staff is proposing amendments to three existing nonvehicular source test methods, Methods 421, 422 and 430, and amendments to Sections 94131, 94132, and 94142, Title 17, California Code of Regulations which reference these methods;

WHEREAS, the 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, Chapter 3.5 (commencing with Section 11340), Part 1, Division 3, Title 2 of the Government Code;

WHEREAS, the Board finds that the amendments to the three existing test methods set forth in Attachment A, with the modifications set forth in Attachment B, and the amendments to the regulations referencing the test methods set forth in Attachment C are necessary and appropriate to expand the applicability of the methods, to improve their accuracy, and to clarify their provisions; and

WHEREAS, the Board further finds that the amendments set forth in Attachments A, B, and C will have no significant adverse environmental impacts.

NOW THEREFORE, BE IT RESOLVED that, in accordance with the supplemental notice of public hearing dated January 23, 1991, the Board directs the Executive Officer to schedule an additional hearing of the Board on this matter if requested to do so by any interested person or his authorized representative by February 27, 1991;

BE IT FURTHER RESOLVED, that unless a timely request for an additional hearing is received, the Board directs the Executive Officer to consider any additional written comments on the proposed amendments received by March 13, 1991; to compile the amendments to the nonvehicular source test methods set forth in Attachment A, with the modifications set forth in Attachment B and with such further modifications as the Executive Officer deems appropriate in light of the comments received, and the amendments to Sections 94131, 94132, and 94142, Title 17, California Code of Regulations, as set forth in Attachment C; and to adopt such amendments after making them available to the public for a period of fifteen days, with such further modifications as may be appropriate, 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 written comments received.

I hereby certify that the above is a true and correct copy of Resolution 91-1, as adopted by the Air Resources Board.

Judith M. Lounsbury

Judith M. Lounsbury, Board Secretary