STATE OF CALIFORNIA-CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY PETE WILSON, Governor

AIR RESOURCES BOARD
2020 L STREET
P.O. BOX 2815
SACRAMENTO, CA 95812

State of California
AIR RESOURCES BOARD

Notice of Decision and
Response to Significant Environmental Issues

Item: NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE AREA DESIGNATIONS FOR THE STATE AMBIENT AIR QUALITY STANDARDS

Approved by: Resolution 94-59

Agenda Item No.: 94-11-1

Public Hearing Date: November 9, 1994

Issuing Authority: Air Resources Board

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

Response: N/A

Certified: Artavia M. Edwards
Regulations Coordinator

Date: May 26, 1995

RECEIVED BY
Office of the Secretary
MAY 26 1995
RESOURCES AGENCY OF CALIFORNIA

v:c:\wpwin60\data\rulemaki\areadesi\areanoti.doc

State of California
AIR RESOURCES BOARD

Resolution 94-59

November 9, 1994

Agenda Item Number: 94-11-1

WHEREAS, Health and Safety Code sections 39600 and 39601 authorize the Air Resources Board (the Board or ARB) to adopt standards, rules, and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the Act; Stats. 1988, ch. 1568) declaring that it is necessary that the State ambient air quality standards (the State standards) be attained by the earliest practical date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain the State standards, the Act mandates a comprehensive program of emission reduction measures and planning requirements for the State and the local air pollution control and air quality management districts (the districts) in areas where the State standards are not attained;

WHEREAS, the Act in Health and Safety Code section 39607(e) requires the Board to establish and periodically review criteria for designating an air basin as nonattainment or attainment for any State standard set forth in the California Code of Regulations, Title 17, section 70200 (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter or PM10, sulfates, lead, hydrogen sulfide, and visibility reducing particles);

WHEREAS, on June 8, 1989, the Board adopted and on June 15, 1990, May 15, 1992, December 10, 1992, and November 18, 1993, the Board amended the California Code of Regulations, Title 17, sections 70300 through 70306, and Appendices 1 through 4, thereof, establishing designation criteria (the adopted criteria) consistent with the requirements of the Act;

WHEREAS, the Act in Health and Safety Code section 39608(a) requires the Board, in consultation with the districts, to identify and classify each air basin in California as nonattainment, attainment, or unclassified on a pollutant-by-pollutant basis pursuant to the designation criteria established by the Board under Health and Safety Code section 39607(e);

WHEREAS, the Act in Health and Safety Code section 39608(c) also requires the Board to review the area designations annually and update them as new information becomes available;

WHEREAS, on June 9, 1989, the Board approved the initial area designations which are contained in the California Code of Regulations, Title 17,

sections 60200 through 60209, and has updated the area designations during each subsequent year;

WHEREAS, in consultation with the districts and considering comments received from public agencies, industry representatives, and interested persons, the ARB staff has proposed amendments to the area designations for a number of specific areas of the State for ozone, carbon monoxide, sulfur dioxide, and sulfates;

WHEREAS, the amendment to the area designation for ozone by operation of law is based on the criteria contained in the Health and Safety Code section 40925.5(a);

WHEREAS, the proposed amendments to the area designations for carbon monoxide, sulfur dioxide, and sulfates are based on the adopted criteria contained in the California Code of Regulations, Title 17, sections 70300 through 70306, and Appendices 1 through 4, thereof;

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

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with section 11340), Part 1, Division 3, Title 2 of the Government Code and the Board has considered the testimony presented by interested persons and the ARB staff; and

WHEREAS, the Board finds that:

1. The proposed revisions to the area designations comply with the requirements of Health and Safety Code section 39608;

2. The proposed revisions to the area designations listed in the California Code of Regulations, Title 17, sections 60200 through 60209 are consistent with the designation criteria in the California Code of Regulations, Title 17, sections 70300 through 70306, and Appendices 1 through 4, thereof;

3. This regulatory action will not have a significant economic impact on any public agency, small business, or private persons or businesses other than small businesses;

4. This regulatory action will not have a significant adverse impact on the environment. In fact, it should ultimately result in environmental benefits because it is part of a multiple step program designed to achieve and maintain the State standards; and

5. There is no alternative considered by the Board which would be more effective in carrying out the purposes of this regulatory action or that would be as effective and less burdensome to affected private persons than the proposed action.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the amendments to the California Code of Regulations, Title 17, sections 60201, 60202, 60204, and 60206.

I hereby certify that the above is a true and correct copy of Resolution 94-59, as adopted by the Air Resources Board.

Pat Hutchens

Pat Hutchens, Board Secretary

RECEIVED BY
Office of the Secretary

MAY 26 1995

RESOURCES AGENCY OF CALIFORNIA