BEFORE THE AIR POLLUTION CONTROL BOARD
EASTERN KERN AIR POLLUTION CONTROL DISTRICT

In the matter of:	)	
	)	
RESOLUTION APPROVING EASTERN KERN AIR POLLUTION CONTROL DISTRICT REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) STATE IMPLEMENTATION PLAN (SIP) FOR THE 2008 OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS)	)	Resolution No. 2017-001-05

I, Louise Roman, SECRETARY TO THE AIR POLLUTION CONTROL BOARD OF THE EASTERN KERN AIR POLLUTION CONTROL DISTRICT, certify that the following Resolution, proposed by Director Gleason and seconded by Director Parris, was duly passed and adopted by said Board at an official meeting on this 11th day of May, 2017, by the following vote:

AYES: Grimes, Parris, Scrivner, and Gleason

NOES: None

ABSENT: Breeden

(District Seal)

Louise Roman
Secretary of the Air Pollution Control Board of the Eastern Kern Air Pollution Control District

By Louise Roman

RESOLUTION

Section 1. RECITALS:

(a) The Eastern Kern Air Pollution Control District ("District") is authorized by Health and Safety Code section 40702 to make and enforce all necessary and proper orders, rules and regulations to accomplish the purposes of Division 26 of the Health and Safety Code; and

(b) A portion of Eastern Kern has been designated as a "Moderate" nonattainment area due to exceeding the 2008, 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) (70 FR 71612, November 29, 2005); and

(c) Subsections 182(b)(2), (c), (d), and (f) of the Federal Clean Air Act (FCAA) (42 U.S.C. §751la(b)(2), (c), (d),(f)) require states and districts located in ozone nonattainment areas classified as moderate or above to implement Reasonably Available Control Technology (RACT), for all source categories for which the U.S. Environmental Protection Agency (EPA) has published a Control Techniques Guidelines (CTG) document prior to the area's date of attainment, and for all non-CTG major sources; and

(d) A non-CTG major source is a permitted facility located in the District's nonattainment area that collectively exceeds the major source threshold of 50 tons per year (tpy) of either Volatile Organic Compounds (VOC) or Oxides of Nitrogen (NOx); and

(e) The Board of Directors have determined, in the RACT SIP, that the District has adopted rules meeting RACT, which cover all existing applicable CTG source categories and identified all District rules applicable to non-CTG major sources; and

(f) The RACT SIP for the 2008 Ozone NAAQS identifies three District NOx rules applicable to non-CTG major sources with deficiencies that will be formally amended to fulfill RACT requirements; and

(g) States and districts may comply with requirements of subsections 182(b)(2), (c), (d), and (f) of the FCAA (42 U.S.C. §751la(b)(2), (c), (d), (f)) by adopting a Negative Declaration for each CTG source category with no applicable source operating within the District's nonattainment area.; and

(h) The District has reviewed its permit records, emissions inventory database, and consulted with permitting and enforcement staff in determining there are no sources subject to the published CTGs identified in Table 1; and

(i) The Board of Directors have determined it is necessary to adopt Negative Declarations for the following published CTGs listed in Table 1:

Table 1 Negative Declarations

EPA Report #	CTG Source Category	Title	District Source
EPA-450-2-77-008, 1977/05	Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks	Control of Volatile Organic Emissions from Existing Stationary Sources – Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks	None
EPA-450/2-77-025, 1977/10	Petroleum Refineries	Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds	N/A
EPA-450/2-77-026, 1977/10	Tank Trucks Gasoline Loading Terminals	Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals	N/A
EPA-450/2-77-032, 1977/12	Surface Coating of Metal Furniture	Control of VOC Emissions from Existing Stationary Sources – Volume III: Surface Coating of Metal Furniture	N/A
EPA-450/2-77-033, 1977/12	Surface Coating for Insulation of Magnet Wire	Control of Volatile Organic Emissions from Existing Stationary Sources – Volume IV: Surface Coating of Insulation of Magnet Wire	N/A
EPA-450/2-77-034, 1977/12	Surface Coating of Large Appliances	Control of VOC Emissions from Existing Stationary Sources – Volume V: Surface Coating of Large Appliances	N/A
EPA-450/2-77-035, 1977/12	Bulk Gasoline Plants	Control of VOC Emissions from Bulk Gasoline Plants	N/A
EPA-450/2-77-036, 1977/12	Storage of Petroleum Liquids in Fixed-Roof Tanks	Control of VOC Emissions from Storage of Petroleum Liquids in Fixed-Roof Tanks	N/A
EPA-450/2-77-037, 1977/12	Cutback Asphalt from Paving Operation	Control of VOC Emissions from Use of Cutback Asphalt	N/A
EPA-450/2-78-032, 1978/06	Surface Coating of Flat Wood Paneling	Control of VOC Emissions from Existing Stationary Sources – Volume VII: Factory Surface Coating of Flat Wood Paneling	N/A
EPA-450/2-78-036, 1978/06	Leaks from Petroleum Refinery Equipment	Control of VOC Leaks from Petroleum Refinery Equipment	N/A
EPA-450/2-78-029, 1978/12	Synthesized Pharmaceutical Products	Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products	N/A
EPA-450/2-78-030, 1978/12	Manufacture of Pneumatic Rubber Tire	Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires	N/A

EPA Report #	CTG Source Category	Title	District Source
EPA-450/2-78-033, 1978/12	Graphic Arts	Control of VOC Emissions from Existing Stationary Sources – Volume VIII: Graphic Arts-Rotogravure and Flexography	N/A
EPA-450/2-78-047, 1978/12	Storage of Petroleum Liquids in External Floating Roof Tanks	Control of VOC Emissions from Petroleum Liquid Storage in External Floating Roof Tanks	N/A
EPA-450/3-82-009, 1982/09	Large Petroleum Dry Cleaners	Control of VOC Emissions from Large Petroleum Dry Cleaners	N/A
EPA-450/3-83-008, 1983/11	Polymers and Resins Manufacturing Industry	Control of VOC Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins	N/A
EPA-450/3-83-007, 1983/12	Equipment Leaks from Natural Gas/Gasoline Processing Plants	Control of VOC Equipment Leaks from Natural Gas/Gasoline Processing Plants	N/A
EPA-450/3-83-006, 1984/03	Equipment Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment	Control of VOC Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment	N/A
EPA-450/3-84-015, 1984/12	Synthetic Organic Chemical Manufacturing Industry	Control of VOC Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry	N/A
EPA-450/4-91-031, 1993/08	Synthetic Organic Chemical Manufacturing Industry	Control of VOC Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry	N/A
61 FR 44050 8/27/1996, 1996/08	Shipbuilding and Ship Repair Operations	Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating)	N/A
EPA-453/R-06-001, 2006/09	Industrial Cleaning Solvents	Control Techniques Guidelines for Industrial Cleaning Solvents	N/A
EPA-453/R-06-002, 2006/09	Offset Lithographic and Letterpress Printing	Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing	N/A
EPA-453/R-06-003, 2006/09	Flexible Package Printing	Control Techniques Guidelines for Flexible Package Printing	N/A
EPA-453/R-06-004, 2006/09	Flat Wood Paneling Coatings	Control Techniques Guidelines for Flat Wood Paneling Coatings	N/A
EPA-453/R-07-003, 2007/09	Paper, Film, and Foil Coatings	Control Techniques Guidelines for Paper, Film, and Foil Coatings	N/A
EPA-453/R-07-005, 2007/09	Large Appliance Coatings	Control Techniques Guidelines for Large Appliance Coatings	N/A
EPA-453/R-07-005, 2007/09	Metal Furniture Coatings	Control Techniques Guidelines for Metal Furniture Coatings	N/A

EPA Report #	CTG Source Category	Title	District Source
EPA-453/R-08-004, 2008/09	Fiberglass Boat Manufacturing	Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials	N/A
EPA-453/R-08-005, 2008/09	Miscellaneous Industrial Adhesives	Control Techniques Guidelines for Miscellaneous Industrial Adhesives	N/A
EPA-453/R-08-006, 2008/09	Automobile and Light-Duty Truck Assembly Coatings	Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings	N/A
EPA-453/B-16-001, 2016/10	Oil and Natural Gas Industry	Control Techniques Guidelines for the Oil and Natural Gas Industry	N/A

(j) Negative Declaration findings are exempt from the California Environmental Quality Act (CEQA) pursuant to (1) CEQA Guideline section 1506l(b)(3) (Cal. Code Regs., tit. 14, §1506l(b)(2)) as the action does not have the potential of causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and thus does not constitute a "project" under California Public Resources Code section 21065; and (2) CEQA Guideline sections 1506l(b)(2) and 15308 (Cal. Code Regs., tit. 14, §§15061(b)(2), 15308)) as it involves authorized actions taken by regulatory agencies for the protection of the environment under CEQA.

(k) A notice of a public hearing on May 11, 2017, at the hour of 2:00 p.m. at the Tehachapi Police Department Communications Room 220 West "C" Street, Tehachapi, CA, to consider adoption of the District's RACT SIP, was duly given; and

(l) The matter was heard at the time and place so specified, evidence was received and all persons desiring to be heard in said matter were given an opportunity to be heard; and

Section 2. IT IS RESOLVED by the Board as follows:

1. This Board hereby approves and adopts this Resolution thereby approving the Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) for the 2008 Ozone NAAQS.

2. All notices required to be given by law have been duly given in accordance with Health and Safety Code section 40725, and the Board has allowed public comment, both oral and written, in accordance with Health and Safety Code section 40726

3. This Board finds that this action poses no significant impact on the environment and is exempt from CEQA under CEQA Guidelines sections 15061(b)(2) and 15308.

4. District staff is directed to prepare a Notice of Exemption for this project, and the Secretary of this Board is hereby directed to file the Notice of Exemption with the Kern County Clerk.

5. The Secretary of this Board is directed to cause a certified copy of this Resolution to be forwarded to the Air Pollution Control Officer (APCO) for said District and to the County Counsel of Kern County.

6. The APCO for said District is hereby authorized and directed to submit this resolution and all necessary supporting documents to the California Air Resources Board for submittal to EPA as a revision to the California State Implementation Plan.

7. The Board authorizes the APCO for said District to include in the submittal or subsequent documentation any technical corrections, clarifications, or additions that may be needed to secure EPA approval, provided such changes do not alter the substantive requirements of the approved rule.

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