

State of California
AIR RESOURCES BOARD

Resolution 93-45

June 10, 1993

Agenda Item No.: 93-7-3

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the "Board") 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 found in the Air Toxics "Hot Spots" Information and Assessment Act of 1987 ("the Act", AB 2588, Connelly, Chapter 1252, Statutes of 1987, Health and Safety Code Section 44300 et seq.) that facilities manufacturing or using hazardous substances may be exposing nearby populations to toxic air releases on a routine basis and that it is in the public interest to ascertain the nature and quantity of hazardous releases from specific sources which may create air toxics "hot spots";

WHEREAS, the Act sets forth a program ("program" or "Air Toxics Hot Spots Program") to develop air toxics emission inventories and to assess the risk to public health from exposure to air toxics;

WHEREAS, pursuant to Health and Safety Code Section 44342, the Board approved criteria and guidelines for site-specific air toxics emission inventory plans and reports on April 14, 1989;

WHEREAS, pursuant to Health and Safety Code Section 44344, the Board approved procedures for the biennial update of the emission inventories on June 14, 1990;

WHEREAS, pursuant to Health and Safety Code Section 44322(c), the Board identified those classes of facilities that emit less than 10 tons per year of criteria pollutants to be included in the Air Toxics Hot Spots Program and specified a timetable for their inclusion on June 14, 1990;

WHEREAS, the Board staff, in consultation with representatives of the air pollution control and air quality management districts ("districts") and the Office of Environmental Health Hazard Assessment, and in response to comments from affected industry representatives and other interested persons, has proposed a number of amendments to the emission inventory criteria and guidelines regulation, which have been discussed with the public at six consultation meetings, and at other meetings with industry and district representatives;

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 staff;

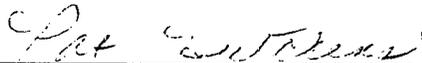
WHEREAS, the Board finds that:

1. The proposed amendments to the criteria and guidelines regulation for site-specific air toxics emission inventory plans comply with Health and Safety Code Section 44342 and improve the regulation by annotating the list of substances (Appendix A) to simplify reporting and updating emissions, and by clarifying the regulation's definitions, language, instructions to the reporting forms (Appendix B), and source test requirements (Appendix D).
2. The proposed amendments to streamline procedures for the biennial updates to the emission inventories comply with Health and Safety Code Section 44344 and ensure that facility information adequately reflects the health risk the current facility emissions may pose to the public, and includes information on any new operations at facilities and emissions of any additional listed substances.
3. The proposed amendments to the regulation which allow facilities to be removed from the program that no longer meet applicability requirements comply with the Health and Safety Code Sections 44320 and 44322.
4. The proposed amendments will result in cost reductions to affected facilities.
5. This regulatory action will not have a significant adverse impact on the environment and may benefit air quality by stimulating a reduction in emissions of both toxic and criteria pollutants and by providing information which will be used by the Board and others for control purposes.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts Sections 93300-93355, Titles 17 and 26, California Code of Regulations, including Appendices A through E thereof, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to forward the adopted regulations to the districts for appropriate action in reviewing the emission inventory plans and reports submitted by facility operators.

I hereby certify that the above is a true and correct copy of Resolution 93-45, as adopted by the Air Resources Board.



Pat Hutchens, Board Secretary