

State of California
AIR RESOURCES BOARD

Resolution 83-32

November 18, 1983

Agenda Item No. 83-17-2

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize 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, the Permit Reform Act of 1981, Government Code Section 15374 et seq., was adopted to reduce delays in the issuance of permits and other forms of state agency approval;

WHEREAS, Section 15375 of the Government Code defines a permit as any license, certificate, registration, permit or other authorization required by a state agency to engage in a particular activity or act;

WHEREAS, the Board issues various approvals that are subject to the requirements of the Permit Reform Act, under the definition of permits contained in Government Code Section 15375;

WHEREAS, Section 15376 of the Government Code requires all state agencies to establish by regulation their procedures for considering and issuing permits, and also requires agencies to state in regulation the median, minimum, and maximum times for processing permit applications based on the agency's experience during the last two years;

WHEREAS, the staff has drafted a proposed regulation pursuant to the requirements of the Permit Reform Act;

WHEREAS, the California Environmental Quality Act and Air Resources Board regulations require that an activity not be approved as proposed if there are feasible alternatives or mitigation measures which would significantly reduce any adverse environmental impacts identified;

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;

WHEREAS, the Board finds that:

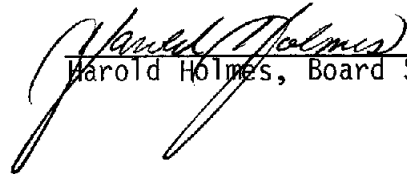
the establishment of deadlines and other procedures for considering and acting upon permit applications contained in the proposed regulation will provide for expeditious and efficient review and consideration of such applications;

the proposed regulation complies with the requirements of the Permit Reform Act;

the proposed regulation will have no adverse environmental impact.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the adoption of Section 60030 into Title 17, California Administrative Code, as set forth in Attachment A and directs the Executive Officer to adopt the regulation after making it available to the public for at least 15 days.

I hereby certify that the above is a true and correct copy of Resolution 83-32 as adopted by the Air Resources Board.


Harold Holmes, Board Secretary

PROPOSED

Adopt new Article 3, Subchapter 1, Title 17, California Administrative Code, Section 60030, to read as follows:

Article 3. Permit Procedures

60030. Permit Application Review and Processing.

(a) The procedures and time periods set forth in this subsection shall apply to all permit applications received by the board, except for those permit applications specified in subsection (b).

(1) Within 30 days of receipt of an application for a permit, as defined in Government Code Section 15375(a), the executive officer shall inform the applicant, in writing, either that the application is complete and accepted for filing or that the application is deficient and identify the specific information required to make the application complete.

(2) Within ~~30~~ 15 days of receipt of additional information provided in response to a determination by the executive officer that an application is deficient, the executive officer shall inform the applicant, in writing, either that the new information is sufficient to make the application complete and that the application is accepted for filing, or that the application is deficient and shall identify the specific information required to make the application complete.

(3) Within 90 days after an application is accepted for filing, the executive officer shall act to approve or to disapprove the application.

(b) For the categories listed below, permit applications shall be processed as provided in the procedures specified in subsection (a), in accordance with the following time periods:

<u>Type of Permit</u>	<u>No. of days after receipt of application within which executive officer will inform the applicant either that the application is complete or that additional information is required</u>	<u>No. of days after receipt of additional information within which executive officer will determine whether the information submitted makes the application complete</u>	<u>No. of days after application is accepted for filing within which executive officer will act on the application</u>
Emergency variance for lead in gasoline ^{1/}	45 <u>5</u>	45 <u>5</u>	45 <u>10</u>
Emergency variance for sulfur in gasoline or diesel ^{2/}	45 <u>5</u>	45 <u>5</u>	45 <u>10</u>
Waiver for lead in gasoline ^{3/}	15	15	45
Approval of independent testers ^{4/}	15	15	90 ^{5/}

-
1. Title 13, California Administrative Code, Section 2253.2
 2. Title 13, California Administrative Code, Section 2252
 3. Title 13, California Administrative Code, Section 2253.2
 4. Title 17, California Administrative Code, Section 91207
 5. This period applies to each test, as specified in Section 91201 of Title 17, California Administrative Code, for which approval is requested.

(c) The executive officer may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

(d) The time periods in subsections (a) or (b) may be extended by the executive officer for good cause as provided by Government Code Section 15376.

(e) Based on the state board's experience in processing permits, from the receipt of the initial application to the final permit decision, during the two years immediately preceding the proposal of these regulations:

- (1) the minimum time for processing a permit was 5 days;
- (2) the maximum time for processing a permit was 567 days; and
- (3) the estimated median time for processing a permit was 30 days.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code.
Reference: Sections 15375 and 15376, Government Code.

Public Hearing to Consider Adoption of Section 60030, Title 17, California Administrative Code, Establishing Procedures for Considering and Issuing Permits Pursuant to the Permit Reform Act of 1981

Public Hearing Date: November 18, 1983
Public Availability Date: November 21, 1983

On November 18, 1983, the Air Resources Board (the "Board") proposed the adoption of Section 60030 to Title 17, California Administrative Code, establishing procedures for considering and issuing permits pursuant to the Permit Reform Act of 1981. Attached is a copy of the Board's Resolution 83-32, approving the addition. Appended to Resolution 83-32 is the approved language showing additions to the originally proposed language by underline and deletions by overstrikes.

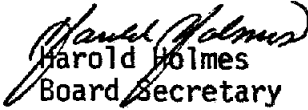
In approving Section 60030, the Board directed the Executive Officer to adopt the regulation after making it available to the public for a period of at least 15 days.

Memorandum

To : Gordon Van Vleck
Secretary
Resources Agency

Date : December 27, 1983

Subject: Filing of Notice of
Decisions of the Air
Resources Board


Harold Holmes
Board Secretary

From : Air Resources Board

Pursuant to Title 17, Section 60007 (b), and in compliance with Air Resources Board certification under section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached notice of decision and response to significant environmental comments raised during the comment period.

Attachments:

Resolution 83-28
Resolution 83-30
Resolution 83-32

FILED AND POSTED BY
OFFICE OF THE SECRETARY

DEC 28 1983

Resources Agency of California

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Adoption of Section 60030, Title 17, California Administrative Code,
Establishing Procedures for Considering and Issuing Permits Pursuant
to the Permit Reform Act of 1981

Agenda Item No.: 83-17-2

Public Hearing Date: November 17, 1983

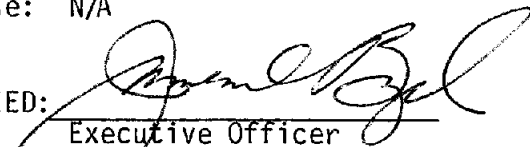
Response date: December 5, 1983

Issuing Authority: Executive Officer

Comment: No comments were received identifying any significant environmental
issues pertaining to this item. The staff report identified no
adverse environmental impacts and noted that the regulation neither
requires nor authorizes any action affecting the environment.

Response: N/A

CERTIFIED:


Executive Officer

Date:


Jan 31, 1984