

State of California
AIR RESOURCES BOARD

Executive Order G-03-061

Relating to the Amendments to the Ozone Transport Mitigation Regulations,
sections 70600 and 70601, title 17, California Code of Regulations

WHEREAS, on May 22, 2003, the Air Resources Board (ARB or Board) conducted a public hearing to consider amendments to the Ozone Transport Mitigation regulation, as set forth in the Initial Statement of Reasons and Staff Report released to the public on April 4, 2003;

WHEREAS, following the public hearing on May 22, 2003, the Board adopted Resolution 03-9, in which the Board approved amendments to sections 70600 and 70601, title 17, California Code of Regulations, as set forth in Attachment A thereto;

WHEREAS, the Board, in Resolution 03-09, directed the Executive Officer to adopt the amendments to sections 70600 and 70601, with the modifications approved by the Board as set forth in Attachment A thereto and such other conforming modifications as may be appropriate, after making the modified regulatory language available for public comment for a period of 15 days; provided that the Executive Officer was directed to consider such written comments as were submitted during this period, make further modifications as were appropriate in light of the comments received or as necessary to ensure consistency with the modifications approved by the Board, and was directed to bring any proposed changes to the Board for consideration if she considered this to be warranted;

WHEREAS, the text of modified version of the proposed regulatory amendments, reflecting the Board-approved modifications, was made available for a supplemental 15-day comment period starting July 24, 2003, in accordance with the provisions of section 44, title 1, CCR, with the modifications to the original staff proposal clearly indicated;

WHEREAS, one written comment was received during the 15-day comment period and after considering that comment in conjunction with the other written and oral comments and information in the record, the Executive Officer has determined that no further modifications to the regulatory changes approved by the Board are appropriate; and

WHEREAS, Attachment 1 hereto contains amendments to sections 70600 and 70601, title 17, CCR, reflecting the modified regulatory text made available for the 15-day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 03-9 are incorporated by reference herein.

IT IS FURTHER ORDERED, in accordance with Resolution 03-9 and Health and Safety Code sections 39515 and 39516, that the amendments to sections 70600 and 70601, title 17, CCR, are hereby adopted as set forth in Attachment 1 hereto, the Final Regulation Order.

Executed this _____ of October 2003, at Sacramento, California.

Catherine Witherspoon
Executive Officer

Attachment