

PROPOSED

State of California
AIR RESOURCES BOARD

Resolution 77-14

December 19, 1977

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources 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, Section 39605 of the Health and Safety Code authorizes the Board to hold public hearings to carry out the purposes of Division 26 of the Health and Safety Code relating to statewide air pollution control;

WHEREAS, various provisions contained in the Board's regulations and the Health and Safety Code and Vehicle Code require or permit the holding of an administrative hearing in situations where the California Administrative Procedure Act or other specified hearing procedures, does not apply;

WHEREAS, the Air Resources Board has determined that regulations should be adopted to implement an adjudicatory hearing procedure, to implement procedures for regular and special meetings of the Air Resources Board and for availability of staff reports, and to implement procedures for appeals of action or inaction by the South Coast Air Quality Management District pursuant to Health and Safety Code Sections 40451 and 40452;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 2, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that a new Subchapter 1 of Chapter 1 of Part II be added to the Board's regulations in Title 17, California Administrative Code; that the existing Subchapter 1 of said Chapter be amended to read Subchapter 1.5; and that the existing Subchapter 7 be deleted, all as set forth in the attachment to Staff Report No. 77-26-4, dated 12-19-77.