

State of California

AIR RESOURCES BOARD

Resolution 77-18

Adopted
June 22, 1977

WHEREAS, the federal Clean Air Act (§110) and Environmental Protection Agency regulations adopted pursuant thereto (40 CFR 51.19 and Appendix P thereto) require that State Implementation Plans contain procedures requiring certain specified categories of stationary sources to monitor emissions on a continuous basis to determine compliance with any rules and regulations established to achieve or maintain the national air quality standards;

WHEREAS, the Board is the state agency designated, pursuant to Health and Safety Code §39602, the responsibility of preparing the State Implementation Plan, and to that end, is required to coordinate the activities of the districts;

WHEREAS, Health and Safety Code §40001 requires districts to adopt rules and regulations which assure that reasonable provision is made to achieve and maintain the state standards and endeavor to achieve and maintain the national standards;

WHEREAS, the Board is empowered by Health and Safety Code §§41500, 41502, and 41504 to review the rules and regulations of a district to determine whether they make reasonable provision to achieve and maintain state air quality standards, and, after a public hearing, establish rules and regulations for a district which so provide if the district has not established such rules and regulations;

WHEREAS, the Board established model regulations for continuous emission monitoring of specified categories of sources which meet the aforesaid state and federal mandates, and by letter dated December 23, 1976, requested affected districts to adopt the suggested continuous emission monitoring rules or equivalent rules;

WHEREAS, the Board finds that one or more of the specified categories of sources are located within the following named districts and that the districts have not adopted rules or regulations that will assure continuous emission monitoring of the specified categories of sources;

Bay Area APCD	Fresno County APCD
Kern County APCD	Ventura County APCD
San-Joaquin County APCD	San Luis Obispo County APCD
Monterey Bay Unified APCD	

WHEREAS, the Board finds that without continuous emission monitoring rules substantially equivalent to the aforesaid model regulation proposed by the Board, the rules and regulations of the above districts do not make reasonable provision to achieve and maintain the state ambient air quality standards;

WHEREAS, the Board finds that the above districts have failed to adopt continuous emission monitoring rules which meet the aforesaid federal requirements for State Implementation Plans; and

WHEREAS, the Board has conducted a public hearing and given notice thereof in accordance with all requirements of federal and state law;

NOW, THEREFORE BE IT RESOLVED, that the Board hereby amends Sections 3210.5 through 3210.11 of the rules and regulations of the Bay Area APCD as shown in Attachment I of the Staff Report 77-13-4.

BE IT FURTHER RESOLVED, that the Board hereby amends the rules and regulations of the following districts by adopting therein a new rule or regulation; as shown in Attachments II through VII of the Staff report, 77-13-4.

<u>Attachment</u>	<u>Rule</u>	<u>District</u>	<u>Attachment</u>	<u>Rule</u>	<u>District</u>
II	108	Kern County	V	105	Ventura County
III	108	San-Joaquin County	VI	113	San Luis Obispo County
IV	108	Fresno County	VII	215	Monterey Bay Unified

BE IT FURTHER RESOLVED, that the aforesaid rules and regulations as amended or adopted hereby shall become effective immediately.

BE IT FURTHER RESOLVED, that the aforesaid rules and regulations as amended may not be amended except by the Board, or by the District, if the Executive Officer finds that any amendment thereto made by the District does not impair the effectiveness or stringency of these rules.

BE IT FURTHER RESOLVED, that any of the aforesaid rules and regulations as adopted shall be rescinded upon the finding by the Executive Officer that a substantially equivalent rule or regulation has been adopted by an affected district.