

State of California
AIR RESOURCES BOARD

Resolution 79-2

January 23, 1979

WHEREAS, the South Coast Air Quality Management District (SCAQMD) has petitioned the Board to reconsider the Board's decision of August 7, 1978 on the petitions of Southern California Edison Company (SCE) and the Los Angeles Department of Water and Power to rescind the SCAQMD's Rule 475.1 which controls oxides of nitrogen (NOx) emissions from power plants in the SCAQMD; and

WHEREAS, the Board is authorized pursuant to Health and Safety Code Sections 40001 and 41500 to review the rules and regulations of the Air Pollution Control Districts to assure that the districts make reasonable provision to achieve and maintain the state ambient air quality standards; and

WHEREAS, the Board is authorized, pursuant to Health and Safety Code Sections 40451 and 41504, after holding a public hearing, to inter alia revise the rules and regulations of the SCAQMD to implement and effectuate the purposes of Division 26 and to assure that they make reasonable provisions to achieve and maintain the state ambient air quality standards; and

WHEREAS, the Board has held a public hearing pursuant to Sections 40451 and 41502 of the Health and Safety Code and reconsidered its decision of August 7, 1978 on the aforementioned petitions of SCE and LADWP; and

WHEREAS, the Executive Officer on January 22, 1979 adopted a revised Rule 475.1 which responds to most of the issues raised in the district's petition; and

WHEREAS, the Board desires to give the district and its staff the opportunity to further review the January 22, 1979 final version of Rule 475.1, without delaying the effective date of Rule 475.1; and

WHEREAS, the Board finds that the claim in the SCAQMD's petition that the Board's decision of August 7, 1978 leaves the Southeast Desert Air Basin portion of the SCAQMD without a rule to control NOx emissions from new power plants in the Southeast Desert Air Basin portion of the SCAQMD is correct; and

WHEREAS, the Board finds that a rule to control emissions of NOx from new power plants in the Southeast Desert Air Basin portion of the SCAQMD may be desirable; and

WHEREAS, the Board finds that the reasons for its rescission of the new power plant NOx emission requirements of SCAQMD rule are now moot because of the revision of Rule 475.1 so as to require that applicants for new power plants comply with the provisions of Rule 213 (New Source Review) only;

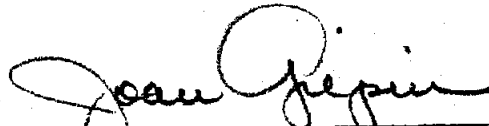
NOW, THEREFORE, BE IT RESOLVED, that the Board affirms Rule 475.1 as adopted by the Executive Officer effective January 22, 1979, subject, however, to such revisions as might be made by the South Coast Air Quality Management District (consistent with the District's views expressed before the Board on January 23, 1979);

BE IT FURTHER RESOLVED, that Rule 475.1 as amended January 22, 1979 shall remain in full force and effect unless and until the District amends Rule 475.1 after a duly noticed public hearing; and

BE IT FURTHER RESOLVED, that the Board also reaffirms its decision in adopting Resolution 78-48 on August 7, 1978; and

BE IT FURTHER RESOLVED, that the Board remands Rule 475 to the SCAQMD for such further revision as it may find necessary.

I certify that the above is a true
and correct copy of Resolution 79-2
as passed by the Air Resources Board.



Joan Gilpin, Board Secretary