

State of California
AIR RESOURCES BOARD

Resolution 79-70

October 12, 1979

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 41856 of the Health and Safety Code directs the Air Resources Board to promulgate Guidelines for the regulation and control of agricultural burning for each of the air basins established by the State Board;

WHEREAS, Section 41857 of the Health and Safety Code states that the Guidelines promulgated by the Board shall be based on meteorological data, the nature and volume of materials to be burned, and the probable effect of such burning on the ambient air quality within the air basins affected;

WHEREAS, Agricultural Burning Guidelines have previously been promulgated in accordance with the provisions of the Health and Safety Code;

WHEREAS, Section 41859 states that the Board shall continuously review the Guidelines and may modify, repeal or alter such Guidelines if scientific and technological data indicate that such changes are warranted, and that before adopting any such changes, the State Board shall hold a public hearing and shall consider the criteria set forth in Section 41857;

WHEREAS, scientific data have indicated that the use of backfiring or into-the-wind striplighting for burning certain field crop wastes will effect an emission reduction from the traditional method of headfire burning;

WHEREAS, scientific data have indicated that commencing the burning of field crop waste no earlier than 10:00 a.m. will effect an emission reduction from the traditional starting time of 8:00 a.m.;

WHEREAS, the Meteorological Criteria for Regulating Agricultural Burning can be made more responsive to the needs of the districts by:

(a) Allowing redirection of acreages of agricultural waste to be burned on newly created premium permissive-burn days.

(b) Providing for the reversal of a burn/no-burn day decision;

WHEREAS, specific criteria for the issuance of no-burn day permit exceptions would provide a uniform policy for issuance of such permits with commensurate benefits to air quality;

WHEREAS, restricting the burning of agricultural waste material during the rice straw burning season (October 1 through November 15) would lessen the amount of burning and associated emissions during that critical time of year;

WHEREAS, meteorological data indicate that the valley floor portion of Placer County is more correctly regulated for burn/no-burn days by the meteorological criteria for the Sacramento Valley Air Basin Southeast Section than by the criteria used for the Mountain Counties Air Basin;

WHEREAS, the Meteorological Criteria for Regulating Agricultural Burning can be made more responsive to the needs of the districts in the Sacramento Valley Air Basin by providing separate burn/no-burn declarations above and below the inversion in the Sacramento Valley Air Basin;

WHEREAS, the Sacramento Valley Air Basin has adopted rice straw burning regulations, and the application of these regulations in the San Joaquin Valley Air Basin will effect an emission reduction from the traditional methods of drying and burning rice straw;

WHEREAS, the San Francisco Bay Area Air Quality Management District has requested the Air Resources Board to modify the Meteorological Criteria for Regulating Agricultural Burning to change the North/South boundary lines of the San Francisco Bay Area Air Basin based on meteorological data;

WHEREAS, the San Diego Air Pollution Control District has requested the Air Resources Board to revise the Meteorological Criteria for Regulating Agricultural Burning in the San Diego Air Basin;

WHEREAS, meteorological criteria for declaring burn/no-burn days for agricultural burning in the Lake Tahoe Air Basin should be specified in the Meteorological Criteria for Regulating Agricultural Burning;

WHEREAS, the term "brush treated" in the Guidelines should be redefined to include material which was previously dead;

WHEREAS, the Department of Fish and Game should specify the proper amount of brush treatment when burning for wildlife and game habitat improvement;

WHEREAS, the provisions in the Guidelines for burning of cotton gin waste expired on January 1, 1979 and should be removed;

WHEREAS, in the development of the proposed revisions to the Guidelines and Meteorological Criteria, the Enforcement Branch staff of the Air Resources Board has consulted with representatives of various air pollution control agencies, the University of California Agricultural Engineering Extension, the California Farm Bureau Federation, the Statewide Air Pollution Research Center at the University of California at Riverside, the Department of Food and Agriculture and other agricultural agencies and associations;

WHEREAS, the Enforcement Branch staff of the Air Resources Board has held numerous public meetings and workshops to obtain public comment on the proposed amendments to the Guidelines and Meteorological Criteria for Regulating Agricultural Burning; and

WHEREAS, notice of a public hearing to consider the proposed revisions and amendments to the Guidelines has been given and a public hearing held in accordance with the provisions of the Health and Safety Code and of the Administrative Procedure Act, (Government Code Sections 11371 et seq.);

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board repeals Subchapter 2 of Chapter 1, Part III of Title 17 of the California Administrative Code and adopts the proposed Subchapter 2 consisting of Articles 1, 2 and 3 of Chapter 1, Part III of Title 17 of the California Administrative Code attached hereto.

BE IT FURTHER RESOLVED, that the Executive Officer of the Air Resources Board is directed to revise and refine the emission factors and total allowable particulate emissions incorporated in Section 80150(e)(1) based on scientific and technical information which is developed in the future.

I certify that the above is a true and correct copy of Resolution 79-70, as passed by the Air Resources Board.


Sally Rump
BOARD SECRETARY