

State of California
AIR RESOURCES BOARD

Resolution 88-57

November 17, 1988

Agenda Item: 88-15-3

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board ("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 39607(d) of the Health and Safety Code requires the Board to adopt test procedures to measure compliance with its nonvehicular emission standards and those of the air pollution control and air quality management districts ("districts");

WHEREAS, Section 41954 of the Health and Safety Code requires the Board to adopt procedures for determining the compliance of any system designed for the control of gasoline vapor emissions during gasoline marketing operations with performance standards established by the Board;

WHEREAS, in the past the Board has adopted Sections 94100 - 94140, Title 17, California Code of Regulations, which establish 40 test methods for determining whether a nonvehicular (stationary) source is in compliance with the district emission standards;

WHEREAS, the Board has previously adopted the "Certification and Test Procedures for Vapor Recovery Systems at Gasoline Terminals," (the "Certification and Test Procedures") which are incorporated by reference in Section 94003, Title 17, California Code of Regulations;

WHEREAS, the Board's staff has now developed five new test methods for gathering emissions data and determining compliance with district nonvehicular emission standards;

WHEREAS, the new test methods have been thoroughly evaluated by the Board's staff;

WHEREAS, the Board's staff has proposed amendments to the Certification and Test Procedures which would correct an error in the equation used to determine the percent of excess air;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project having significant adverse environmental impacts be adopted as proposed if feasible alternatives or mitigation measures are available which would substantially reduce such adverse impacts;

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 3, Part 1, Chapter 3.5); and

WHEREAS, the Board finds that:

Adoption of the five new test methods set forth in Attachment B, and adoption of the regulations set forth in Attachment A incorporating the test methods, are necessary and appropriate to satisfy the requirements of Section 39607(d) of the Health and Safety Code and may simplify the identification, adoption and enforcement of nonvehicular emission standards;

The amendments to the Certification and Test Procedures and to Title 17, California Code of Regulations, Section 94003 set forth in Attachments A and B are necessary and appropriate.

The actions approved herein will have no significant adverse environmental impacts.


NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the adoption of Sections 94141 through 94145, Title 17, California Code of Regulations, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board hereby approves the five new test methods for determining compliance with district nonvehicular emission standards set forth in Attachment B, with the modifications set forth in Attachment C hereto.

BE IT FURTHER RESOLVED that the Board hereby amends Section 94003, Title 17, California Code of Regulations, as set forth in Attachment A, and amends "Certification and Test Procedures for Gasoline Vapor Recovery System at Gasoline Terminals," as set forth in Attachment B.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt the regulatory changes set forth in Attachment A, B, and C, after making them available to the public for a period of fifteen days, and with such minor modifications as may be appropriate in light of written comments submitted during this period, provided that the Executive Officer shall present the regulations to the Board for further consideration if the Executive Officer determines that this is warranted in light of the written comments received.

I hereby certify that the above is a true and correct Copy of Resolution 88-57, as adopted by the Air Resources Board.



Cary Allison, Board Secretary