

State of California  
AIR RESOURCES BOARD

Resolution 89-59

June 8, 1989

Agenda Item No.: 89-10-3

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the "Board") to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the "Act", Stats. 1988, c. 1568) declaring that it is necessary that the state ambient air quality standards be attained by the earliest practicable date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain these standards, the Act mandates a comprehensive program of emission reduction measures and planning requirements for the state and the local air pollution control districts ("districts") in areas where the standards are not attained;

WHEREAS, as the initial step in the program to attain the state standards, the Act directs the Board in Section 39607(e) of the Health and Safety Code to establish criteria for designating an air basin nonattainment, attainment, or unclassified for the state ambient air quality standards set forth in Section 70200 of Title 17 of the California Code of Regulations (ozone, carbon monoxide, sulfur dioxide, sulfates, nitrogen dioxide, PM-10, lead, hydrogen sulfide, and visibility reducing particles);

WHEREAS, Section 39607(e) also provides that the Board, in developing these criteria, shall consider instances where there is poor or limited ambient air quality data, highly irregular or infrequent violations, or projections of substantial growth in population or industrial activity;

WHEREAS, in consultation with the local air pollution control districts and in consideration of comments received from public agencies, industry representatives, and interested persons, staff has prepared proposed criteria for the designation of areas as nonattainment, attainment, or unclassified;

WHEREAS, the proposed criteria specify the bases for making designations for the various pollutants, including the bases for determining the geographic extent of a designation area;

WHEREAS, the proposed criteria also provide for the annual review of the area designations, as required by the Act;

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

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with Section 11340), Part 1, Division 3, Title 2 of the Government Code and the Board has considered the testimony presented by interested persons and the staff.

WHEREAS, the Board finds that:

The proposed criteria for designating areas as nonattainment, attainment, or unclassified comply with the specifications described in Section 39607(e) of the Health and Safety Code; The proposed criteria are necessary for the designation of areas within the state as nonattainment, attainment, or unclassified for the various pollutants listed in Section 70200 of Title 17 of the California Code of Regulations as required by Section 39608 of the Health and Safety Code;

The proposed criteria assure that area designation will be based on appropriate and reliable air quality information; and

This regulatory action will not have a significant adverse impact on the environment and, because it is the first of a multiple step program designed to achieve and maintain the state ambient air quality standards, may ultimately result in environmental benefits.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves Sections 70300-70306, Title 17, California Code of Regulations, including Appendices 1 through 4 thereof, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board intends that the use of three calendar years of data, as specified in the regulations, shall apply only to the designation of areas and not for demonstrating attainment of the standards that is required in the plans prepared pursuant to Sections 40910 through 40926 of the Health and Safety Code.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to form a work group comprising of representatives of the Board staff, districts, industry, and other interested persons to examine possible alternatives to the definitions and standards in the criteria, including the use of one violation in three years to determine nonattainment, the designation of areas where there are no or limited data, and the appropriate use of

transport and related data; and requests that the Executive Officer report back to the Board within one year with any recommendations for modifications to the criteria that may result from the efforts of the work group.

I hereby certify that the above is a true and correct copy of Resolution 89-59, as adopted by the Air Resources Board.



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Cary Allison, Board Secretary

**AIR RESOURCES BOARD**

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State of California  
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Adoption of Area Designation Criteria Pursuant to the California Clean Air Act of 1988

Agenda Item No.: 89-10-3

Public Hearing Date: June 8, 1989

Response Date: N/A

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no adverse environmental effects.

Response: N/A

Certified: \_\_\_\_\_

*[Signature]*  
Board Secretary

Date: \_\_\_\_\_

*9/5/89*

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