

State of California
AIR RESOURCES BOARD

Resolution 90-44

June 21, 1990

Agenda Item No.: 90-8-1

WHEREAS, Section 39602 of the Health and Safety Code designates the Air Resources Board (ARB or Board) as the state air pollution control agency for all purposes set forth in federal law and as the state agency responsible for the preparation of the State Implementation Plan (SIP) required by the federal Clean Air Act (hereinafter "the Act"; 42 USC Sections 7401 et seq.);

WHEREAS, Sections 110 and 172(a) and (b)(2) of the Act as amended in 1977 require that all national ambient air quality standards ("NAAQS") be attained as expeditiously as practicable through the implementation of all reasonably available stationary source, mobile source, and transportation control measures and through the adoption of such other measures as may be necessary to insure attainment and maintenance of such standards;

WHEREAS, Section 172(b)(7) and (10) of the Act requires the SIP to identify and commit the financial and personnel resources necessary to carry out its provisions, and further requires the SIP to contain written evidence that the government agencies responsible for implementing the SIP have adopted the necessary requirements and schedules and timetables for compliance and are committed to implement and enforce the SIP elements for which they are responsible;

WHEREAS, Section 176(c) prohibits the federal government and the metropolitan planning organization (i.e., the Southern California Association of Governments (SCAG) in the South Coast Air Basin) from approving any activity, project, program, or plan which does not conform to the approved SIP;

WHEREAS, Environmental Protection Agency (EPA) regulations require conformity procedures to be included in the SIP in order to assure conformity of federal agency and metropolitan planning organization actions with the SIP;

WHEREAS, Section 316 of the federal Clean Air Act empowers the Environmental Protection Agency Administrator to withhold, condition, or restrict grants for wastewater treatment facilities that may contribute directly or indirectly to an increase in emissions of any pollutant which would interfere with, or be inconsistent with, the SIP;

WHEREAS, Sections 40460 and 40462 of the Health and Safety Code require the South Coast Air Quality Management District (the District), with the active participation of the SCAG and the counties and cities within the South Coast

Air Basin, to adopt a plan to achieve and maintain state and national ambient air quality standards;

WHEREAS, Sections 40469 and 41650 of the Health and Safety Code require the Board to determine if the Plan is adequate to meet federal primary NAAQS and all other requirements of the Act;

WHEREAS, Section 40469(a) of the Health and Safety Code requires the Board, within 120 days of receipt of the Plan, to adopt and submit to the EPA those portions of the Plan that it determines meet the requirements of the Act;

WHEREAS, the 1989 South Coast Air Quality Management Plan (hereinafter "the Plan") was adopted by the District and SCAG, along with the Final Environmental Impact Report, at a joint public hearing on March 17, 1989, and transmitted to the ARB on May 1, 1989;

WHEREAS, this 1989 South Coast Plan was adopted by the ARB August 15, 1989 in Resolution 89-66, incorporated by reference herein, and whereas the Plan contained conformity guidelines from the 1982 South Coast Air Quality Management Plan;

WHEREAS, the Board directed the staff to review the updated conformity procedure as expeditiously as feasible after they were forwarded by the District to the ARB in order to submit them to EPA as a replacement for the 1982 procedures;

WHEREAS, the revised conformity procedures were adopted by the Southern California Association of Governments (SCAG) on April 21, 1989, by the South Coast Air Quality Management District (AQMD) on August 4, 1989, and were forwarded to ARB and received on September 25, 1989;

WHEREAS, the conformity procedures contain four components: general development, transportation, wastewater treatment, and local government implementation; each component specifying a process for analyzing particular types of projects, programs or plans to determine if they are in conformance with the Air Quality Management Plan;

WHEREAS, the revised conformity procedures have been available for public review and comment as required by the Clean Air Act and EPA regulations, and a public hearing has been conducted in the South Coast Air Basin;

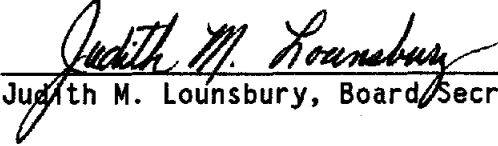
WHEREAS, after considering the oral and written testimony received on the conformity procedures, the Board finds:

- 1) the general development component of the conformity procedures is necessary to ensure attainment and maintenance of national ambient air quality standards as required by Sections 110(a)(2)(B) and 172 of the Clean Air Act;

- 2) the transportation component of the conformity procedures is necessary to satisfy Sections 176(c) and 110(a)(2)(B) of the Act and federal regulations;
- 3) the wastewater treatment component of the conformity procedures is necessary to satisfy Sections 316 and 110(a)(2)(B) of the Act and to protect the South Coast Air Basin from the imposition of sewage treatment grant sanctions;
- 4) the local government implementation component of the conformity procedures complies with Sections 110(a)(2)(B) and 172(b) of the Act and is necessary to ensure continued progress in implementing local government control measures in the SIP, to identify when plan objectives are not being met, and to satisfy federal requirements for reporting progress in implementation; and
- 5) the conformity procedures, in the aggregate, are consistent with the goals and projections set forth in the 1989 Plan, will significantly assist in the successful implementation of the Plan, and are necessary to meet Clean Air Act requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the revised conformity procedures as submitted by the District and SCAG and directs the Executive Officer to submit these procedures to the Environmental Protection Agency as a revision to the California State Implementation Plan as expeditiously as practicable.

I hereby certify that the above is a true and correct copy of Resolution 90-44, as adopted by the Air Resources Board.


Judith M. Lounsbury, Board Secretary