



Mendocino County

Legislation Details (With Text)

File #: 20-0260 **Version:** 1 **Name:**

Type: Resolution-Agreement **Status:** Consent Agenda

File created: 3/20/2020 **In control:** Air Quality Management District

On agenda: 4/7/2020 **Final action:**

Title: Adoption of Resolution to Amend Mendocino County Air Quality Management District Regulation 1, Air Pollution Control Rules as Written, and Authorization for the Air Pollution Control Officer to Submit the Adopted Amendments to the US EPA for Inclusion in the State Implementation Plan (SIP) to Conform to Federal Requirements

Sponsors: Air Quality Management District

Indexes:

Code sections:

Attachments: 1. Regulation Resolution, 2. Resolution 20-039, 3. Regulation Memo, 4. Rule 1-220 Amendment-Final, 5. Rule 1-220 Amendment-SO-U, 6. Rule 1-230 Amendment-Final, 7. Rule 1-230 Amendment-SO-U

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

To: Board of Supervisors

From: Air Quality Management District

Meeting Date: April 7, 2020

Department Contact: Barbara Moed

Phone: 463-4354

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Resolution to Amend Mendocino County Air Quality Management District Regulation 1, Air Pollution Control Rules as Written, and Authorization for the Air Pollution Control Officer to Submit the Adopted Amendments to the US EPA for Inclusion in the State Implementation Plan (SIP) to Conform to Federal Requirements

Recommended Action/Motion:

Adopt Resolution to amend Mendocino County Air Quality Management District Regulation 1, Air Pollution Control Rules as written; authorize the Air Pollution Control Officer to submit the adopted amendments to the US EPA for inclusion in the State Implementation Plan (SIP) to conform to federal requirements; authorize Chair to sign same.

Previous Board/Board Committee Actions:

September 20, 2016 - Adoption of Resolution to amend District Regulation 1, Air Pollution Control Rules to conform to Federal Requirements.

Summary of Request:

The Clean Air Act requires states to submit to EPA plans that implement, maintain and enforce national ambient air quality standards (NAAQS). These Plans, known as State Implementation Plans (SIPs), must be updated as air quality standards are changed or new ones are adopted.

EPA has identified the following two items in the District's rules that need to be amended prior to finalizing approval of the District's SIP.

1. Regulation 1, Rule 1-220, New Source Review does not contain any provisions that required air monitoring must be based on applicable models, databases and other requirements as specified in the Code of Federal Regulations (CFR), Part 51, Appendix W, therefore the requirements of 40 CFR 160 (f) and 51.66 (I) have not been met.
2. Regulation 1, Rule 1-230, Action on Applications does not contain provisions regarding a sources obligations when modification of the stationary source results in the source becoming a major stationary source, therefore the requirements of 40 CFR 51.66(j) through (s) have not been met.

In order to comply with federal requirements the District has drafted amendments to District Regulation 1, Air Pollution Control Rules that implement the federal programs for review of significant new and modified sources of air pollution known as the Prevention of Significant Deterioration Program, or PSD. The amendments are "administrative in nature" and necessary to maintain full approval of the District's program. The proposed actions are consistent with state and federal laws and regulations and will not result in any adverse impacts on emissions, air quality, public health, compliance costs or cost-effectiveness, or have other socio-economic impacts.

The proposed amendments incorporate specific requirements and procedures consistent with EPA's most recent standards for this program and will allow EPA to approve the District's program as part of the State Implementation Plan (SIP) ensuring that the District's rules are federally enforceable.

The District is requesting that the Board approve adoption of the Resolution to amend Mendocino County Air Quality Management District Regulation 1, Air Pollution Control Rules as written and authorize the Air Pollution Control Officer to submit the adopted amendments to the US EPA and the California Air Resources Board for inclusion in the State Implementation Plan (SIP).

The District published notice of the proposed action on March 6, 2020 to provide a 30-day comment period and included the public hearing date of April 7, 2020.

Alternative Action/Motion:

Not adopt a resolution approving the required regulation amendments and allow EPA to disapprove the District's rules as submitted into the SIP.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At:

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lindsey Dunham, Deputy Clerk I

Date: April 9, 2020

Final Status:**Adopted**

Executed Item: **Resolution** Number: 20-039

