



# Mendocino County

## Legislation Details (With Text)

**File #:** 16-974      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Approved  
**File created:** 9/6/2016      **In control:** Air Quality Management District  
**On agenda:** 9/20/2016      **Final action:** 9/20/2016  
**Title:** Noticed Public Hearing - Discussion and Possible Action including Adoption of Resolution to Amend Regulation 1, Air Pollution Control Rules of the Air Quality Management District to Conform with Federal Requirements  
**Sponsors:** Air Quality Management District

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda 16-06-Reg 1 Amendments-Memo, 2. Reg 1 Resolution 9-20-16, 3. 8-19-19 Proof of Publication, 4. Reg 1 Chapter I Amendments-Stikeout Underline, 5. Reg 1 Chapter II Amendments-Stikeout Underline, 6. Reg 1 Chapter II-Rule 221 SIP Withdrawal Only, 7. Reg 1 Chapter IV-Rule 494 SIP Withdrawal Only, 8. Reg 1 Chapter I Amendments-Final, 9. Reg 1 Chapter II Amendments-Final, 10. CEQA Notice of Exemption Appendix E, 11. Presentation - NSR PROPOSED AMENDMENTS 9-20-16, 12. Presentation (Revised) - NSR PROPOSED AMENDMENTS 9-20-16

Date	Ver.	Action By	Action	Result
9/20/2016	1	Board of Supervisors	Adopted and Chair is authorized to sign same;	Pass

**To:** Board of Supervisors

**From:** Air Quality Management District

**Meeting Date:** September 21, 2016

**Department Contact:** Robert A. Scaglione

**Phone:** 463-4354

**Item Type:** Noticed Public Hearing

**Time Allocated for Item:** 20 Mins

**Agenda Title:**

Noticed Public Hearing - Discussion and Possible Action including Adoption of Resolution to Amend Regulation 1, Air Pollution Control Rules of the Air Quality Management District to Conform with Federal Requirements

**Recommended Action/Motion:**

Adopt Resolution to amend Mendocino County Quality Management District Regulation 1, Air Pollution Control Rules as written and authorize Chair to sign same; authorize the Air Pollution Control Officer to submit the adopted amendments to the US Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) for inclusion in the State Implementation Plan (SIP); withdraw Rule 1-221 and Rule 1-494 from the SIP or from submittal into the SIP, as applicable; and file a notice of categorical exemption pursuant to the California Environmental Quality Act (CEQA).

**Previous Board/Board Committee Actions:**

None

**Summary of Request:**

The Clean Air Act requires states to submit to the 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. The EPA is approving most of California's SIP submittals; in addition, the EPA is currently finalizing disapproval for narrow deficiencies for several districts, including the Prevention of Significant Deterioration (PSD) permit program requirements to regulate Particulate Matter <2.5 microns (PM<sub>2.5</sub>). The District drafted amendments to Rule 1-130, Definitions, Rule 1-200, Permitting Requirements, Rule 1-220, New Source Review, and Rule 1-230, Action on Applications to correct noted deficiencies. The amendments have been requested and reviewed by the EPA. In order to meet a court-ordered deadline of March 2017, the amendments must be adopted and submitted to EPA by October 1, 2016. The proposed amendments will allow the EPA to approve the District's program as part of the SIP and ensure that the District's rules are federally enforceable. In addition to the proposed amendments, the EPA has requested that the District withdraw Rule 1-221, Federal Permitting of Greenhouse Gas Emissions, from submittal into the SIP due to court actions and Rule 1-494, Potential to Emit Limitations, from submittal into the SIP as it is not required for SIP approval.

**Alternative Action/Motion:**

Do not adopt the required regulation amendments and allow the EPA to disapprove the District's Rules as submitted to the SIP.

**Supplemental Information Available Online at:** N/A

**Fiscal Impact:**

**Source of Funding:** N/A

**Budgeted in Current F/Y:** N/A

**Current F/Y Cost:** N/A

**Annual Recurring Cost:** N/A

**Supervisory District:** All

**Vote Requirement:** Majority

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

---

**CEO Liaison:** Christopher Shaver, Deputy CEO

**CEO Review:** Yes

**Comments:**