

RESOLUTION NO. 97-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (AQMD) certifying the Final Environmental Assessment for Proposed Amended Rule 102 - Definitions of Terms, Proposed Amended Rule 1106.1 - Pleasure Craft Coating Operations, Proposed Amended Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Proposed Amended Rule 1302 - Definitions (New Source Review).

A Resolution of the Governing Board of the AQMD amending Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review)

WHEREAS, the AQMD Governing Board has determined with certainty that the proposed amendments to Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review), are considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, the AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and has conducted CEQA review pursuant to such program (Rule 110); and

WHEREAS, AQMD staff has prepared a Draft Environmental Assessment (EA) pursuant to its certified regulatory program (Rule 110) and state CEQA Guidelines Section 15252, setting forth the potential environmental consequences of Proposed Amended Rule 102 - Definitions of Terms, Proposed Amended Rule 1106.1 - Pleasure Craft Coating Operations, Proposed Amended Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Proposed Amended Rule 1302 - Definitions (New Source Review);

WHEREAS, the EA was circulated for public review and all written comments received were responded and incorporated into the Final EA; and,

WHEREAS, it is necessary that the adequacy of the Final EA be determined by the Governing Board prior to its adoption; and

WHEREAS, the AQMD Governing Board voting on these rules has reviewed and considered and hereby certifies the Final EA; and

WHEREAS, the AQMD Governing Board has determined that a need exists to amend Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule

1302 - Definitions (New Source Review) to incorporate the new definition of exempt compounds adopted by EPA and to clarify other definitions ; and,

WHEREAS, the AQMD Governing Board has authority to adopt, amend, or rescind rules and regulations from Sections 40000, 40001, 40412, 40440, 40463, 40702, 40709.5, 40709.6, 40725 through 40728, 40920.5, and 42301.6 of the Health and Safety Code; and

WHEREAS, the AQMD Governing Board has determined that Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review), as proposed to be amended, are written or displayed so that its meaning can be easily understood by the persons directly affected; and

WHEREAS, the AQMD Governing Board has determined that Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review), as proposed to be amended, are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the AQMD Governing Board in amending and adopting these rules references the following statutes which the AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 40001 (rules to achieve ambient air quality standards), 40440(c) (cost-effectiveness), 40920.6; (potential control options and incremental cost-effectiveness); and,

WHEREAS, the AQMD Governing Board has determined that Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review), do not impose the same requirements as any existing state or federal regulation, and Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review), as proposed to be amended, are necessary and proper to execute the powers and duties granted, and imposed upon, the AQMD; and

WHEREAS, the AQMD Governing Board has determined that the socioeconomic impact assessment of Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review), as proposed to be amended, are consistent with the AQMD Governing Board's March 17, 1989, resolution that proposed rule adoptions/amendments consider whether the matter is being presented in order of cost-effectiveness and complies with all applicable state law requirements concerning socioeconomic impacts of new air regulations; and,

WHEREAS, a public hearing has been properly noticed in accordance with the provisions of Health and Safety Code Section 40725; and

WHEREAS, the AQMD Governing Board has held a public hearing in accordance with all provisions of law;

NOW, THEREFORE, BE IT RESOLVED, that the AQMD Governing Board hereby certifies, pursuant to the authority granted by law, the Final EA for Proposed Amended Rule 102 - Definitions of Terms, Proposed Amended Rule 1106.1 - Pleasure Craft Coating Operations, Proposed Amended Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Proposed Amended Rule 1302 - Definitions (New Source Review).

BE IT FURTHER RESOLVED that the AQMD Governing Board hereby amends, pursuant to the authority granted by law, Rule 102 - Definitions of Terms, Rule 1106.1 - Pleasure Craft Coating Operations, Rule 1151 - Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations, and Rule 1302 - Definitions (New Source Review)

Attachments

DATE: _____

Clerk of the Boards