

State of California
California Environmental Protection Agency
AIR RESOURCES BOARD

Resolution 96-46

September 26, 1996

Agenda Item: 96-7-2

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board ("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, Section 39607(d) of the Health and Safety Code requires the Board to adopt test procedures to measure compliance with its nonvehicular, or stationary source, emission standards and those of the air pollution control and air quality management districts ("districts");

WHEREAS, the Board's staff has identified improved test methods for six existing stationary source test methods, Methods 5, 7, 100, 425, 429, and 431, and has identified one new test method, Method 436;

WHEREAS, the Board's staff has proposed amendments to Sections 94105, 94107, 94114, 94135, 94141, and 94143, and has proposed adoption of Section 94161 of Title 17, California Code of Regulations, which incorporate by reference the identified improved and new stationary source test methods, Methods 5, 7, 100, 425, 429, 431, and 436, respectively;

WHEREAS, the proposed amendments and adoption are reasonable and necessary to achieve and maintain applicable ambient air quality standards;

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

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 3.5);

WHEREAS, the Board has considered the impact of the proposed regulatory action on the economy of the state; and

WHEREAS, the Board finds that:

Amendment and adoption of the provisions of Title 17, California Code of Regulations, as set forth in Attachment 1 hereto, and the incorporation of the proposed new and amended test methods for stationary sources as set forth in Attachment 2 hereto, are necessary and appropriate to satisfy the requirements of Sections 39601 and 39607(d) of the Health and Safety Code; and

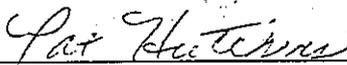
The actions approved herein will have no significant adverse environmental impacts, and will have no, or an insignificant, impact on California business enterprises; and

There is no alternative considered by the Board which would be more effective and less burdensome to public agencies, small businesses, or private persons or businesses, other than small businesses, than the proposed action.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the amendment of Title 17, California Code of Regulations, Sections 94105, 94107, 94114, 94135, 94141, and 94143 and the adoption of Title 17, California Code of Regulations, Section 94161, as set forth in Attachment 1 hereto, and the amendment and adoption of the incorporated test methods for stationary sources, Methods 5, 7, 100, 425, 429, 431, and 436, respectively, as set forth in Attachment 2, hereto.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to make minor modifications to the test methods for stationary sources, provided that the Executive Officer determines that such modifications are necessary. The Executive Officer shall make such modifications available to the public for a period of 15 days, as required by Government Code Section 11346.8, shall consider such written comments as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the modifications to the Board for further consideration if he determines this is warranted.

I hereby certify that the above is a true and correct copy of Resolution 96-46, as adopted by the Air Resources Board.



Pat Hutchens, Clerk of the Board

Resolution 96-46

September 26, 1996

Identification of Attachments to the Resolution

Attachment 1: Amendments to Title 17, California Code of Regulations, Sections 94105, 94107, 94114, 94135, 94141, 94143, and adoption of Title 17, California Code of Regulations Section 94161, as approved by the Board.

Attachment 2: Proposed New Test Method 436 and Amended Test Methods 5, 7, 100, 425, 429, and 431, as approved by the Board.

Attachment 1

FINAL REGULATION ORDER

Note: ~~Redline~~ indicates deleted text; Underline indicates inserted text.

Amend Section 94105, Title 17, California Code of Regulations to read as follows:

94105. Method 5 - Particulate Matter Emissions.

The test method for determining particulate matter emissions is set forth in the Air Resources Board's Method 5, Determination of Particulate Matter Emissions from Stationary Sources, adopted June 29, 1983, as last amended ~~January 7, 1988~~ July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Amend Section 94107, Title 17, California Code of Regulations to read as follows:

94107. Method 7 - Nitrogen Oxides.

The test method for determining nitrogen oxide emissions is set forth in the Air Resources Board's Method 7, Determination of Nitrogen Oxide Emissions from Stationary Sources, adopted June 29, 1983, as last amended July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Amend Section 94114, Title 17, California Code of Regulations to read as follows:

94114. Method 100 - Continuous Sampling.

The test method for continuous gaseous emission stack sampling is set forth in the Air Resources Board's Method 100, Procedures for Continuous Gaseous Emission Stack Sampling, adopted June 29, 1983, as last amended July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Amend Section 94135, Title 17, California Code of Regulations to read as follows:

94135. Method 425 - Total Chromium and Hexavalent Chromium Emissions from Stationary Sources.

The test method for determining total chromium and hexavalent chromium emissions from stationary sources is set forth in the Air Resources Board's Method 425, Determination of Total Chromium and Hexavalent Chromium Emissions from Stationary Sources, adopted January 22, 1987, as last amended ~~September 12, 1990~~, July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Amend Section 94141, Title 17, California Code of Regulations to read as follows:

94141. Method 429 - Polycyclic Aromatic Hydrocarbon (PAH) Emissions.

The test procedure for determining polycyclic aromatic hydrocarbon emissions is set forth in the Air Resources Board's Method 429, Determination of Polycyclic Aromatic Hydrocarbon (PAH) Emissions from Stationary Sources, adopted September 12, 1989, as last amended July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Amend Section 94143, Title 17, California Code of Regulations to read as follows:

94143. Method 431 - Ethylene Oxide Emissions.

The test procedure for determining ethylene oxide emissions is set forth in the Air Resources Board's Method 431, Determination of Ethylene Oxide Emissions from Stationary Sources, adopted September 12, 1989, as last amended July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Adopt new Section 94161, Title 17, California Code of Regulations as follows:

94161 Method 436 - Multiple Metal Emissions.

The test procedure for determining multiple metal emissions is set forth in the Air Resources Board's Method 436, Determination of Multiple Metals in Emissions from Stationary Sources, adopted July 28, 1997 which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, and 39607, Health and Safety Code.
Reference: Sections 39515, 39516, 39605, 39607, 39666 and 40001, Health and Safety Code.

Attachment 2

Documents produced in Attachment 2 can be found in section 15, Documents Incorporated by Reference, in the rulemaking record.