

**BEFORE THE AIR POLLUTION CONTROL BOARD
EASTERN KERN AIR POLLUTION CONTROL DISTRICT**

In the matter of:

RESOLUTION APPROVING EASTERN
KERN AIR POLLUTION CONTROL
DISTRICT 2017 OZONE ATTAINMENT
PLAN FOR 2008 FEDERAL 75 ppb
8-HOUR OZONE STANDARD

Resolution No. 2017-001-07

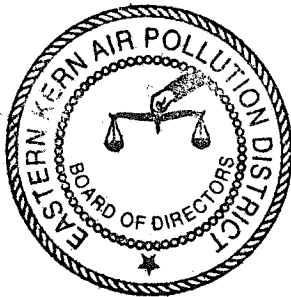
I, Louise Roman, SECRETARY TO THE AIR POLLUTION CONTROL BOARD OF THE EASTERN KERN AIR POLLUTION CONTROL DISTRICT, certify that the following Resolution, proposed by Director _____ Scrivner _____ and seconded by Director Thomas , was duly passed and adopted by said Board at an official meeting on this 27th day of July, 2017, by the following vote:

AYES: Grimes, Scrivner, Gleason, and Thomas

NOES: None

ABSENT: Parris

(District Seal)



Louise Roman
Secretary of the Air Pollution Control Board of
the Eastern Kern Air Pollution Control District

By *Louise Roman*

RESOLUTION

Section 1. RECITALS:

- (a) The federal Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to establish health-protective National Ambient Air Quality Standards (NAAQS) for regulated air pollutants, including ozone; and
- (b) In 2008, EPA adopted a more stringent 8-hour-averaged ozone standard of 75 parts per billion (ppb) (2008 Ozone NAAQS); and
- (c) CAA requires any area that does not meet NAAQS for any regulated air pollutant be designated nonattainment for that pollutant; and
- (d) A portion of Eastern Kern Air Pollution Control District ("District") failed to meet the 2008 Ozone NAAQS by the applicable attainment date and was reclassified as "Moderate" nonattainment; and
- (e) District, in partnership with California Air Resources Board (CARB), conducted photochemical modeling along with supplemental analyses to determine whether the District could attain the 2008 Ozone NAAQS by the Moderate deadline; and
- (f) Modeling indicated District would not meet the 2008 Ozone NAAQS by the Moderate deadline but could attain it by 2020, the attainment date for "Serious" nonattainment; and
- (g) Pursuant to Section 181(b)(3) of the CAA "Voluntary Reclassification", District can request CARB formally submit a request to EPA asking for voluntary reclassification of District's nonattainment area from "Moderate" to "Serious" nonattainment for the 2008 Ozone NAAQS, and revise the attainment date to December 31, 2020; and
- (h) District prepared the 2017 Ozone Attainment Plan for 2008 Federal 75 ppb 8-Hour Ozone Standard to satisfy all applicable provisions of the CAA, including those set forth at 42 U.S.C. sections 7502 and 7511a, with respect to the 2008 Ozone NAAQS for Serious Nonattainment classification; and
- (i) A notice of a public hearing on July 27, 2017, at the hour of 2:00 p.m. at the Tehachapi Police Department Communications Room 220 West "C" Street, Tehachapi, CA, to consider adoption of the District's 2017 Ozone Attainment Plan For 2008 Federal 75 ppb 8-Hour Ozone Standard, was duly given; and
- (j) The matter was heard at the time and place so specified, evidence was received and all persons desiring to be heard in said matter were given an opportunity to be heard; and
- (k) Pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations Title 14, Section 15061(b)(3) and 15308, the proposed 2017 Ozone Attainment Plan for 2008 Federal 75 ppb 8-Hour Ozone Standard is exempt from the provisions of CEQA since it can be seen with certainty that there is no possibility the activity in question may have a significant adverse effect on the environment, and as an action taken to assure the protection of the environment, where the regulatory process involves procedures for the protection of the environment.

Section 2. IT IS RESOLVED by the Board as follows:

1. This Board hereby approves and adopts this Resolution thereby approving the 2017 Ozone Attainment Plan for 2008 Federal 75 ppb 8-Hour Ozone Standard.
2. All notices required to be given by law have been duly given in accordance with Health and Safety Code section 40725, and the Board has allowed public comment, both oral and written, in accordance with Health and Safety Code section 40726
3. This Board finds that this action poses no significant impact on the environment and is exempt from CEQA under CEQA Guidelines sections 15061(b)(2) and 15308.
4. District staff is directed to prepare a Notice of Exemption for this project, and the Secretary of this Board is hereby directed to file the Notice of Exemption with the Kern County Clerk.
5. The Secretary of this Board is directed to cause a certified copy of this Resolution to be forwarded to the Air Pollution Control Officer (APCO) for said District and to the County Counsel of Kern County.
6. The APCO for said District is hereby authorized and directed to submit this resolution and all necessary supporting documents to CARB for submittal to EPA.
7. The Board authorizes the APCO for said District to include in the submittal or subsequent documentation any technical corrections, clarifications, or additions that may be needed to secure EPA approval, provided such changes do not alter the substantive requirements of the approved plan.

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