

State of California
AIR RESOURCES BOARD

Executive Order R-19-010

*Relating to Public Hearing to Consider the Proposed Regulation for the Reporting of
Criteria Air Pollutants and Toxic Air Contaminants*

WHEREAS, on December 14, 2018, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the proposed Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (or CTR), as set forth in Appendix A to the Initial Statement of Reasons (Staff Report) released to the public on October 23, 2018;

WHEREAS, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the regulation is exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) ("common sense" exemption), because the record evidence shows with certainty that there is no possibility that the proposed activity may result in a significant adverse impact on the environment, as described in Chapter V of the Staff Report;

WHEREAS, following the public hearing, the Board adopted Resolution 18-57 in which the Board approved for adoption new Article 1, sections 93400, 93401, 93402, 93403, 93404, 93405, 93406, 93407, 93408, 93409, and 93410, title 17, California Code of Regulations as set forth in Attachment A and Attachment B of that resolution;

WHEREAS, Resolution 18-57 directed the Executive Officer to make available for public comment, for at least 15 days, modified regulatory language and concepts presented in Attachment B of the Resolution, additional conforming modifications that are appropriate, and any additional supporting documents and information. The Executive Officer was directed to consider written comments submitted during the public review periods and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

WHEREAS, modified regulatory language and supporting documentation were circulated for two 15-day public comment periods, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from May 13, 2019, through June 7, 2019, for the first proposed modifications, and July 19, 2019, through August 1, 2019, for the second proposed modifications; and

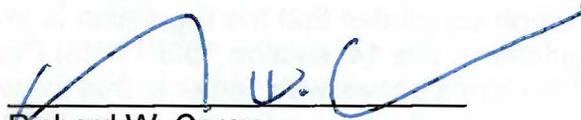
WHEREAS, a number of written comments were received during the initial 45-day comment period and the two supplemental 15-day comment periods, and those comments were considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 18-57 are incorporated herein.

IT IS FURTHER ORDERED that new Article 1, sections 93400, 93401, 93402, 93403, 93404, 93405, 93406, 93407, 93408, 93409, and 93410, title 17, California Code of Regulations are adopted as set forth in the Attachment to this Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 9th day of ^{October}~~September~~, 2019, at Sacramento, California.



Richard W. Corey
Executive Officer

Attachment

Final Regulation Order for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants, California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 7.7, Article 1.