

**Board Administration and Regulatory Coordination Unit**

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**Division 3. Air Resources Board**

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**Chapter 1. Air Resources Board**

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**Subchapter 1.5. Air Basins and Air Quality Standards**

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**Article 6. Transport Mitigation**

**§ 70601. Procedure for Limiting the Application of Best Available Retrofit Control Technology.**

A district may exclude one or more sources from the requirement to apply best available retrofit control technology as transport mitigation pursuant to section 70600 provided that the district plan prepared pursuant to part 3, chapter 10 (commencing with section 40910) of division 26 of the Health and Safety Code and approved by the Board pursuant to part 4, chapter 1 (commencing with section 41500) of division 26 of the Health and Safety Code demonstrates that:

(a) emissions from the source, because of its location, do not contribute to ozone violations in any downwind area; or

(b) emissions reductions from the source are not needed to attain the ozone standard in any downwind area; or

(c) the district is implementing an alternative emissions reduction strategy pursuant to section 40914 of the Health and Safety Code and that strategy will be at least as effective and as expeditious as the transport mitigation requirements specified in section 70600.

NOTE: Authority cited: Sections 39601, 39610(b), Health and Safety Code. References cited: Sections 39610, 40912, 40913, 40921 and 41503, Health and Safety Code.

**REFERENCE**