

**June 29, 2016**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

***AIR POLLUTION CONTROL BOARD  
REGULAR MEETING***

**COUNTY OF SAN DIEGO  
AIR POLLUTION CONTROL DISTRICT**

STATEMENT OF PROCEEDINGS  
SAN DIEGO COUNTY AIR POLLUTION CONTROL BOARD  
AIR POLLUTION CONTROL DISTRICT  
REGULAR MEETING  
MEETING AGENDA  
WEDNESDAY, JUNE 29, 2016, 9:00 A.M.  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION: Meeting was called to order at 9:02 a.m.

PRESENT: Members Ron Roberts, Chairman; Dianne Jacob, Vice Chairwoman; Greg Cox; Dave Roberts; also, David Hall, Clerk of the Board.

ABSENT: Member Bill Horn

Approval of Statement of Proceedings/Minutes for the meetings of May 3, 2016 and May 11, 2016.

**ACTION:**

ON MOTION of Member Cox, seconded by Member D. Roberts, the Air Pollution Control Board of the San Diego County Air Pollution Control District approved the Statement of Proceedings/Minutes for the meetings of May 3, 2016 and May 11, 2016, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts

ABSENT: Horn

**NOTICE:** THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

**Air Pollution Agenda Items**

**Agenda #    Subject**

1.        NOTICED PUBLIC HEARING:  
          ADOPTION OF AMENDMENTS TO RULE 24 – TEMPORARY PERMIT  
          TO OPERATE

**API. SUBJECT: NOTICED PUBLIC HEARING:  
ADOPTION OF AMENDMENTS TO RULE 24 –  
TEMPORARY PERMIT TO OPERATE (DISTRICTS: ALL)**

**OVERVIEW:**

Pursuant to federal and state law, the Air Pollution Control District (District) requires any facility or operation that emits air pollutants above certain levels to have air quality permits. These permits limit the amount of traditional air pollutants and toxic air contaminants that may be emitted from such operations. These emissions limitations are important in protecting our air quality and public health.

Existing Rule 24 (Temporary Permit to Operate), Section (d), allows existing unpermitted sources to begin operation prior to their permit being issued provided they have submitted a permit application to the District. This is problematic in several ways. First, federal and state laws do not allow unpermitted operation of sources of air pollutants because of the potential for substantial harm to air quality. Second, businesses could emit uncontrolled, potentially harmful, air pollutants because they possess no permit limiting such emissions.

In the course of District review of Rule 24 for needed amendments to Section (d), the U.S. Environmental Protection Agency (EPA) requested the District eliminate this unusual exemption for unpermitted sources because it is contrary to federal law. Accordingly, this is a request for the Air Pollution Control Board to adopt proposed amendments to Rule 24, removing the exemption for unpermitted sources. If adopted, the proposed amendments will have no impact on any known facilities.

The proposed rule amendments were developed in collaboration with the EPA and the California Air Resources Board (CARB) and with input from local facilities and the public. If adopted, the proposed amended rule will be submitted to EPA through CARB for approval as part of the San Diego County portion of the State Implementation Plan for attaining and maintaining air quality standards.

**FISCAL IMPACT:**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years are required.

**BUSINESS IMPACT STATEMENT:**

Adopting the proposed amendments to Rule 24 will have no impact on any known businesses, which are operating in accordance with air quality permits. The amendments will help ensure permit requirements are applied in an equitable manner to all businesses.

**RECOMMENDATION:  
AIR POLLUTION CONTROL OFFICER**

1. Find that the adoption of the proposed amendments to Rule 24 is categorically exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment, and pursuant to Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt the Resolution entitled: RESOLUTION ADOPTING AMENDMENTS TO RULE 24 – TEMPORARY PERMIT TO OPERATE, OF REGULATION II OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT.

**ACTION:**

ON MOTION of Member Cox, seconded by Member D. Roberts, the Air Pollution Control Board of the San Diego County Air Pollution Control District closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 16-067, entitled: RESOLUTION ADOPTING AMENDMENTS TO RULE 24 – TEMPORARY PERMIT TO OPERATE, OF REGULATION II OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT.

AYES: Cox, Jacob, D. Roberts, R. Roberts

ABSENT: Horn

There being no further business, the Board adjourned at 9:07 a.m.

DAVID HALL  
Clerk of the Air Pollution Control Board  
San Diego County Air Pollution Control District

Notes by: Lopez

NOTE: This Statement of Proceedings sets forth all actions taken by the San Diego County Air Pollution Control Board on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Members of the Board, on Tuesday, August 2, 2016.



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RON ROBERTS  
Chairman

Attest:



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DAVID HALL  
Clerk of the Board