



RESOLUTION NO.
OF THE BOARD OF DIRECTORS OF THE EL DORADO COUNTY
AIR QUALITY MANAGEMENT DISTRICT

WITHDRAWAL OF RULE 527 FEDERAL MAJOR MODIFICATIONS
FROM THE STATE IMPLEMENTATION PLAN (SIP)

WHEREAS, Sections 40001, 40702, 41010, 40919 and 42300 of the Health and Safety Code of the State of California authorizes the El Dorado County Air Quality Management District, to adopt, amend or repeal, and enforce Rules and Regulations to achieve and maintain ambient air quality standards within the District; and

WHEREAS, the Board of Directors of the El Dorado County Air Quality Management District (EDCAQMD) adopted Rule 527, Federal Major Modifications on June 6, 2006 (amended December 5, 2006) in order to comply with the New Source Review (NSR) reform requirements that were published in 40 CFR Part 51.165 and were not vacated or remanded by the courts on June 24, 2005 (67 FR 80186) (Health and Safety Code Section 40727(b)(1) and (b)(6)); and

WHEREAS, EDCAQMD submitted Rule 527 to the US Environmental Protection Agency (EPA) to be included in the State Implementation Plan (SIP), which was received by EPA on August 24, 2007; and

WHEREAS, the only emissions source to which this Rule applies (Sierra Pacific Industries) has since removed its equipment and no longer maintains a Permit to Operate that equipment with EDCAQMD; and

WHEREAS, EDCAQMD, in consultation with EPA, has since determined that the New Source Review Reform elements addressed by Rule 527 can be addressed in a future revision to EDCAQMD's New Source Review Rule 523; and

WHEREAS, the EPA is seeking to have a number of proposed rules and regulations previously submitted into the SIP by Air Districts to be withdrawn because they are either no longer needed or outdated; and

WHEREAS, the EDCAQMD staff concludes that the withdrawal is not a "project" within the meaning of CEQA because the withdrawal does not have the potential in resulting in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change to the environment pursuant to CEQA Guidelines §15378(a).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the El Dorado County Air Quality Management District does hereby determine that the withdrawal of Rule 527 from the SIP is not subject to CEQA.

BE IT FURTHER RESOLVED, The Board of Directors of the El Dorado County Air Quality Management District formally requests the EPA to withdraw Rule 527 from the State Implementation Plan (SIP).

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Resolution _____

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Attest:
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:

Noes:

Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors