

Executive Order R-21-005

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

Whereas, on November 19, 2020, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the proposed amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (CTR, title 17, California Code of Regulations, section 93400 et seq.), as set forth in Appendix A to the Initial Statement of Reasons released to the public on September 29, 2020;

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 amendments staff has determined that the proposed amendments are exempt from CEQA under the general rule or "common sense" exemption, California Code of Regulations, title 14, section 15061(b)(3), because it can be seen with certainty that there is no possibility that the proposed action may have a significant effect on the environment, as described in Chapter V of the Staff Report; and further, the proposal is also categorically exempt from CEQA under the "Class 6" exemption (14 CCR 15306) because it is an action for the collection of information (i.e. basic data collection, research, experimental management, and resource activities) which does not result in serious or major disturbances to an environmental resource;

Whereas, following the public hearing, the Board adopted Resolution 20-31 in which the Board approved for adoption amendments to California Code of Regulations, title 17, Subchapter 7.7, Article 1, sections 93400, 93401, 93402, 93403, 93404, 93405, 93406, 93407, 93408, 93409, 93410, and adopt new Subchapter 7.7, Article 2, sections 93420, 93421, and new Appendices A and B, to title 17, California Code of Regulations, as set forth in the resolution;

Whereas, Resolution 20-31 directed the Executive Officer to make any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period 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 15-day public comment period, 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 March 30, 2020 through April 14, 2020; and

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

Now, Therefore, It Is Ordered that the recitals and findings contained in Resolution 20-31 are incorporated herein.

It Is Further Ordered that amendments to California Code of Regulations, title 17, Subchapter 7.7, Article 1, sections 93400, 93401, 93402, 93403, 93404, 93405, 93406, 93407, 93408, 93409, 93410, and the addition of new Subchapter 7.7, Article 2, sections 93420, 93421, and new Appendices A and B, to title 17, California Code of Regulations, which incorporate by reference the, *Staff Report: Initial Statement of Reasons for the Public Hearing to Consider Amendments to the Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants, Appendix B – U.S. EPA Unit Type Codes*, California Air Resources Board, October 2, 2020, are adopted as set forth in Attachment 1 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 12 day of August at Sacramento, California.



Richard W. Corey
Executive Officer

Attachment