

**STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
AIR POLLUTION CONTROL DISTRICT BOARD**

**Resolution No APCD-2020-\_\_\_**

**A Resolution Approving a Negative Declaration that there are no sources in the jurisdiction of the District that fall under the Control Techniques Guidelines for the Oil and Natural Gas Industry source category; and the submittal of the Negative Declaration as a requested revision to the State Implementation Plan**

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**WHEREAS**, Section 40001 of the Health and Safety Code of the State of California authorizes the Mariposa County Air Pollution Control District (District), to adopt and enforce Rules and Regulations to achieve and maintain ambient air quality standards within the District; and

**WHEREAS**, Section 40702 of the Health and Safety Code of the State of California requires a district to adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted; and

**WHEREAS**, Mariposa County has been designated as non-attainment by the United States Environmental Protection Agency (U.S. EPA) for the 2008 federal 8-hour ozone standard pursuant to the Federal Clean Air Act Amendments of 1990 (CAAA); and

**WHEREAS**, the CAAA requires for non-attainment areas the implementation of volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) Reasonably Available Control Technology (RACT) rules covering: (1) all source categories covered by the Control Techniques Guidelines (CTG) document, for which there are applicable sources operating in the jurisdiction of the District, and (2) major sources of VOCs and NO<sub>x</sub>; and

**WHEREAS**, the CTG document for the Oil and Natural Gas Industry source category was published by the U.S. EPA on October 27, 2016 (EPA-453/B-16-001); and

**WHEREAS**, the District Board of Directors (District Board) has determined that, based on a review of its permit files and emission inventory, there are no stationary sources or emitting facilities in the jurisdiction of the District, and does not anticipate these sources in the future, that meet the CTG RACT Guidance emissions thresholds, in the Oil and Natural Gas Industry source category; and

**WHEREAS**, the District Board has determined that the adoption of a “Negative Declaration” for the above CTG for the Oil and Natural Gas Industry source category is necessary to comply with requirements of California Health and Safety Code Sections 40001 and 40910, and with Title 1, Part D, Subpart 2, Section 182(b)(2), of the 1990 Federal Clean Air Act Amendments (CAAA) for the submittal of RACT rules; and

**WHEREAS**, the “Negative Declaration” finding is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Administrative Code, Section 15308, as an action by a regulatory agency for the protection of the environment; and

**WHEREAS**, the public was provided with the opportunity to comment on this matter, and the notice was properly made pursuant to the procedures of 40 CFR 51.102(a) and (d); and

**WHEREAS**, the District Board has received and duly considered all evidence that concerns the proposed adoption of the Resolution, and the District Board has duly considered such evidence.

**NOW THEREFORE BE IT RESOLVED**, that the District Board approves and adopts this “Negative Declaration” certifying that in the District there are either no sources or no sources that exceed CTG RACT guidance emission thresholds for the Oil and Natural Gas Industry source category (EPA-453/B-16-001) in the jurisdiction of the District, and therefore the “Negative Declaration” is made that the requirements of Section 182(b)(2) of the CAAA are not presently applicable to the District for the CTG for the Oil and Natural Gas Industry for the 2008 8-hour ozone standard; and

**BE IT FURTHER RESOLVED**, that the Air Pollution Control Officer is hereby authorized and directed to submit this “Negative Declaration” as a requested revision to the State Implementation Plan, in the form required by the California Air Resources Board and the United States Environmental Protection Agency, on behalf of the District; and

**BE IT FURTHER RESOLVED**, that each part of this “Negative Declaration” is deemed severable, and in the event that any part of this “Negative Declaration” is held to be invalid, the remainder of this “Negative Declaration” continues in full force and effect.

**ON MOTION BY** Board Member \_\_\_\_\_, seconded by Board Member \_\_\_\_\_, this resolution duly passed and adopted this 10<sup>th</sup> day of March 2020 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
, Chair  
Mariposa County Air Pollution Control  
District Board

Attest:

\_\_\_\_\_  
René LaRoche  
Clerk of the Board