
**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX AIR DIVISION**

Technical Support Document
for
EPA's Direct Final Rulemaking
for the
California State Implementation Plan

Monterey Bay Unified Air Pollution Control District
Rule 205, Provision of Sampling and Testing Facilities

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RULE IDENTIFICATION –

Agency: Monterey Bay Unified Air Pollution Control District (MBUAPCD)

SIP Approved Rule: Rule 205 – Provision of Sampling and Testing Facilities
Adopted – December 13, 1984
Submitted – February 6, 1985
EPA Approved – July 13, 1987 (52 FR 26148)

Subject of this TSD: Rule 205 – Provision of Sampling and Testing Facilities
Amended – March 21, 2001
Submitted – May 31, 2001

BACKGROUND –

Monterey Bay Unified Air Pollution Control District (MBUAPCD) is currently designated as attainment for the National Ambient Air Quality Standards for the 8-hour ozone standard, lead, carbon monoxide, nitrogen dioxide, PM 2.5, PM 10, and SO₂.

RULE SUMMARY -

Rule 205 requires any person operating or using any article, machine, equipment for which MBUAPCD requires a permit, to provide and maintain sampling and testing facilities as specified in the authority to construct or permit to operate for that facility.

The submitted rule updates the SIP approved rule to the current District rule format by adding a table of contents and adding sections for: purpose, applicability, exemptions, effective dates, references, definitions, and requirements. For rule clarity, the District also changed "the" to "their" in the following requirement:

A person operating or using any article, machine, equipment, or other contrivance for which District Rules require a permit shall provide and maintain such sampling and testing facilities as specified in ~~the~~ **their** Authority to Construct or Permit to Operate.

EPA EVALUATION –

Since MBUAPCD is designated attainment for the NAAQS, this rule is not a required element for the state implementation plan.

The following criteria were used to evaluate the submitted rule.

1. Enforceability - The Bluebook (*Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations*, EPA, May 25, 1988) and the Little

Bluebook (*Guidance Document for Correcting Common VOC & Other Rule Deficiencies*, EPA Region 9, August 21, 2001) were used to help evaluate compliance with the CAA §110(a)(2)(A) requirement for enforceability.

2. SIP Relaxation - Where previous versions of rules have been SIP approved, new submittals must comply with CAA §110(l) and §193 regarding SIP relaxations. We have evaluated this SIP revision to determine whether it would interfere with any applicable requirement concerning attainment and reasonable further progress (RFP) or any other applicable requirement of the Act (CAA 110(l)) or modify, in a nonattainment area, any SIP-approved control requirement in effect before November 15, 1990 (CAA 193).

The submitted rule primarily involves formatting changes to make it consistent with the District's rule format and makes one minor editorial change. The rule requirements generally ensure that the submitted rule can be enforced. The submitted rule strengthens the version previously approved into the SIP and complies with CAA §110(l) and §193.

EPA ACTION –

The submitted Rule 205 strengthens the SIP by clarifying requirements and standardizing the format of the rule. The rule largely fulfills the relevant CAA §110 and part D requirements. EPA staff recommends a full approval of Rule 205 pursuant to CAA §110(k)(3) and §301(a).

ATTACHMENTS -

1. MBUAPCD, Rule 205, Provision of Sampling and Testing Facilities, as submitted on May 31, 2001.
2. MBUAPCD, Rule 205, Provision of Sampling and Testing Facilities, as approved into the SIP on July 13, 1987.
3. "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations," (a.k.a., Bluebook) EPA OAQPS, May 25, 1988 (http://www.epa.gov/ttn/naaqs/ozone/ozonetech/voc_bluebook.pdf).
4. "Guidance Document for Correcting Common VOC & Other Rule Deficiencies," (a.k.a., Little Bluebook), EPA Region 9, August 21, 2001 (<http://www.epa.gov/region09/air/sips/littlebluebook2001.pdf>).