



RULE DEVELOPMENT

The Ventura County Air Pollution Control District is charged by the California Health & Safety Code to protect public health from the adverse effects of air pollution. The District's Rule Development Section prepares rules to reduce air pollution for the welfare of all county residents.

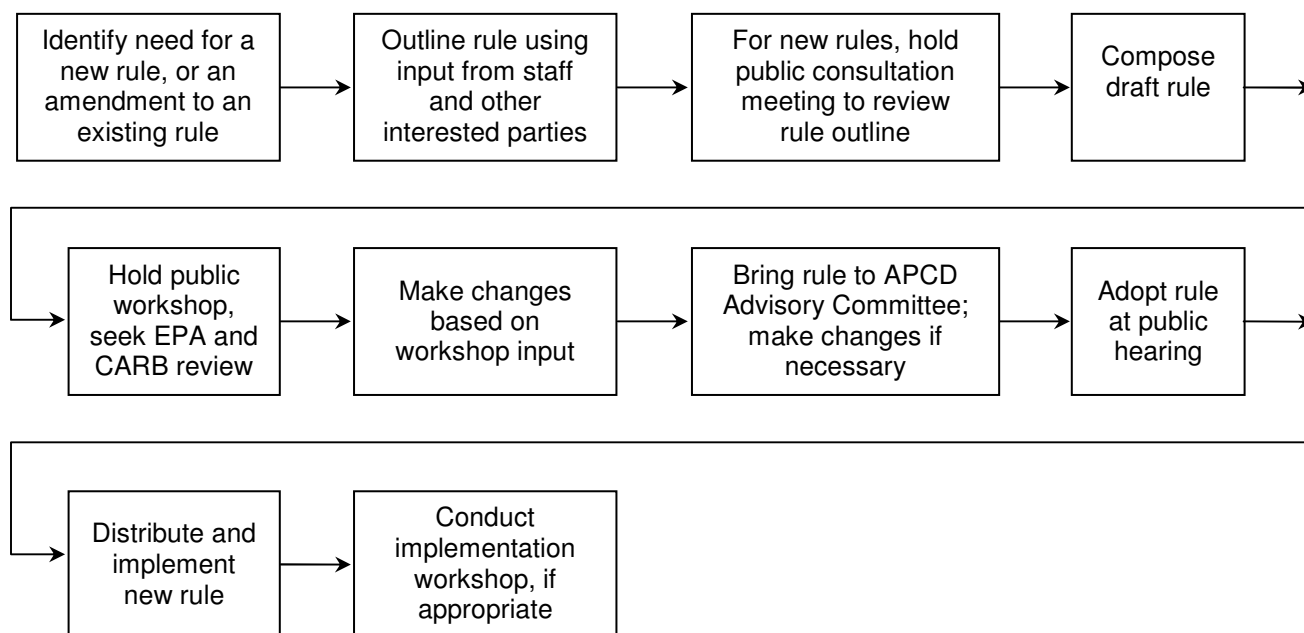
The United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) classify Ventura County as a nonattainment area for both the federal and state ozone air quality standards. In addition, Ventura County does not meet the state particulate matter (PM) standard. Therefore, the District must provide firm guidelines and restrictions designed to reduce air pollutants from factories, power plants, coatings operations, oil production facilities, and hundreds of other sources. The Rule Development Section is challenged with the task of developing rules to reduce emissions while minimizing their socioeconomic impacts.

WHAT IS AN AIR POLLUTION RULE?

Each rule is designed to reduce air pollution from a specific source category within Ventura County. The District's first rules were adopted over 40 years ago. While a rule serves several functions, it primarily outlines requirements for certain activities at the emission source. These activities can include fuel combustion, gasoline storage, painting, degreasing, dry cleaning, screen printing, asphalt paving, and chrome plating. Many rules also include recordkeeping requirements, measurement standards, and exemptions.

HOW IT WORKS

District air quality engineers develop new rules and rule amendments and manage the process of approval, as outlined below. Public participation is essential to rulemaking, so the District involves the public as much as possible in the process.



New rules and rule amendments may be initiated in response to a legal mandate, such as the Air Quality Management Plan, which is adopted by the Air Pollution Control Board to bring the County into compliance with air quality standards.

Other reasons include state and federal mandates, special public health concerns, or specific problems with existing rules.

The rule engineer outlines a rule concept with input from the District engineering, planning, and compliance staff. Representatives of other agencies may also become involved in the initial outline.

The public consultation meeting: Occasionally, a meeting is scheduled to review the outline for a new rule and allow the public to ask questions and provide comments. Meeting notices, including the rule outline, are mailed to concerned businesses and other interested parties.

The draft rule: At this point, the rule engineer prepares a draft rule based on the outline (and comments received at a public consultation meeting). The rule engineer also prepares a staff report, which explains why the rule is necessary, the types of businesses affected, the estimated compliance costs, and air pollution reduction benefits. The EPA and CARB are also given an opportunity to comment on the draft rule.

The public workshop: When the draft rule is ready, a workshop is scheduled to discuss it and allow the public to provide comments. The workshop is noticed by mail to all interested parties. The draft rule and draft staff report are typically available on the District website.

After the workshop, the draft rule may be revised based on the public comments.

The Advisory Committee meeting: The APCD Advisory Committee is a 20-member body appointed by the Air Pollution Control Board. It meets monthly as needed to review proposed new or revised rules. The meeting is open to the public and is noticed by mail to all interested parties.

At the meeting, the draft rule is presented to the Committee for review and comment. The public is given an opportunity to provide comments. After consideration, the Committee makes a recommendation to the Air Pollution Control Board to either adopt or reject the draft rule. In addition, the Committee may ask staff for changes to the draft rule in its recommendation.

Rule Adoption hearing: Staff presents the proposed rule for adoption at a public hearing before the Air Pollution Control Board. By law, the adoption hearing must be preceded by a public notice published in a local newspaper at least 30 days prior to the hearing. In addition, a hearing notice is mailed to concerned businesses and interested parties in advance of the hearing.

At the hearing, the public is invited to comment on the proposed rule. The Board may adopt the rule as proposed, adopt the rule with amendments, postpone adoption, or reject the rule.

The new rule: After adoption, the District distributes copies of the new or revised rule to subscribers of the District's rule update service (see below). The rule also appears on the District website. In some cases, an implementation workshop is conducted to explain the new requirements.

Stay informed

The District's Rules & Regulations can be freely accessed online at vcapcd.org. You can also order a copy of the rulebook from the District for a nominal fee.

To receive notices of public meetings, workshop notices, draft rules, and quarterly updates to the District Rules & Regulations, call (805) 303-4003 or (805) 303-4006. For information on rule development, call (805) 303-4005 or contact us via email at info@vcapcd.org