

**RESOLUTION 2010-XX
BEFORE THE BOARD OF DIRECTORS OF THE
BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA
ADOPTING AMENDMENTS TO RULE 205, *FUGITIVE DUST EMISSIONS***

Resolution 2010-XX.....)
Adopt Amendments to Rule 205,.....)
Fugitive Dust Emissions

WHEREAS, the Butte County Air Quality Management District Board obtains its authority to adopt, amend, or repeal Rules and regulations from California Health and Safety Code Sections 40000, 40001, 40701, and 40702;

AND WHEREAS, the Butte County Air Quality Management District Board has determined that the proposed amended rule is written such that the meaning can be understood by the persons directly affected by it (Health and Safety Code Section 40727(b)(3));

AND WHEREAS, the Butte County Air Quality Management District is currently classified as a nonattainment area for the for the State 24-hour and Annual PM₁₀ standard;

AND WHEREAS, the Butte County Air Quality Management District Board has determined that the adoption of the proposed amendments to Rule 205 are necessary to implement the statutory requirements of Senate Bill 656 which required air districts to adopt at a public meeting a list of the most readily available, feasible, and cost-effective control measures that could be employed to reduce emissions of PM 2.5 and PM 10 (collectively referred to as PM) from new, existing, and area sources;

AND WHEREAS, the Butte County Air Quality Management District Board has determined that the proposed amendments to the Rule adopted herein are in harmony with, and not in conflict with or contradictory to existing statutes, court decisions, or state or federal regulations (Health and Safety Code Section 40727(b)(4)) and that the regulation does not impose the same requirements as an existing state or federal regulation (Health and Safety Code Section 40727(b)(5));

AND WHEREAS, the Butte County Air Quality Management District Board conducted public hearing on May 27, 2010 concerning the proposed amendments herein;

AND WHEREAS, the District staff has made notice of the public hearing to adopt amendments to these Rules, held public workshop meetings, and received comments as included in the staff report, which are included herein as a record of those proceedings;

THEREFORE, BE IT RESOLVED, that the Butte County Air Quality Management District Board hereby adopts, with an effective date of May 27, 2010, amendments to Rule 205, *Fugitive Dust Emissions*, as proposed in the attachments to the March 5, 2010 staff report.

On Motion of by____ Seconded by _____, the foregoing resolution is hereby PASSED AND ADOPTED BY THE Air Quality Management District Board of Directors on this 27th day of May 2010 by the following:

AYES:
NOES:
ABSTAIN:
ABSENT:

W. James Wagoner, Air Pollution Control Officer
Butte County Air Quality Management District

I hereby attest that this is a true and correct copy of the action taken by the Butte County Air Quality Management District Board of Directors on April 22, 2010.

ATTEST: _____
Trish Weir, Clerk of the Governing Board