

SLO Air Pollution Control Hearing Board

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[Proposed] Stipulated Order of Abatement

Inadequacies, Errors, and Defects

Far too numerous to correct by editing on the fly, so I'll just touch on the most obvious and egregious points.

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Inadequacies, Errors, & Defects

Weak Findings...should declare a “public nuisance”

Weak Order...weaker than Petition for Abatement Order of Sep 10, 2017; APCD should not negotiate downward with itself

Strawmen...irrelevancies include: public works plan, simulation of historic foredune of 1930, campaign to educate the public, crystalline silica, kilograms measured by no air quality monitoring device

Inadequacies, Errors, & Defects

False Claims...County-owned land and private lots have operating agreements with State Parks, but no one can identify a single one currently in force

Protracted Timetable...6 years to achieve 25% more reduction from assumed 75% reduction already in place is too slow and unverified

No Consideration of Appropriate Standard... 8-hr rather than 24-hr would mirror the reality of exceedences on the Dunes

Inadequacies, Errors, & Defects

Unsupported Claims...sand fencing is assumed to reduce dust generation of 75%, but is not tested or verified against ambient

OHMVR Denies Allegations...despite its own studies on dust, despite CA H&S Code Sec 41700 and District Rule 402

Inadequacies, Errors, & Defects

Agreement in lieu of litigation of complex issues and numerous potential defenses...a thinly veiled threat that this Hearing Board of ultimate authority will be sued

Respondent to immediately cease and desist from Code and Rule violations
“OR” do this THINGY...why not “both” rather than “or,” stop and fix it

Inadequacies, Errors, & Defects

No Goals...should achieve ambient levels of PM10 within margin of error, should eliminate exceedences of State & Federal air quality standards

False Starting Point...annual reductions of 5% presume that 75% already achieved with 2018 efforts, you can't get to zero with either presumption

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Inadequacies, Errors, & Defects

Omissions...

No mention of Oso Flaco or other ambient air quality control sites

No measurement metrics

No performance metrics

No penalties for non-compliance

No resolution mechanism with teeth

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JUST SAY NO...

**To this insulting abdication of
responsibility and professional
conduct.**

**The citizens of SLO County
deserve and demand better.**