

# **DRAFT STAFF REPORT**

**Rule 3.14:** *Surface Preparation and Clean-up*

**Rule 3.19:** *Vehicle and Automotive Coating Operations*

**Rule 3.20:** *Wood Product Coatings Operations*

**Rule 1.1:** *Definitions*

Date of Release: February 10, 2011

## **Schedule of Meetings**

Rule Changes Workshop: April 21, 2011

Public Hearing: June 6, 2011

**STAFF REPORT**

Date of Release: February 10, 2011  
Scheduled Date of FRAQMD Adoption: June 6, 2011  
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<u>Contents</u>	<u>Page</u>
1. Executive Summary .....	1
2. Background .....	2
3. Legal Mandate .....	3
4. Proposed Rule Requirements .....	4
5. Socioeconomic Impact .....	6
6. Impacts of the Proposed Rule .....	6
7. Estimated Cost Impact .....	7
8. Environmental Review and Compliance .....	9
9. Required Findings .....	9

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- Attachment A: Rule Analysis
- Attachment B: Public Notice
- Attachment C: Comments and Responses

## **1.0 Executive Summary:**

Feather River Air Quality Management District (District) is a Bi-County agency that administers local, state, and federal air quality management programs for Yuba and Sutter Counties. Under the provisions of the California Clean Air Act (CCAA) of 1988, Yuba County and the northern portion of Sutter County have been designated as “nonattainment-transitional” for failing to meet the state ozone standard. The southern portion of Sutter County is designated as “severe” nonattainment for failing to meet the state ozone standard.

Ozone is formed when volatile organic compounds (VOCs) react with nitrogen oxides (NOx) in the presence of sunlight, and is one component of smog. It is a strong irritant that attacks the respiratory system and leads to the damage of lung tissues. Exposure to ozone aggravates asthma, bronchitis and other respiratory diseases, as well as cardiovascular diseases. VOC reductions are necessary to attain and maintain the state ambient air quality standard for ozone.

The 2009 Air Quality Attainment Plan requires the Northern Sacramento Valley Air Basin (NSVAB) to adopt rules and regulations deemed necessary to attain and maintain the state ambient air quality standard for criteria pollutants at the earliest practical date. District Staff is proposing to modify District Rule 3.14, Solvent Degreasing, to fulfill the commitment made by the District and to help attain the state ambient air quality standards for ozone.

Because portions of the District have been designated as nonattainment for failure to meet the federal 8-hour ground-level ozone standard, the United States Environmental Protection Agency (USEPA) requires the District to implement measures to reduce ozone precursors. The District makes its commitment to reduce pollution through the State Implementation Plan (SIP). The SIP is federally enforceable through USEPA and the Federal Clean Air Act (CAA).

District Rule 3.14, Solvent Degreasing, was adopted in June of 1991. For the 2011 amendments, the District proposes to rename this rule “Surface Preparation and Clean-up” to account for the various uses of solvent. The rule will effectively lower the VOC content limit for the various uses of solvents and document procedures to reduce the evaporation of solvents into the atmosphere. Lower VOC content limits for these solvents have been achieved for most applications in other Air Districts through the use of aqueous technologies or by transitioning to exempt compounds.

Solvent cleaning is performed by manufacturing and service operations for application equipment and manufactured or serviced parts. The proposed rule amendments will affect a wide variety of industries. Any source performing solvent cleaning will be affected, including sources not currently regulated by the District. Industries potentially affected include repair shops, automotive service stations, printing/graphic arts operations, and various other coating operations.

To limit confusion with the overlap of multiple rules containing solvent requirements, the District is proposing to consolidate the solvent surface preparation and clean-up requirements into Rule 3.14 Surface Preparation and Clean-up. The District will remove the requirements for surface preparation and clean-up from District Rule 3.19 and 3.20, including applicable VOC limits, equipment requirements, and work practice requirements. The current requirements will be in effect in District Rule 3.14 until the more stringent requirements take effect in December 2011. Furthermore, the District is proposing to modify District Rule 1.1 to contain the definitions for VOC, ROG, and exempt compounds. This will negate the need to list the definitions in each prohibitory rule.

Amendments to these rules are expected to lower VOC emissions from solvent cleaning operations in the District by 30 tons per year.

## **2.0 Background:**

### **Ozone**

Reducing VOC emissions is part of the District's strategy for reducing ozone formation. Ozone is not directly emitted from polluting sources and is classified as a secondary pollutant. It forms in the atmosphere through complex chemical reactions between VOCs and nitrogen oxides with the presence of a catalyst, such as sunlight. Ozone is a highly reactive gas that can be harmful to public health when it is in high concentrations at ground level. High concentrations can irritate the nose and throat and can aggravate respiratory conditions such as asthma, bronchitis, and emphysema.

### **Regulations**

The EPA and ARB have adopted ambient air quality standards to determine outdoor pollutant levels considered safe for the public. The standards are health-based and designed to provide protection for the most sensitive groups.

The Federal Clean Air Act (CAA) requires air districts in nonattainment for the ozone standards to prepare a plan describing how the National Ambient Air Quality Standard will be met. The District committed as part of the 8-Hour Ozone Attainment Plan to reduce VOC from surface preparation and clean-up operations in order to assist in achieving attainment and to demonstrate actual VOC emission reductions. On the state level, the California Clean Air Act (CCAA) requires the District to develop a plan to achieve attainment with the state ozone standard.

### **VOC Emission Reductions**

The District is proposing to amend the existing rule by lowering the VOC limits for surface preparation and clean-up solvents, which the District expects to be met by increasing the use of aqueous cleaning technologies and exempt compounds. For most cleaning activities, low VOC and aqueous solvents have been successfully used as a substitute for organic based cleaners in many industrial and commercial applications. There are numerous products readily available since other air Districts throughout the State have been requiring low VOC cleaners for several years.

### **3.0 Legal Mandate:**

#### **Federal Mandates**

In 2004, EPA designated the Sacramento region as one of the nation's four worst 8-hour ozone nonattainment areas. This region, called the Sacramento Federal Nonattainment Area (SFNA), includes all of Sacramento and Yolo counties and portions of Placer, El Dorado, Solano, and Sutter counties. Federal law and regulations set specific planning requirements for adopting and implementing a plan to meet reasonable further progress goals and demonstrate attainment of the 1997 federal ozone standard as expeditiously as practicable, but no later than our attainment deadline. This State Implementation Plan (SIP) contains a list of control measures which will help the area meet federal Clean Air Act planning requirements for the 1997 health based standards for 8-hour ozone. A modification to Rule 3.14 was included on the list as a feasible control measure.

#### **State Mandates**

The California Clean Air Act requires areas designated as nonattainment for ozone to develop a plan, in accordance with section 40913 of California Health and Safety Code, to achieve California's ambient air quality standard by the earliest practical date by adopting cost-effective control measures.

The SFNA portion of Sutter County is designated as "severe" nonattainment for the state ozone standard. CH&S Code, section 40920 requires the District to adopt a control measure that will use Best Available Retrofit Control Technology (BARCT) for all existing stationary sources in this area. BARCT, as defined in the CH&S, is as "an emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy and economical impacts by each class or category of source.

Yuba County and the northern area of Sutter County are designated as "nonattainment-transitional" for the state ozone standard. CH&S Code, section 40925.5 requires the District to adopt a control measure that will use Reasonable Available Control Technology (RACT) for all existing stationary sources in these areas. RACT is defined as "the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility."

#### **All Feasible Measures Requirements**

California Health and Safety Code, section 40914 requires the District's plan to demonstrate that the plan includes "every feasible measure" to control emissions. All feasible control measures are those which have the most effective regulatory emissions standards demonstrated in California's air districts.

Other districts have already implemented regulations limiting the VOC content in materials used for surface preparation and clean-up. A VOC standard of 50 grams per liter for materials, used for general cleaning, has been in effect in the South Coast Air Quality Management District (SCAQMD) and the Bay Area AQMD (BAAQMD) since 1999. The San Joaquin Valley Air Pollution Control District (SJVAPCD) and Sacramento Metropolitan AQMD (SMAQMD) have also adopted the 50 gram per liter standard.

In 2005, the SCAQMD further reduced the VOC standard to 25 grams per liter for materials used for general cleaning and have adopted stringent limits for other categories. The SJVAPCD, SMAQMD, and Yolo-Solano AQMD (YSAQMD) followed shortly thereafter in 2007-2008.

The District has evaluated the standards in the rule against similar requirements recently adopted by other districts. The District has determined that the standards are feasible and have been achieved in practice.

#### 4.0 Proposed Rule Requirements:

The District is proposing to lower the VOC limits for certain source categories and to establish VOC limits on source categories not previously limited. For most cleaning operations, the District will require sources to use cleaning materials with a 50 gram per liter limit for VOCs, effective 12/31/2011.

Compliance with the new requirements can be achieved through the use of aqueous technologies, exempt compounds, or other emission control technologies.

Operators using cleaning materials with a VOC content of 50 grams per liter or less will be exempt from the requirements of Rule 3.14. Any source claiming this exemption is still subject to the requirements of Section E.3 Burden of Proof, which can easily be satisfied by having a Material Data Safety Sheet for the cleaning material on hand.

The following table summarizes the District's approach for lowering VOC content limits. The table includes current VOC content limits for solvents used for surface preparation and clean-up and cites the rules where the requirements are currently found. The table also includes the lower proposed limits and new categories.

**Table 1: VOC Content Limits**

Category		VOC Content Limit (grams/Liter)	
		Prior to 12/31/2011	Effective 12/31/2011
Product Cleaning	Coatings and Adhesives		50
	Vehicles & Mobile Eqmt. [Rule 3.19]	Surface Prep	200
		Handheld Spray	780
	Wood Products [Rule 3.20]		200
	Metal Parts and Products		50
	Polyester Resins		50
	Inks		50
	Electrical Apparatus Components & Electronic Components		100
	Aerospace Components		200 g/L or 45 mm Hg VOC Composite Partial Pressure
Medical Devices, Pharmaceuticals, and Pharmaceutical Products		800	
Cleaning of Application Equipment	Coatings and Adhesives		50
	Vehicles & Mobile Eqmt. [Rule 3.19]		50
	Wood Products [Rule 3.20]		50
	Metal Parts and Products		50
	Polyester Resins		50
	Printing Operations: Screen Printing, Lithographic and Letterpress, Ultraviolet, Flexographic, Gravure (Publication)		100
	Aerospace Components		50
	Medical Devices, Pharmaceuticals, and Pharmaceutical Products		810
Sterilization of food manufacturing and processing equipment		200	
General: Industries Not Specified Above		50	

### Comparison of Similar Solvent Rules enacted in the State

As stated earlier, numerous districts across California have already enacted similar solvent rules. Since there are a few variations in the requirements stated in these rules, a side-by-side comparison was performed. These comparisons can be seen below in Table 2.

**Table 2: Comparison of District Rules**

	FRAQMD Proposed Rule	Other District Limits			
		South Coast AQMD	Sac Metro AQMD	Yolo-Solano AQMD	San Joaquin APCD
<b>Applicability</b>					
<b>Exemption Levels</b>					
Usage	20 gal/yr	NA	NA	10 gal/yr	55 gal/yr
VOC Content	50 g/L	25 g/L	25 g/L	25 g/L	25 g/L
<b>Requirements</b>					
<b>Product Cleaning</b>					
Coatings, Wood Products, Metal Parts, Resins, Inks	50 g/L	25 g/L	25 g/L	25 g/L	25 g/L
Adhesives	50 g/L	25 g/L	<70 g/L	25 g/L	25 g/L
Vehicles & Mobile Equipment	50 g/L	25 g/L	72 g/L	25 g/L	25 g/L
Electrical Apparatus Components & Electronic Components	100 g/L	100 g/L	100 g/L	100 g/L	100 g/L
Aerospace Components	200 g/L or VOC composite vapor pressure ≤ 45 mm Hg	200 g/L or VOC composite vapor pressure ≤ 45 mm Hg	200 g/L or VOC composite vapor pressure ≤ 45 mm Hg	NA	200 g/L or VOC composite vapor pressure ≤ 45 mm Hg
Medical Devices, Pharmaceuticals, and Pharmaceutical Products	800 g/L	800 g/L	800 g/L	800 g/L	800 g/L
<b>Requirements</b>					
<b>Cleaning of Application Equipment</b>					
Coatings, Wood Products, Metal Parts, Resins	50 g/L	25 g/L	25 g/L	25 g/L	25 g/L
Adhesives	50 g/L	25 g/L	<70 g/L or gun cleaner	25 g/L	25 g/L
Vehicles & Mobile Equipment	50 g/L	25 g/L	72 g/L	25 g/L	25 g/L
Flexographic Printing	100 g/L	25 g/L	25 g/L	100 g/L	100 g/L
Screen Printing, Gravure (Publication)	100 g/L	100 g/L	100 g/L	100 g/L	100 g/L
Lithographic and Letterpress & Ultraviolet Printing	100 g/L	100 g/L	100 g/L	238 g/L	100 g/L
Aerospace Components	50 g/L	25 g/L	25 g/L	25 g/L	25 g/L
Medical Devices, Pharmaceuticals, and Pharmaceutical Products	810 g/L	NA	NA	810 g/L	NA
<b>Requirements</b>					
<b>Other</b>					
Sterilization of food manufacturing and processing equipment	200 g/L	NA	200 g/L	NA	NA
<b>Monitoring and Records</b>					
Amount of time in which records are required to be kept	3 years	3 years	5 years	2 years	5 years

### **Cleaning Solutions**

Common solvents currently used for surface preparation and clean-up include acetone, d-limonene, and paint thinner/mineral spirits. Acetone and d-limonene are compliant solvents which do not need a permit, so many cleaning operations in the District already incorporate these materials. Whereas paint thinner/mineral spirits are the organic based, high VOC solvents which are planned to be phased out for high usage facilities.

One alternative to using organic based solvents is to start using aqueous solutions. Aqueous solutions are available in a wide pH range from acidic to alkaline. Acidic solutions are typically used for scale or salts, but are not as effective for greases and oils. Neutral and alkaline solutions can contain surfactants and rust inhibitors to improve effectiveness and prevent rusting or corrosion. Mildly alkaline solutions are suitable for oil and greases. The SCAQMD has certified over a hundred cleaners as "Clean Air Solvents" meeting specific criteria including the 25 grams per liter VOC content. In addition, SCAQMD maintains a list of companies who supply aqueous cleaners systems.

### **Aqueous Degreasing Systems**

Aqueous degreasing systems are generally equipped with a heating element to increase the effectiveness of the cleaner. There is more flexibility with cleaning options for aqueous systems because the solutions used are not as flammable as traditional organic solvents.

The five common types of cleaning systems that can be used with aqueous solutions are as follows:

1. **Sink-on-a-drum:** The sink-on-a-drum parts washer consists of a sink mounted on a drum/barrel. The unit is equipped with a hose, brush applicator and is a manually operated. They can contain filters or skimmers which extend the life of the cleaner. This unit is the most commonly used and most comparable to the traditional remote reservoir cleaners.
2. **Enzyme System:** Enzyme systems are similar to sink-on-a-drum units. They use specially formulated enzyme cleaners. Microbes are added to the system through an impregnated filter or are added directly to the cleaner. The cleaner emulsifies the grease and the microbes breakdown and biodegrade the oils.
3. **Immersion Parts Washer:** The immersion unit is similar to the sink-on-a-drum, unit except it has a false sink, allowing access to a reservoir for cleaning or soaking when removed.
4. **Spray Cabinet:** The spray unit operates by spraying or flushing high pressure cleaners in an enclosed unit. These units are automated.
5. **Ultrasonic Cleaner:** The ultrasonic units use cavitation energy from sonic waves to clean parts. These units are effective for cleaning equipment or parts with small crevices or complex geometries, such as transmissions and carburetors. These units are automated.

### **Additional Rule Amendments**

To limit confusion with the overlap of multiple rules containing solvent requirements, the District is proposing to consolidate the solvent surface preparation and clean-up requirements into Rule 3.14 Surface Preparation and Clean-up. The District will remove the requirements for surface preparation and clean-up from District Rule 3.19 and 3.20, including applicable VOC limits, equipment requirements, and work practice requirements. The current requirements will be in effect in District Rule 3.14 until the more stringent requirements take effect in December 2011. Furthermore, the District is proposing to modify District Rule 1.1 to contain the definitions for VOC, ROG, and exempt compounds. This will negate the need to list the definitions in each prohibitory rule.

District Rule 3.20 will also be cleaned up to remove deadlines and various other time-related requirements that have passed. These changes will make the rule more clear and concise. The District believes that no further changes need to be made to the rule at this time.

The District is aware of the Suggested Control Measure (SCM) proposed by CARB for Automotive Coatings. This SCM proposes to reduce the VOC limits of various automotive coatings listed in District Rule 3.19. However, the District will not implement the SCM at this time. The District is planning to review the SCM requirements within the next few years and determine if it will be a cost-effective measure for Yuba and Sutter Counties. However, District Rule 3.19 will be cleaned up to remove deadlines and various other time-related requirements that have passed. These changes will make the rule more clear and concise..

## **5.0 Socioeconomic Impact:**

Yuba and Sutter Counties have a combined population of less than 500,000 persons. The Required Assessment in subsection (d) of the California Health and Safety Code (Section 40728.5) states, "This section does not apply to any district with a population of less than 500,000 persons." A socioeconomic impact analysis is not required.

## **6.0 Emission Impacts of the Proposed Rule:**

The ARB maintains an emission inventory of pollutants emitted from different source categories. The source categories are assigned Emission Inventory Codes (EIC) describing the general emission group, the specific operation, and material. The District reviewed the categories applying to solvent cleaning and solvent degreasing. According to the 2005 emissions inventory for the SFNA portion of FRAQMD, solvent cleaning and degreasing for all categories account for approximately 3 tons of VOC per year. District staff estimates proposed rule amendments will result in a reduction of 1.5 tons of VOC per year, or 0.004 tons/day. FRAQMD has made a SIP commitment of reducing VOC emissions by 0.0006 tons/day in the SFNA. It is expected that FRAQMD will exceed its commitment through the implementation of this rule.

The rule will have a larger effect on the remaining northern portion of FRAQMD where the majority of the stationary sources are located. Staff estimates that there may be over 400 solvent cleaning machines in use at repair shops and manufacturing facilities in FRAQMD. Furthermore, the number of sources performing solvent cleaning that will be subject to Rule 3.14 is estimated to be in the range of 75 to 150. After comparing the current VOC limits with the proposed VOC limits for each category, the District determined that there will be approximately a 30 ton per year VOC reduction.

## 7.0 Estimated Cost Impact:

CH&SC Section 40703 requires the District, in the process of the adoption of any rule or regulation, to consider and make public its findings related to the cost effectiveness of the rule. Cost effectiveness for rulemaking purposes is calculated by dividing the cost of air pollution controls required by the rule by the amount of air pollution reduced.

### Aqueous Cleaning Systems

The conversion from solvent cleaning degreasers to aqueous cleaning systems has been completed in the BAAQMD, SJVAPCD, SCAQMD, SMAQMD, and YSAQMD. Costs for the conversion to aqueous systems are based on the staff reports for these rule efforts, a study completed by the Institute for Research and Technical Assistance's Pollution Prevention Center (IRTA) for the EPA and Santa Barbara County Air Pollution Control District, and cost information provided by equipment suppliers.

The costs associated with converting equipment include the equipment costs, costs of products used, and operating costs. Traditional solvent units are generally leased from waste management companies who service the equipment. Equipment, chemicals, and disposal costs are all included in the service charge. Costs for aqueous cleaning include specifically, the cost of the aqueous system, solution costs, disposal costs for spent solutions and/or filters, filter costs, electricity costs and labor costs. Initial equipment costs for aqueous units vary depending on the type of machine, size of the unit, and features. The following table demonstrates the range for the different aqueous systems.

**Table 2: Average Cost of Equipment**

<b>Aqueous Equipment System</b>	<b>Cost of Equipment</b>
Sink-on-a-drum	\$328 - \$3,000
Immersion unit	\$800 - \$4,200
Enzyme system	\$1,000 - \$2,400
Spray cabinet	\$1,600 - \$6,400
Ultrasonic unit	\$2,700 - \$12,000

The study performed by IRTA included a cost comparison for different case studies related to converting to aqueous cleaning systems. The report concluded a cost savings for facilities operating aqueous cleaning systems. The lower costs were attributed to the longer life of the aqueous solutions and to the labor savings. The longer life of aqueous solutions meant both the amount of cleaning solution used decreased and there was less spent solution to dispose of. Labor savings were reported from the conversions to enzyme systems and automated units. Similarly, the SCAQMD reported an overall cost savings for the conversion to aqueous systems based on material savings and disposal savings.

The SJVAPCD analyzed the conversion to aqueous systems evaluating different scenarios including:

- Facilities with a single solvent degreaser switching to a single aqueous sink on a drum,
- Facilities with a single degreaser switching to an enzyme-cleaning unit,
- Facilities with a single degreaser switching to a batch loaded aqueous unit larger in size, and
- Facilities with two solvent degreasers switching to one batch loaded aqueous cleaning unit.

The SJVAPCD further broke down each scenario taking into account the usage of the unit. The analysis was made based on the following assumptions:

- The annual compliance cost includes annual operation and maintenance costs as well as annualized capital costs,
- Concentrated aqueous solutions are diluted with water and the cost of water is insignificant,
- Handling of aqueous baths is included in the calculations,

- Aqueous solutions are more effective when heated and any costs are included in the annual compliance cost,
- Labor costs vary by equipment,
- Aqueous baths last longer and require less change out than traditional solvents, and
- Seventy percent of solvent is recycled and the remaining thirty percent are emissions.

The costs and cost effectiveness are reported as follows:

**Table 3: Cost and Cost Effectiveness**

Usage	Annual Cost	Cost-Effectiveness (\$/ton of VOC reduced)
<b>Converting one solvent degreaser to an aqueous unit:</b>		
Low usage	\$546	\$12,937
Average Usage	\$903	\$8,560
High Usage	\$1393	\$6,603
<b>Converting one solvent degreaser to an enzyme unit:</b>		
Low usage	\$368	\$8,132
Average Usage	\$430	\$3,805
High Usage	\$468	\$2,068
<b>Converting one solvent degreaser to an automated aqueous unit:</b>		
Low usage	\$128	\$9,436
Average Usage	\$238	\$2,316
High Usage	\$788	\$3,832
<b>Converting two solvent degreasers to automated aqueous units:</b>		
Low usage	-\$112	-\$2,557
Average Usage	-\$362	-\$3,308
High Usage	-\$412	-\$1,883

The cost effectiveness analysis performed by the SJVAPCD is based on requiring cleaning solutions to comply with a VOC content limit of 50 grams per liter.

#### **General Cleaning / Other Cleaning Operations**

The costs associated with lowering the VOC content of cleaning solutions varies depending on the category and specific cleaning process. Most cleaning operations use some type of wipe cleaning for surface preparation and clean-up. There are no equipment costs for switching to aqueous cleaners for this category. Costs accrued are based on the cost of the replacement cleaners. Replacement cleaners include aqueous solutions, exempt compounds, or blends. The costs of aqueous solutions are generally higher than traditional solvents. However, they are sold in concentrated form and when diluted, the cost of the aqueous solution can be less than the cost for traditional solvents. Dilution ratios vary depending on the product, and typically range from 1-40% solution in water.

The SCAQMD reported costs of traditional solvents to range from \$4 to \$20 per gallon and replacement solvents from \$2 to \$40 per gallon. The BAAQMD reported the average cost for conventional solvents to be \$12.25 per gallon and \$5.97 per gallon for replacement solutions with a median price between \$2.31 and \$2.40 per gallon after dilution.

## 8.0 Environmental Review and Compliance:

The amendments to rule 3.14 are categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15307 and 15308 of the State CEQA Guidelines and no exceptions to these exemptions apply. This exemption is allowed when the rule will help improve air quality in Yuba and Sutter County. California Public Resources Code (Section 21159) requires an environmental analysis of the reasonably foreseeable methods of compliance. The District has concluded that no reasonably foreseeable adverse environmental impacts will be caused by adoption of the proposed rule.

## 9.0 Required Findings:

The California Health and Safety Code, Division 26, Air Resources, requires local Districts to comply with a rule adoption protocol as set forth in Section 40727 of the Code. This section has been revised through legislative mandate to contain 6 findings that the District must make when developing, amending, or repealing a rule. These findings and their definitions are listed in the following table.

**Table 4: Required Findings**

<b>FINDING</b>	<b>DEFINITION</b>	<b>REFERENCE</b>
Authority	A district shall adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the district by this division and other statutory provisions	California Health and Safety Code, Sections 40000, 40001, and 40702 are provisions of law that provide air districts with the authority to adopt these proposed rules.
Necessity	The District has demonstrated that a need for the rule, or for rule amendment or repeal.	It is necessary for districts to adopt these amendments to comply with state law and to ensure consistency with neighboring air districts.
Clarity	The rule is written or displayed so that its meaning can easily be understood by the persons directly affected by it	There is no indication, at this time, that the proposed rules are written in such a manner that it cannot be easily understood by persons affected by the rule.
Consistency	This rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or State or federal regulations.	These rules are consistent with applicable statutory requirements.
Non-Duplication	The rule does not impose the same requirements as an existing State or federal regulation, unless the District finds that the requirements are necessary and proper to execute the powers and duties granted to, and imposed upon, the district	The proposed rule does not impose requirements that duplicate existing laws or regulations.
Reference	Any statute, court decision, or other provision of law that the district implements, interprets, or makes specific by adopting, amending, or repealing a regulation.	The proposed rule has been developed to meet the requirements of the 2003 State Implementation Plan.

# **ATTACHMENT A**

## **Rule Analysis**

# **ATTACHMENT B**

## **Public Notice**

# **ATTACHMENT C**

## **Comments and Responses**