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STAFF REPORT

Rule 1.1: Definitions

Proposed Amendments

Date of Proposed Adoption: June 1, 2026

Lead Staff: Sondra Spaethe, Planning and Engineering Supervisor
Approved by: Christopher D. Brown, AICP, Air Pollution Control Officer

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1.0 Executive Summary

The 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. The District is responsible for adopting and implementing rules and regulations to meet health-based standards for ambient air quality.

The District adopted amendments to Rule 1.1 Definitions in June 2024 to add additional exempt compounds to make our local list consistent with the United States Environmental Protection Agency (US EPA) list as established in the Code of Federal Regulations. Exempt compounds are designated by US EPA as negligibly photochemically reactive compounds and are exempt from emission limitations in several District rules.

The District determined that in the 2024 amendments to Rule 1.1 several exempt compounds were mistakenly omitted in the final version. The District is proposing to amend the definition of “Exempt Compounds” in District Rule 1.1 which will instead reference the Code of Federal Regulations definition rather than include a list of compounds. This change should keep the District’s list of Exempt Compounds correct throughout all future additions or edits made by US EPA.

2.0 Background

2.1 District Regulation I Rule 1.1 and 2024 Amendments

The District Rule 1.1 Definitions includes the definition for the District’s Rules and Regulations. One of the definitions, “Exempt Compounds,” lists the exempt Volatile Organic Compounds as added by US EPA. This definition was updated in 2024 when the District amended the definition of “Exempt Compounds” in District Rule 1.1 to include exempt VOCs that have been added to US EPA’s list of VOC exemptions since the last revision of Rule 1.1 in 2011. In addition, language was adopted to allow the Air Pollution Control Officer to revise the list of “Exempt Compounds” in the rule by publishing a public notice of the revised list of “Exempt Compounds” for 30 days in a newspaper of general circulation in the District, currently the Appeal Democrat. After consideration of any comments received thereupon, and after consultation with CARB, the list would be updated. The intent of this was to allow the District to be more responsive to the adoption of newly listed exemption compounds or changes, keep District rules up-to-date, and cut down on administrative costs associated with a formal rule revision.

2.2 Exempt Volatile Organic Compounds

The US EPA has the authority to add duly noticed and new negligibly photochemically reactive compounds to the Federal Register codified in Part 51 of Title 40 of the Code of Federal Regulations (CFR). The policy of excluding negligibly reactive compounds from the regulatory definition of VOC was first laid out in the “Recommended Policy on

Control of Volatile Organic Compounds” ([42 FR 35314, July 8, 1977](#)) and was supplemented subsequently with the “[Interim Guidance on Control of Volatile Organic Compounds in Ozone State Implementation Plans](#).” These VOCs do not significantly contribute to ozone formation.

3.0 Legal Mandates

The proposed amendment will correct an error in the list of Exempt Compounds. This list is used to determine compliance with District rules and regulations, permit requirements, and issuance of emission reduction credits. It is necessary to have a correct and complete list.

4.0 Summary of Proposed Changes

The proposed change would remove the table containing the list of compounds and cite the Code of Federal Regulations instead. The proposed change would also remove the procedure for adding newly listed Exempt Compounds as it would be unnecessary.

6.0 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. As this rule amendment is to correct an error in a list of compounds, there is no estimated cost to this rule adoption.

7.0 Socioeconomic Impact:

California Health and Safety Code (HSC) §40728.5(d) exempts air districts with a population of less than 500,000 from this requirement.

8.0 Air Quality Benefits of the Proposed Amendments:

There are no anticipated emission reductions from the proposed amendments. The rule amendment shall correct an error in the listing of exempt VOCs.

9.0 Environmental Review and Compliance:

California Public Resources Code Section 21159 requires an environmental analysis of the reasonably foreseeable methods of compliance be conducted. Staff finds that the proposed rule amendment is exempt from the California Environmental Quality Act (CEQA) because (1) it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment (CEQA Guidelines §15061(b)(3)) and (2) it is as an action by a regulatory agency for protection of the environment (Class 8 Categorical Exemption, CEQA Guidelines §15308).

10.0 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.

FINDING	DEFINITION	REFERENCE
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, 40701, 40702, and 40716 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.	There are several missing or incorrectly labeled compounds in the table adopted in 2024 and does not match the CFR.
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 rule is 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.	The rule is consistent with applicable statutory requirements and is consistent with other air districts in California.
Non-Duplication	The rule does not impose the same requirements as an existing State or federal regulation, unless	The proposed rule does not impose requirements that duplicate existing laws or regulations.

	the District finds that the requirements are necessary and proper to execute the powers and duties granted to, and imposed upon, the district.	
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 is consistent with the provisions of the CAA and the HSC.

11.0 Rule Analysis

Section 40727.2 requires a written analysis comparing the proposed rules with existing federal regulations, state regulations, and any other AQMD existing or proposed rules and regulations that apply to the same source type.

Comparison of Proposed Amendments to Rule 3.15 and Rule 1.1 to Feather River AQMD Rules and Regulations

District Rules and Regulations	Does proposed rule conflict or contradict any provisions?
Regulation 1 – General Provisions	No
Regulation 2 – Open Burning	No
Regulation 3 – Prohibition – Stationary Emission Sources	No
Regulation 4 – Stationary Emission Sources Permit System and Registration	No
Regulation 5 – Hearing Board Procedures	No
Regulation 6 – Variances	No
Regulation 7 – Fees	No
Regulation 8 – Penalties and Abatement	No
Regulation 9 – Enforcement Procedures	No
Regulation 10 – New Source Review	Yes, definitions for Exempt VOCs does not match definitions in 10.1

Regulation 11 – Air Toxic Control Measure	No
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Comparison of Proposed Rules and other Federal and State Regulations

Health and Safety Code Section 40727.2, requires the District to identify all existing federal, state, and local air pollution control requirements that apply to the same equipment or source category as the rule proposed for adoption or modification by the District. Proposed amendments to Rule 1.1 make the definition of an exempt VOC consistent with Federal Regulations. There are no existing federal or state regulations that would be in conflict with or are contradictory to the proposed rule.