

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT  
MEMORANDUM  
08/03/2020

TO: FRAQMD BOARD OF DIRECTORS  
FROM: Christopher D. Brown, AICP, APCO  
SUBJECT: Approve Resolution #2020-08 adopting amendments to Regulation IV Rule 4.8 – Further Information and authorize the Chairman to execute related documents.

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RECOMMENDATION:

Approve Resolution #2020-08 adopting amendments to Regulation IV Rule 4.8 – Further Information and authorize the Chairman to execute related documents.

ALTERNATIVES:

Not approve Resolution #2020-08 and retain current version of Rule 4.8.

BACKGROUND:

Regulation IV Rule 4.8 – Further Information was first adopted by the District in 1991 and was amended in 1992. The Clean Air Act (CAA or Act) requires all ozone nonattainment areas to have in place a program that requires annual emissions statements from stationary sources of nitrogen oxides (NOx) and volatile organic compounds (VOC). This is known as the emissions statement rule. The emissions statement requirements of the Act section 182(a)(3)(B) were incorporated into Rule 4.8.

Section 182(a)(3)(B)(ii) of the Act allows districts to waive the requirements for stationary sources emitting less than 25 tons per year of VOC or NOx if the State provides an inventory of emissions for the category of sources.

The District's permitted stationary sources are required to annually report either the throughput of permitted processes (i.e. gallons of gasoline dispensed) or emissions of VOC and NOx. Unpermitted stationary sources are reported as part of the "area" emission inventory, which includes small but numerous sources like consumer products, architectural coatings, and residential fuel combustion.

The District contains two nonattainment areas for the 2015 8-hour ozone national ambient air quality standards (2015 O3 NAAQS): the Sutter Buttes nonattainment area and the south

Sutter County portion of the Sacramento Metro Nonattainment Area (also referred to as the Sacramento Federal Nonattainment Area for Ozone for SFNA). Within two years after the final designations become effective, each ozone nonattainment area must submit to the United States Environmental Protection Agency (US EPA) a statement certifying that its emissions statement rule is compliant with the CAA, or submit a rule adoption for an emissions statement rule.

**DISCUSSION:**

The US EPA reviewed the District's Regulation IV Rule 4.8 – Further Information determined that it no longer meets the emissions statement requirements of CAA §182(a)(3)(B). The US EPA determined that the rule contained director discretion in the request for submittal of the emissions statement and that it should require emission factors to be acceptable to the US EPA. The rule also included a threshold of 10 tons per year for the waiver allowed in section 182(a)(3)(B)(ii).

The District staff also determined that the rule contained outdated references and did not allow the submittal of a throughput instead of emissions.

The District has been implementing the emissions statement requirements of the CAA in practice and the operations of the District will not change as a result of this rule amendment. The District's Regulation IV Rule 4.5 Conditional Approval authorizes the District to include conditions within the permit. Each permitted stationary source has a condition to annually report throughput to the District. The District's Regulation IX Rule 9.2 Records and Reports requires that air pollution monitoring records and fuel composition data shall be recorded, compiled, and submitted on forms furnished by the APCO. The District has been and will continue to work with the State to provide an emissions inventory for smaller stationary sources that are not required to obtain a permit (area sources). The rule amendment brings Rule 4.8 into alignment with Rules 4.5 and 9.2, and the current operating practices of the District.

**FISCAL IMPACT:**

There is no estimated fiscal impact from the adoption of these amendments outside of an estimated ten or less staff hours required to submit the amendments to the California Air Resources Board and the US EPA as a revision to the State Implementation Plan.

**ATTACHMENTS:**

- A – Resolution #2020-08
- B – Staff Report
- C – Public Comments and Responses
- D – Proof of Publication Public Notice

Attachment A – Resolution #2020-08

**RESOLUTION #2020-08 OF THE BOARD OF DIRECTORS AUTHORIZING THE  
ADOPTION OF AMENDMENTS TO REGULATION IV, RULE 4.8 – FURTHER  
INFORMATION**

**WHEREAS**, Section 182(a)(3)(B) of the Clean Air Act (Act) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of oxides of nitrogen (NOx) and volatile organic compounds (VOCs); and

**WHEREAS**, the Feather River Air Quality Management District includes two ozone nonattainment areas for the 2015 8-hour ozone National Ambient Air Quality Standard, the Sutter Buttes Nonattainment Area and a portion of the Sacramento Federal Nonattainment Area; and

**WHEREAS**, California Health and Safety Code sections 40000, 40001, 40702, 40716, 40910, and 42300 authorize the Feather River Air Quality Management District to adopt this proposed rule and regulation; and

**WHEREAS**, these proceedings were held in a public hearing and were properly noticed pursuant to Health and Safety Code section 40725; with any evidence having been received concerning the proposed adoption of this Resolution and this Board having duly considered such evidence; and

**WHEREAS**, District staff has prepared a written analysis of the proposed rules, pursuant to Health and Safety Code section 40727.2, and has maintained a record of the rulemaking proceeding pursuant to Health and Safety Code section 40728 at the District office located at 541 Washington Avenue, Yuba City, CA; and

**WHEREAS**, there is no indication at this time that the proposed rules are written in such a manner that the persons affected by it could not easily understand it; and

**WHEREAS**, the proposed rules are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations and any duplication with existing state or federal regulations is necessary or proper to execute the powers and duties of the Feather River Air Quality Management District; and

**WHEREAS**, the proposed rule is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations, section 15308, as an action by a regulatory agency for the protection of the environment; and

**WHEREAS**, the District Board has made the required findings pursuant to Health and Safety Code section 40727, of authority, necessity, clarity, consistency, non-duplication, and reference in regard to the proposed rule;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT that effective August 3, 2020, the Board approves and adopts amendments to Regulation IV, Rule 4.8 – Further

Information, to read in their entirety as set forth in Exhibit A of this resolution, attached hereto and made part hereof; and

**BE IT FURTHER RESOLVED** that the Air Pollution Control Officer is authorized to make non-substantial changes to the rules in consultation with District Counsel so long as the changes are consistent with the District's mission and goals; and

**BE IT FURTHER RESOLVED** the adoption of amendments to Regulation IV, Rule 4.8 is exempt from CEQA; and

**BE IT FURTHER RESOLVED** by the Board of Directors of the FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT that effective August 3, 2020, the Board instructs the District staff to submit the amended Regulation IV, Rule 4.8 – Further Information and all necessary supporting documents to the California Air Resources Board for its approval and subsequent submittal to the United States Environmental Protection Agency for final approval as a revision to the State Implementation Plan.

**PASSED AND ADOPTED** by the Feather River Air Quality Management District at a meeting on August 3, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman

ATTEST:

APPROVED FOR LEGAL FORM:

\_\_\_\_\_

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## **Exhibit A**

**District Regulation IV, Rule 4.8 – Further Information**

**RULE 4.8 - FURTHER INFORMATION** (Adopted 8/91; Amended 9/92, August 3, 2020)

- A. Before acting on an application for Authorization to Construct or Permit to Operate, the Air Pollution Control Officer (APCO) may require the applicant to furnish full information including any plans or specifications. The APCO shall, when requested, make available to the public for examination all information and data compiled by or submitted to him in accordance with Section III of the California Business and Professions Code. The information specified by the applicant as trade secrets shall not be considered public information and the APCO shall maintain the confidentiality of such information.
- B. The owner or operator of any source operation which emits or may emit oxides of nitrogen or reactive organic gas shall annually provide the APCO with a written statement, in such form as the APCO prescribes, showing actual emissions of oxides of nitrogen and reactive organic gas from that source or operational data allowing the District to calculate actual emissions. Emissions calculations shall be based on emission factors acceptable to the APCO, the ARB, and the US EPA. The statement shall contain emissions for the time period specified by the APCO. The statement shall also contain a certification by a responsible official of the company that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement. The first statement will cover 1992 emissions and shall be submitted to the district by June 1993. Statements shall be submitted annually thereafter.
- C. The APCO may waive this requirement to any class or category of stationary sources which emit less than 25 tons per year of oxides of nitrogen or reactive organic gas if the District provides the ARB with an emission inventory of sources emitting nitrogen oxides or reactive organic gas based on the use of emission factors acceptable to the APCO, the ARB and the US EPA.

**Attachment B – Staff Report**



# **Staff Report**

## **Rule 4.8: Further Information**

Date of Release: July 3, 2020

Public Hearing: August 3, 2020

Feather River AQMD  
541 Washington Ave  
Yuba City, California 95991

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## 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. The District includes the southern portion of Sutter County, which was included in the Sacramento Metro nonattainment area and designated as a moderate, and the Sutter Buttes nonattainment area, which was designated as marginal for the 2015 8-hour ozone national ambient air quality standard (NAAQS) effective August 3, 2018<sup>1</sup>.

The Federal Clean Air Act (CAA) requires nonattainment areas to submit an emissions statement rule within two years of designations becoming final. The emissions statement rule requires that sources of nitrogen oxides and volatile organic compounds submit a statement annually<sup>2</sup>.

Rule 4.8 Further Information was first adopted by the District in 1991. The emissions statement requirements of CAA §182(a)(3)(B) were incorporated into Rule 4.8.

In March 2020, the United States Environmental Protection Agency (US EPA) reviewed the District's Rule 4.8 and determined that the Rule does not meet all of the requirements for emissions statements in the Clean Air Act. The Rule includes director discretion in the request for the statement, and the waiver provision excludes sources less than 10 tons per year from the inventory.

The District has proposed amendments to Rule 4.8 to satisfy the requirements of the CAA. There is no change to District operations from the proposed amendments. Smaller stationary sources that are not under a District permit are reported as area sources in the emission inventory by the District and the California Air Resources Board (CARB). Throughput data or emissions from all permitted stationary sources are collected in the form of a throughput annually per District Rule 4.5 and Rule 9.2. The proposed amendments satisfy the requirements of the CAA and, if adopted by the Board of Directors, shall be submitted to CARB and the US EPA as a revision to the State Implementation Plan (SIP).

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<sup>1</sup> Additional Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards, 83 FR 25776, June 4, 2018 <https://www.govinfo.gov/content/pkg/FR-2018-06-04/pdf/2018-11838.pdf>

<sup>2</sup> CAA section 182(a)(3)(B)

## 2.0 Background

For one or both of the nonattainment areas, the District was designated as nonattainment for the federal 1-hour ozone standard, the 1997 8-hour ozone standard, the 2008 8-hour ozone standard, and the 2015 8-hour ozone standard. The Clean Air Act amendments of 1990 added the emissions statement rule provision.

The emissions statement rule requires that all ozone nonattainment areas have in place a program to require emissions statements from sources of nitrogen oxides (NOx) or volatile organic compounds (VOCs).

Rule 4.8 was adopted by the District in August 1991 shortly after the formation of the District from the Yuba and Sutter County air districts. The Rule was amended in 1992. The District's Rule 4.8 was approved in the State Implementation Plan on May 26, 2004<sup>3</sup>.

## 3.0 Legal Mandate:

Section 182(a)(3)(B) of the Clean Air Act (Act) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of NOx and VOC. Specifically, section 182(a)(3)(B)(i) of the Act requires air agencies to submit to US EPA a SIP revision requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NOx and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the Act allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NOx if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the U.S. EPA or other methods acceptable to the U.S. EPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The emissions statement requirements for the 70 ppb 8-hour ozone standard are described in Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements (83 FR 62998, December 6, 2018). If a nonattainment area has a previously-approved emissions statement rule in force for a previous 8-hour or 1-hour ozone standard covering all portions of the nonattainment area(s) for the 70 ppb 8-hour ozone standard, the existing Rule should be sufficient for the 70 ppb 8-hour ozone standard. If the existing Rule does not meet section 182(a)(3)(B) requirements, a revised or new rule would have to be submitted as part of the current ozone SIP.

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<sup>3</sup> 69 FR 29880

## 4.0 Proposed Rule Requirements

The amendments would make the following changes:

- Remove the APCO discretion at the start of the section paragraph
- Allow the sources to submit operational data or emissions
- Remove the reference to the ARB's Emission Inventory Turn Around Document
- Require emission factors used to be US EPA approved

The CAA does not allow for director discretion under the emissions statement section except to implement the waiver in Section 182(a)(3)(B)(ii). The beginning of the first sentence in paragraph B in Rule 4.8, which said, "Upon the request of the APCO and as directed by the APCO," was removed. US EPA determined this statement was director discretion. The word "annually" was added to this paragraph to require the statement on an annual basis rather than upon request by the APCO.

The statement "or operational data allowing the District to calculation emissions" was added to the second paragraph of the Rule. The majority of permitted stationary sources in the District report operational data such as hours operated or fuel used rather than actual emissions. The record-keeping and reporting requirements are a condition of the permit to operate in accordance with Rule 4.5, and the submittal of this information to the District is also required in Rule 9.2.

The reference to the CARB's Emission Inventory Turn Around Document was removed. The District staff could not find this document on CARB's website. The reporting requirements for each source are specified in their permit to operate and contain the information needed to calculate the annual total and daily max emissions. The requirement for emission factors to be also approved by the US EPA was also added to the Rule.

The proposed changes will not have any impact on the information collected and reported by the District. Permitted stationary sources were already submitting annual emissions or throughput data per Rule 4.5 and Rule 9.2. Smaller stationary sources that are not under a Permit to Operate are reported in the area source emission inventory prepared by the District and CARB.

## 5.0 Socioeconomic Impact:

California Health and Safety Code §40728.5 requires, in part, that:

"Whenever a District intends to propose the adoption, amendment or repeal of a rule or regulation that will significantly affect air quality or emissions limitations, that agency shall, to the extent that data are available, perform an assessment of

the socioeconomic impacts of the adoption, amendment, or repeal of the rule or regulation.”

However, districts with a population of less than 500,000 persons are exempt from the provisions of CH&S §4072.5(a). The District’s population is estimated to be approximately 167,000<sup>4</sup>, which is below the 500,000 person threshold. Therefore, a socioeconomic analysis for this rulemaking is not required.

## 6.0 Emission Impacts of Proposed Rule

There are no emission impacts from the proposed amendments to Rule 4.8. This Rule requires the submittal of emissions or operational data to allow the District to calculate emissions.

## 7.0 Estimated Cost Impact

The HSC §40703 requires the District, in the process of the adoption of any rule or regulation, to consider and make public its findings related to cost effectiveness of the Rule.

There is no expected cost impact of the proposed amendments. There are no sources that have been granted the waiver. The amendment to the Rule requires the submittal of emissions or operational data to calculate emissions, which is consistent with the requirements of Rule 4.5 and Rule 9.2. The District already collects annually throughput data on every permitted stationary source. Thus, there is no change to existing practices by the proposed amendments. The sources are already required to collect and report the data as part of their permit conditions.

## 8.0 Environmental Review and Compliance:

The amendments of Rule 4.8 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 as this action is taken by a regulatory agency for the protection of a natural resource. 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.

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<sup>4</sup> <https://www.census.gov/data/tables/time-series/demo/popest/2010s-counties-total.html>

## 9.0 Required Findings:

California Health and Safety Code (HSC) §40727(a) required that prior to adoption or amending a rule or regulation, an air district's Board must make findings of necessity, authority, clarity, consistency, nonduplication, and reference. The findings must be based on the following:

1. Information presented in the District's written analysis, prepared pursuant to HSC §40727.2;
2. Information contained in the rulemaking records pursuant to HSC §40728; and
3. Relevant information presented at the Board's hearing for the Rule.

The table below describes each finding and the basis for making the finding:

<b>Required Finding</b>	<b>Finding Determination</b>
<p><b>Necessity:</b> The District must find that the rulemaking demonstrates a need exists for the Rule of for its amendment or repeal. [HSC§40727(b)(1)]</p>	<p>It is necessary for the District to adopt the proposed amendments in order to meet the requirements of the Federal Clean Air Action section 182(a)(3)(B).</p>
<p><b>Authority:</b> The District must find that a provision of law or of a state or federal regulation permits or requires the District to adopt, amend, or repeal the Rule. [HSC §40727(b)(3)]</p>	<p>The District is authorized to adopt rules and regulations by HSC §40001, 40702, 40919, 41010, and 42300.</p>
<p><b>Clarity:</b> The District must find that the Rule is written or displayed do that its meaning can be easily understood by the persons directly affected by it. [HSC §40727(b)(3)]</p>	<p>The District has reviewed the proposed amendments and determined that they can be easily understood by the affected industry. In addition, the record contains no evidence that the persons directly affected by the Rule cannot understand the Rule.</p>
<p><b>Consistency:</b> The Rule is in harmony with and not in conflict with or contradictory to existing statutes, court decisions, or state or federal regulations. [HSC 40727(b)(4)]</p>	<p>The Proposed Rule does not conflict with and is not contradictory to existing statutes, court decisions, or state or federal regulations.</p>
<p><b>Non-Duplication:</b> The District must find that either: 1) The Rule does not impose the same requirements as an existing site or federal regulation, or 2) that the duplicative requirements are necessary or proper to execute the powers and duties granted to and imposed upon the District. [HSC §40727(b)(5)]</p>	<p>The Proposed Rule does not impose requirements that duplicate existing laws or regulations.</p>

<p><b>Reference:</b> The District must refer to any statute, court decision, or other provision of law that the District implements, interprets, or makes specific by adopting, amending, or repealing the Rule. [HSC §40727(b)(6)]</p>	<p>References to statutes are noted where applicable.</p>
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## 10.0 Rule Analysis:

California Health and Safety Code 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 4.8 and Feather River AQMD Rules and Regulations

<b>District Rules and Regulations</b>	<b>Does the proposed rule conflict or contradict any provisions?</b>
Regulation 1 – General Provisions	No
Regulation 2 – Open Burning	No
Regulation 3 – Prohibition – Stationary Emissions Sources	No
Regulation 4 – Stationary Emission Sources Permit System and Registration Rule 4.5 – Conditional Approval The APCO may issue an Authorization to Construct or a Permit to Operate, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the permit standards of these regulations, in which case the conditions shall be specified in writing. Commencing work under such an Authorization to Construct, or operation under such a Permit to Operate, shall be deemed acceptance of all the conditions so specified. The APCO shall issue an Authority to Construct or a Permit to Operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the facility, article, machine, equipment, or other contrivance can operate within the permit standards under the revised conditions.	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: RULE 9.2 – Records and Reports:	No



Air Pollution monitoring records and such fuel composition data as deemed necessary shall be recorded, compiled and submitted on forms furnished by the Air Pollution Control Officer.	
Regulation 10 – New Source Review	No
Regulation 11 – Air Toxic Control Measure	No

### Comparison of Proposed Rules and other Federal and State Regulations

California Health and Safety Code (HSC) section 40701(g) grants to local air districts authority

*“To require any owner or operator of any air pollution emission source, except a noncommercial vehicular source, to provide (1) a description of the source, and (2) disclosure of the data necessary to estimate the emissions of pollutants for which ambient air quality standards have been adopted, or their precursor pollutants, so that the full spectrum of emission sources can be addressed equitably pursuant to Section 40910 .”*

HSC § 39607 (b)(1) directs the CARB to

*“Inventory sources of air pollution within the air basins of the state and determine the kinds and quantity of air pollutants, including, but not limited to, the contribution of natural sources, mobile sources, and area sources of emissions, including a separate identification of those sources not subject to district permit requirements, to the extent feasible and necessary to carry out the purposes of this chapter. The state board shall use, to the fullest extent, the data of local agencies and other state and federal agencies in fulfilling this purpose.”*

And HSC § 39607.1 (b) states that:

*(1) The state board, in consultation with districts, shall establish a uniform statewide system of annual reporting of emissions of criteria pollutants and toxic air contaminants for a stationary source.*

*(2) The state board shall require a stationary source to report to the state board its annual emissions of criteria pollutants and toxic air contaminants using the uniform statewide system of annual reporting developed pursuant to paragraph (1).*

*(c) With the report required pursuant to paragraph (2) of subdivision (b), the state board may require, as appropriate, a stationary source to provide relevant facility-level emissions data.”*

Section 182(a)(3)(B) of the Clean Air Act (Act) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of NOx and VOC. Specifically, section 182(a)(3)(B)(i) of the Act requires air agencies to

submit to US EPA a SIP revision requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NOx and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the Act allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NOx if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the US EPA or other methods acceptable to the US EPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The amendments to Rule 4.8 will not conflict with existing Federal and State Regulations.

**Attachment C – Public Comments and Responses**

## Public Comments and Responses

As of July 24, 2020, the District has not received any public comments.

**Attachment D – Proof of Publication Public Notice**

PROOF OF PUBLICATION  
(2015.5 C.C.P.)

RECEIVED

JUL 08 2020

APPEAL-DEMOCRAT

1530 Ellis Lake Drive, Marysville, CA 95901 \* (530) 749-4700

FEATHER RIVER  
AQMD

STATE OF CALIFORNIA \* Counties of Yuba and Sutter

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed & published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No.CV PT99-0819. The Notice, of which the annexed is a copy, appeared in said newspaper on the following dates:

July 3, 2020

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I declare under penalty of perjury that the foregoing is true and correct.

July 3, 2020

*Kathy Stannerhill*

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Date

Signature

Feather River Air Quality Management District

Public Hearing

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**COPY:**

**PUBLIC HEARING**

PLEASE TAKE NOTICE that the Feather River Air Quality Management District (District) will conduct a public hearing on Monday, August 3, 2020 at 4:00 p.m. The purpose of the hearing is to receive comments and consider the following actions: the adoption of amendments to Rule 4.8 Further Information; the adoption of amendments to Rule 3.22 Stationary Internal Combustion Engines; and the Reasonably Available Control Technology (RACT) analysis and negative declarations.

Due to the COVID-19 outbreak, the Public Hearing may be held virtually or at 541 Washington Avenue, Yuba City. In the event of a virtual hearing, we ask that the public attend remotely via a video link or telephone. Additional information, including the video link and telephone instructions will be posted at FRAQMD's website, [www.fraqmd.com](http://www.fraqmd.com), under the Public Notices icon.

The proposed amendments to Rule 4.8 Further Information would bring the rule into compliance with the Federal Clean Air Act (FCAA) section 182(a)(3)(B).

The purpose of proposed amendments to Rule 3.22 is to adopt new emission limits for prime natural gas well engines per Assembly Bill 617 (Garcia, Chapter 136, 2017).

The RACT analysis reviewed the Control Technique Guidelines (CTG), the District rules and regulations, and existing stationary sources in the Sutter County portion of the Sacramento Federal Nonattainment Area for Ozone pursuant to Sections 182 (b)(2) of FCAA. The RACT analysis has identified one applicable CTG. The District's rules and regulations were determined to be as stringent as the CTG and current RACT. The District is proposing to adopt a negative declaration for the remaining CTGs.

The amendments to Rule 4.8, Rule 3.22, RACT analysis, and negative declarations will be submitted to the California Air Resources Board for submittal to the United States Environmental Protection Agency as a State Implementation Plan revision.

The rule amendments and RACT analysis are available on District's website: [www.fraqmd.org](http://www.fraqmd.org).

By this notice, the public is invited to comment on the actions. Written comments can be submitted by mail to Christopher Brown, APCO, FRAQMD, 541 Washington Avenue, Yuba City, CA 95991, by email to: [sspaethe@fracmd.org](mailto:sspaethe@fracmd.org), or by FAX to 530-634-7660. Written comments should be received no later than 5:00 p.m. on July 23, 2020. Comments may also be presented at the public hearing on August 3, 2020. For more

information, contact the District at (530) 634-7659 or visit [www.fraqmd.org](http://www.fraqmd.org).

July 3, 2020

Ad #00257310