

RESOLUTION NO. 2024 – XXXX

Adopted by the Sacramento Metropolitan Air Quality Management District
Board of Directors

RULE 442 – ARCHITECTURAL COATINGS

BACKGROUND:

- A. The Board of Directors (Board) of the Sacramento Metropolitan Air Quality Management District (District) is authorized by Sections 40001, 40702, and 41010 of the California Health and Safety Code (HSC) to adopt, amend or repeal rules and regulations [HSC Section 40727(b)(2)].
- B. The SMAQMD is within an area designated nonattainment for the 2008 and 2015 8-hr ozone National Ambient Air Quality Standards.
- C. The Board has determined that a need exists to amend Rule 442 to fulfill the contingency measure requirements of Clean Air Act Sections 172(c)(9) and 182(c)(9) [HSC Section 40727(b)(1)].
- D. The Board has determined that the meaning of Rule 442 can be easily understood by the persons affected by it [HSC Section 40727(b)(3)].
- E. The Board has determined that Rule 442 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations [HSC Section 40727(b)(4)].
- F. The Board has determined that Rule 442 does not duplicate any existing state or federal regulations [HSC Section 40727(b)(5)].
- G. The Board has determined that Rule 442 implements the requirements of CAA Section 172(c)(9) and 182(c)(9), and HSC Sections 40150 and 40600 [HSC Section 40727(b)(6)].
- H. The Board has considered a written analysis for Rule 442 in Staff's Statement of Reasons [HSC Section 40727.2].
- I. The Board has maintained records of the rulemaking proceedings [HSC Section 40728].
- J. The Board held a duly noticed public hearing on July 25, 2024, and considered public comments on Rule 442 [HSC Sections 40725 and 40726 and 40 CFR 51.102].
- K. The Board has considered the socioeconomic impacts of Rule 442 in Staff's Statement of Reasons [HSC Section 40728.5].
- L. The Board evaluated Rule 442 to determine whether it is exempt from the California Environmental Quality Act (CEQA) as an action by a regulatory agency for protection of the environment (Class 8 Categorical Exemption, §15308 State CEQA Guidelines) and as an action in which it can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment (§15061(b)(3), State CEQA Guidelines).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

- Section 1. The amendment of Rule 442 is exempt from CEQA.
- Section 2. Approves and amends Rule 442 – ARCHITECTURAL COATINGS, shown in the attached Exhibit A.
- Section 3. Rule 442 (set forth in Exhibit A) is effective as of July 25, 2024.
- Section 4. Directs Staff to forward Rule 442 and all necessary supporting documents to the California Air Resources Board for submittal to U.S. EPA as a revision to the California State Implementation Plan.
- Section 5. Exhibit A is attached to and incorporated into this Resolution.

ON A MOTION by Director _____, seconded by Director _____, the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District on July 25, 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Clerk, Board of Directors
Sacramento Metropolitan Air Quality Management District