

Yolo-Solano Air Quality Management District  
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**YOLO-SOLANO**  
AIR QUALITY MANAGEMENT DISTRICT

**PROPOSED AMENDMENTS TO  
RULE 2.14, ARCHITECTURAL COATINGS**

PROPOSED STAFF REPORT

April 8, 2024

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Reviewed by: Paul Hensleigh and Ben Beattie

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## I. EXECUTIVE SUMMARY

Ozone is a highly reactive gas that is both a natural and a man-made product that occurs in the Earth's upper atmosphere (stratosphere) and lower atmosphere (troposphere). Tropospheric or ground-level ozone is formed primarily from photochemical reactions between two major classes of air pollutants, volatile organic compounds (VOC) and nitrogen oxides (NOx)<sup>1</sup>.

The Yolo-Solano Air Quality Management District (District) is the local agency with the primary responsibility for the control of air pollution generated from stationary and area-wide sources in all of Yolo County and northeastern Solano County. The District, along with El Dorado County Air Quality Management District (EDCAQMD), Feather River Air Quality Management District (FRAQMD), Placer County Air Pollution Control District (PCAPCD), and Sacramento Metropolitan Air Quality Management District (SMAQMD), is located within the Sacramento Federal Nonattainment Area, which is designated as severe nonattainment for the 1997 and 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS). The SFNA is currently designated as serious nonattainment for the 2015 8-hour NAAQS. However, the air districts of the SFNA have requested to voluntarily bump up to a severe nonattainment classification because additional time is needed to meet the standard.

On May 8<sup>th</sup>, 2024, the Yolo-Solano Air Quality Management District (District) Board of Directors will consider the proposed amendments to Rule 2.14, ARCHITECTURAL COATINGS. Rule 2.14. The District's proposed amendments are based on the Suggested Control Measures (SCM) for Architectural Coatings adopted on May 23, 2019, by the California Air Resources Board (CARB).

The main amendment(s) being proposed to Rule 2.14 will be:

1. Addition of new coating categories, replacing older categories.
2. Addition of stricter standards for certain categories, based on the 2019 SCM, to act as a contingency if the SFNA fails to demonstrate attainment of the 2008 or 2015 federal 8-hour ozone standard.

The proposed amendments will not have a significant or detrimental effect on the environment. Therefore, staff prepared a Notice of Exemption to satisfy the requirements of the California Environmental Quality Act (CEQA). The notice states that the revisions to Rule 2.14 are exempt from the requirements of CEQA pursuant to Section 15308, Actions by Regulatory Agencies for Protection of the Environment.

## A. BACKGROUND

### History

Architectural coatings are paints applied to stationary sources along with their corresponding accessories. VOCs are emitted from these coatings in addition to the solvents used to thin them and for clean-up. The District is responsible for controlling these emissions and is basing these rule amendments on the 2019 SCM proposed by CARB. This SCM includes VOC limits for several coating

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<sup>1</sup> U.S. EPA. *What is ozone and where is it in the atmosphere?* Research Triangle Park, NC. Last updated July 11, 2023. <https://www.epa.gov/ozone-pollution-and-your-patients-health/what-ozone>.

categories that are more stringent than those currently in Rule 2.14. The SCM also sets limits for three new coating categories and limits for colorants added to architectural coatings. Rule 2.14 was last amended by the District on October 12, 2016.

The federal Clean Air Act requires areas that are classified as nonattainment to develop State Implementation Plans (SIPs) that describe how a nonattainment area will attain the NAAQS through strategies that achieve emission reductions. CAA sections 172(c)(9) and 182(c)(9) require nonattainment areas, including ozone nonattainment areas classified as serious or higher, to include contingency measures in their SIPs. To fulfill the contingency measure requirement, the District is proposing to amend Rule 2.14 to contain stricter VOC limits for certain categories from the 2019 SCM to take effect if the SFNA fails to demonstrate attainment of the 2008 or 2015 federal 8-hour ozone standard.

The proposed amendment to Rule 2.14 adds provisions that, if triggered, will immediately reduce the allowable VOC content of certain categories of architectural coatings. The contingency provisions will automatically trigger within 60 days of the U.S. EPA finding that the region failed to attain the 2008 or 2015 federal 8-hour ozone standard by the attainment date, or any applicable milestones associated with the 2015 standard. The SFNA has an attainment year of 2024 for the 2008 8-hour ozone standard and 2032 for the 2015 8-hour ozone standard, and the milestone dates for the 2015 standard are 2026 and 2029.

#### Overview of source category

The affected sources include the following within the District: manufacturers, distributors, retailers, importers, paint contractors, construction workers, maintenance staff, and public works personnel. This includes hundreds of retailers within the District and within the vicinity of the District, as well as anyone providing coatings for use, or anyone using coatings in the District.

## **II. DISCUSSION OF PROPOSED RULE 2.29 AMENDMENTS**

The proposed amendments to Rule 2.14 are as follows:

### **Section 110 Exemptions**

The term “markets” has been added to section 102 to address mail order coatings and e-commerce companies that do not sell the coatings directly but market them for sale.

An exemption has been added for colorants added at factories or worksite, and for containers of colorants sold for use in the field or on a job site.

### **Section 200 Definitions**

Eight definitions have been added, and 17 definitions have been removed. In addition, several other definitions have been revised to match the 2019 SCM.

### **Section 300 Standards**

Section 301 has been renamed to CURRENT VOC CONTENT LIMITS to differentiate between the

current limits and those that will go into effect if the contingency measure is triggered. The term market is added to ensure sales through third-party vendors are covered by the Rule. The outdated Table 1 for limits effective through 12/31/2017 has been removed, and Table 2 has been renamed Table 1.

Section 302, VOC CONTENT LIMITS EFFECTIVE UNDER CONTINGENCY MEASURE, has been added to reflect the new VOC content limits for architectural coatings and colorants that will go into effect if the contingency measure is triggered. Language has been added to explain if and when the new limits will go into effect. Table 2 has been added to show the VOC content limits for coatings under the contingency measure, and Table 3 has been added to show the VOC content limits for colorants under the contingency measure.

The sell-through provisions of Section 304 have been revised to one year after the U.S. EPA makes a final determination of failure to attain. Colorants have been added to the sell-through provisions.

Section 308 has been added to provide an early compliance option for coatings and colorants meeting the standards listed in Tables 2 and 3 prior to the contingency measure going into effect.

#### **Section 400 Administrative Requirements**

Various provisions establishing specific labelling requirements for particular coatings have been added or deleted depending on whether the coating category was added or deleted. All past-due applicability dates have been deleted. In addition, a labelling requirements section for colorants has been added to go into effect after the contingency measure has been triggered.

#### **Section 500 Monitoring and Records**

No changes have been proposed for this section.

#### **Section 600 Test Methods and Calculations**

Various provisions incorporating test methods by reference have been added or removed depending on whether the coating was added or deleted. Provisions have also been revised to maintain consistency with the 2019 SCM. Test methods for VOC content of colorants have also been specified.

### **III. COMPARISON WITH OTHER APPLICABLE REGULATIONS AND REQUIREMENTS**

Health and Safety Code Section 40727.2 requires districts to prepare a written comparative analysis of any new control standard that identifies all existing federal air pollution control requirements, including, but not limited to, emission control standards constituting best available control technology (BACT) that apply to the same equipment or source type as the rule or regulation proposed for adoption or modification by the District.

The District proposes to amend the rule to incorporate revisions made to the SCM in 2019, including additions and deletions to the VOC content limits. The revised rule includes the VOC content limits from the 2019 SCM to take effect if the SFNA fails to demonstrate attainment of the 2008 or 2015 federal 8-hour ozone standard.

It is noted that H&SC 40727.2 was last amended in 2000, while the National Volatile Organic Compound Emission Standards for Architectural Coatings have not been amended in any relevant way

since 1999. District Rule 2.14 was last amended in 2001, so the comparison to the Federal regulation conducted in 2001 remains valid. To the extent that any category comparison is still required, it is further noted that the national regulation has only been updated since 1999 to update certain industry-standard test methods that have been revised and to update the addresses of EPA Regional offices.

**IV. IMPACTS OF THE PROPOSED RULE**

Emissions Impacts

The total amount of emission reductions depends on if or when the contingency measure is triggered. Because the contingency measure will include a one-year sell-through period, emission reductions will begin in the second year after the measure is triggered.

The contingency measure will automatically be triggered if EPA finds the SFNA fails to attain the 2008 ozone standard by the attainment year of 2024 or the 2015 ozone standard by the attainment year of 2032, fails to meet reasonable further progress requirements, or fails to meet any applicable milestone. The milestone years in which the contingency measure could be triggered for the 2015 ozone standard are 2026 and 2029.

Table 1 shows the architectural coatings VOC emissions inventory in the District for 2024, the attainment year for the 2008 standard, and 2032, the attainment year for the 2015 standard. The potential estimated emission reductions from contingency measure commitment if triggered in the attainment years are shown in Table 2 below.

<b>TABLE 1 Emissions Inventory – Year 2024 and 2032</b>			
<b>EIC Codes</b>	<b>Description</b>	<b>VOC/ROG Inventory for Control Measure (tpy)</b>	
		<b>2024</b>	<b>2032</b>
520- 520- 9100- 0000	9100-OIL BASED (ORGANIC SOLVENT BASED) COATINGS (UNSPECIFIED)	0.0036	0.0039
520- 520- 9105- 0000	9105-OIL BASED PRIMERS, SEALERS, AND UNDERCOATERS	0.0004	0.0004
520- 520- 9106- 0000	9106-OIL BASED QUICK DRY PRIMERS, SEALERS, AND UNDERCOATERS	0.0000	0.0000
520- 520- 9108- 0000	9108-OIL BASED SPECIALTY PRIMER, SEALER, AND UNDERCOATER	0.0020	0.0021
520- 520- 9109- 0000	9109-OIL BASED BITUMINOUS ROOF PRIMER	0.0013	0.0014
520- 520- 9112- 0000	9112-OIL BASED SANDING SEALERS	0.0003	0.0003

520- 520- 9113- 0000	9113-OIL BASED WATERPROOFING SEALERS	0.0098	0.0104
520- 520- 9118- 0000	9118-OIL BASED WATERPROOFING CONCRETE/MASONRY SEALERS	0.0150	0.0160
520- 520- 9122- 0000	9122-OIL BASED FAUX FINISHING	0.0004	0.0005
520- 520- 9124- 0000	9124-OIL BASED MASTIC TEXTURE	0.0003	0.0003
520- 520- 9126- 0000	9126-OIL BASED RUST PREVENTATIVE	0.0075	0.0080
520- 520- 9131- 0000	9131-OIL BASED STAINS - CLEAR/SEMITRANSSPARENT	0.0428	0.0457
520- 520- 9136- 0000	9136-OIL BASED STAINS - OPAQUE	0.0119	0.0128
520- 520- 9141- 0000	9141-OIL BASED VARNISH - CLEAR/SEMITRANSSPARENT	0.0354	0.0378
520- 520- 9153- 0000	9153-OIL BASED QUICK DRY ENAMEL COATINGS	0.0001	0.0001
520- 520- 9157- 0000	9157-OIL BASED LACQUERS (UNSPECIFIED)	0.0016	0.0017
520- 520- 9159- 0000	9159-OIL BASED FLAT COATINGS	0.0009	0.0009
520- 520- 9160- 0000	9160-OIL BASED NONFLAT - LOW GLOSS/MEDIUM GLOSS	0.0065	0.0069
520- 520- 9161- 0000	9161-OIL BASED HIGH GLOSS NONFLAT COATINGS	0.0025	0.0027
520- 520- 9164- 0000	9164-OIL BASED BITUMINOUS ROOF COATINGS	0.0003	0.0003
520- 520- 9165- 0000	9165-OIL BASED CONCRETE CURING COMPOUNDS	0.0001	0.0001
520- 520- 9166- 0000	9166-OIL BASED DRY FOG COATINGS	0.0000	0.0000
520- 520- 9169- 0000	9169-OIL BASED FLOOR COATINGS	0.0010	0.0011
520- 520- 9170- 0000	9170-OIL BASED FORM RELEASE COATINGS	0.0010	0.0010
520- 520- 9171- 0000	9171-OIL BASED HIGH TEMPERATURE COATINGS	0.0005	0.0005
520- 520- 9172- 0000	9172-OIL BASED INDUSTRIAL MAINTENANCE COATINGS	0.0330	0.0353
520- 520- 9173- 0000	9173-OIL BASED METALLIC PIGMENTED COATINGS	0.0018	0.0019
520- 520- 9174- 0000	9174-OIL BASED ROOF COATINGS	0.0000	0.0000
520- 520- 9176- 0000	9176-OIL BASED TRAFFIC COATINGS	0.0006	0.0006

520- 520- 9177- 0000	9177-OIL BASED WOOD PRESERVATIVES	0.0068	0.0072
520- 520- 9200- 0000	9200-WATER BASED COATINGS (UNSPECIFIED)	0.0119	0.0127
520- 520- 9205- 0000	9205-WATER BASED PRIMERS, SEALERS, AND UNDERCOATERS	0.0180	0.0192
520- 520- 9206- 0000	9206-WATER BASED QUICK DRY PRIMERS, SEALERS, AND UNDERCOATERS	0.0002	0.0002
520- 520- 9208- 0000	9208-WATER BASED SPECIALTY PRIMER, SEALER, AND UNDERCOATER	0.0002	0.0002
520- 520- 9209- 0000	9209-WATER BASED BITUMINOUS ROOF PRIMER	0.0000	0.0000
520- 520- 9212- 0000	9212-WATER BASED SANDING SEALERS	0.0002	0.0002
520- 520- 9213- 0000	9213-WATER BASED WATERPROOFING SEALERS	0.0036	0.0038
520- 520- 9218- 0000	9218-WATER BASED WATERPROOFING CONCRETE/MASONRY SEALERS	0.0046	0.0049
520- 520- 9222- 0000	9222-WATER BASED FAUX FINISHING	0.0008	0.0009
520- 520- 9223- 0000	9223-WATER BASED FORM RELEASE COMPOUNDS	0.0008	0.0008
520- 520- 9226- 0000	9226-WATER BASED RUST PREVENTATIVE	0.0003	0.0003
520- 520- 9231- 0000	9231-WATER BASED STAINS - CLEAR/SEMITRANSSPARENT	0.0008	0.0009
520- 520- 9236- 0000	9236-WATER BASED STAINS - OPAQUE	0.0030	0.0032
520- 520- 9241- 0000	9241-WATER BASED VARNISHES - CLEAR/SEMITRANSSPARENT	0.0061	0.0065
520- 520- 9257- 0000	9257-WATER BASED LACQUERS (UNSPECIFIED)	0.0006	0.0006
520- 520- 9259- 0000	9259-WATER BASED FLAT COATINGS	0.0248	0.0264
520- 520- 9260- 0000	9260-WATER BASED NONFLAT - LOW GLOSS/MEDIUM GLOSS	0.0310	0.0331
520- 520- 9261- 0000	9261-WATER BASED HIGH GLOSS NONFLAT COATINGS	0.0033	0.0035
520- 520- 9264- 0000	9264-WATER BASED BITUMINOUS ROOF COATINGS	0.0051	0.0055
520- 520- 9265- 0000	9265-WATER BASED CONCRETE CURING COMPOUNDS	0.0116	0.0123
520- 520- 9266- 0000	9266-WATER BASED DRY FOG COATINGS	0.0008	0.0008
520- 520- 9269- 0000	9269-WATER BASED FLOOR COATINGS	0.0016	0.0017



520- 520- 9272- 0000	9272-WATER BASED INDUSTRIAL MAINTENANCE COATINGS	0.0043	0.0046
520- 520- 9273- 0000	9273-WATER BASED METALLIC PIGMENTED COATINGS	0.0000	0.0000
520- 520- 9274- 0000	9274-WATER BASED ROOF COATINGS	0.0001	0.0001
520- 520- 9276- 0000	9276-WATER BASED TRAFFIC COATINGS	0.0056	0.0060
520- 520- 9277- 0000	9277-WATER BASED WOOD PRESERVATIVES	0.0000	0.0001
520-522-8302-0000	8302-THINNING SOLVENTS - COATINGS (UNSPECIFIED)	0.0583	0.0620
520-522-8310-0000	8310-ADDITIVES	0.0049	0.0052
520-522-8350-0000	8350-CLEANUP SOLVENTS - COATINGS (UNSPECIFIED)	0.1299	0.1381
<b>Total</b>		<b>0.5199</b>	<b>0.5543</b>

<b>TABLE 2 Emission Reductions – Year 2024 and 2032</b>		
EIC Description	Total VOC Reductions for Control Measure (tpd)	
	2024	2032
Architectural Coatings VOC Reduction from Rule 2.14 Amendment	0.0302	0.0321
<b>Total</b>	<b>0.0302</b>	<b>0.0321</b>

The District assumes 80% of the potential benefits from implementing this contingency measure. This uncertainty factor accounts for potential differences between the assumptions made here and the final Rule 2.14 changes because of changes to the market, cost, availability of compliant coatings, or other issues that may arise. Taking this into consideration, the overall reduction from the proposed contingency measure can achieve a VOC reduction of 5.9% for this source category.

Cost Effectiveness

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.

CARB staff estimated the cost-effectiveness at \$1.85 per pound of VOC reduced.

Socioeconomic Impacts

California Health and Safety Code Section 40728.5 (a) requires the District, in the process of the

adoption of any rule or regulation, to consider the socioeconomic impact if air quality or emission limits may be significantly affected. However, districts with a population of less than 500,000 persons are exempt from the provisions of Section 40728.5 (a). The District's population is estimated to be approximately 331,600 and well below the 500,000 person threshold. Therefore, a socioeconomic analysis for this rulemaking is not required.

#### Incremental Cost Effectiveness

CH&SC Section 40920.6 requires an assessment of the incremental cost-effectiveness for proposed regulations relative to ozone, Carbon Monoxide (CO), Sulfur Oxides (SOx), Nitrogen Oxides (NOx), and their precursors. Incremental cost-effectiveness is defined as the difference in control costs divided by the difference in emission reductions between two potential control options that can achieve the same emission reduction goal of a regulation.

To support statewide consistency, the District is only considering one control option, the limits in the SCM, so an incremental cost effectiveness analysis cannot be performed.

## **V. ENVIRONMENTAL IMPACTS OF METHODS OF COMPLIANCE**

California Public Resource Code Section 21159 requires the District to perform an environmental analysis of the reasonably foreseeable methods of compliance. The analysis must include the following information:

1. An analysis of the reasonably foreseeable environmental impacts of the methods of compliance.
2. An analysis of the reasonably foreseeable mitigation measures.
3. An analysis of the reasonably foreseeable alternative means of compliance with the rule or regulation.

Compliance with the proposed rule amendment is expected to be achieved by the replacement of current coating products with compliant compounds. Application of these compliant compounds will generally result in less VOC emissions from the coating activities. The proposed rule amendments will have neither a significant nor detrimental effect on the environment or humans due to unusual circumstances. In addition, the proposed amendment is considered to be an action taken to maintain and protect the environment. Therefore, staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15308, Actions by Regulatory Agencies for Protection of the Environment. Staff prepared a Notice of Exemption (NOE) to meet the CEQA Guidelines (Attachment B).

## **VI. REGULATORY FINDINGS**

Section 40727(a) of the California Health & Safety Code (H&SC) requires that prior to adopting or amending a rule or regulation, an air district's board 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 H&SC Section 40727.2;
2. Information contained in the rulemaking records pursuant to H&SC Section 40728; and
3. Relevant information presented at the Board’s hearing for adoption of the rule.

The required findings are:

Necessity: It is necessary for the District to adopt this amended rule in order to implement a contingency measure for the SFNA SIP for the reductions of VOCs to achieve attainment with the 2008 and 2015 federal; 8-hour ozone standards and to fulfill the District’s requirements to implement “every feasible measure” and “Best Available Retrofit Control Technology” as required under California Health and Safety Code Sections 40919 and 40914.

Authority: The District is authorized to adopt rules and regulations by California Health and Safety Code, Sections 40001, 40702, 40716, 41010 and 41013. [H&SC Section 40727 (b)(2)]

Clarity: The proposed rule is written so that the meaning can be easily understood by the persons directly affected by it. In addition, the record contains no evidence that the persons directly affected by the rule cannot understand the rule. [H&SC Section 40727(b)(3)]

Consistency: The proposed rule does not conflict with and is not contradictory to, existing statutes, court decisions, or state or federal regulations. [H&SC Section 40727(b)(4)]

Non-Duplication: The proposed rule does not duplicate any state laws or regulations, regarding the attainment and maintenance of state and federal air quality limits. [H&SC Section 40727(b)(5)]

Reference: 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. [H&SC Section 40727(b)(6)]

## **VII. PUBLIC COMMENTS AND STAFF RESPONSES**

A regional SFNA workshop was held on July 18<sup>th</sup>, 2023. Notification was sent to surrounding Air Districts, City Managers within the District, building/planning/community development departments within the YSAQMD, all city and county libraries within the District, all Board members, and all affected sources. The workshop notice was published in the Vacaville Reporter, Woodland Democrat, and the Davis Enterprise. A copy of the public workshop notice and the workshop staff report were posted on the District’s web page prior to the public workshop. Comments were directed to SMAQMD.

Staff will hold a public hearing on May 8, 2024 to discuss the proposed amendments to Rule 2.14. Notification will be sent to surrounding Air Districts, City Managers within the District, building/planning/community development departments within the YSAQMD, all city and county libraries within the District, all Board members. The public hearing notice will be published in a newspaper of general circulation prior to the hearing.

A copy of the public hearing notice, the proposed staff report, and proposed rule language, will be posted on the District’s web page prior to the public hearing.

**VIII. REFERENCES**

**ATTACHMENT A**

**PROPOSED RULE 2.14, ARCHITECTURAL COATINGS  
STRIKE-OUT UNDERLINE VERSION**

**ATTACHMENT B**

**NOTICE OF EXEMPTION FROM CEQA GUIDELINES**

**Notice of Exemption**

**To:**  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

County Clerk  
County of Yolo  
625 Court Street Room 105  
Woodland, CA 95695

County Clerk  
Solano County  
600 Texas Street  
Fairfield, CA 94533

**From:** Yolo-Solano Air Quality Management District  
1947 Galileo Court, Suite 103  
Davis, CA 95618

**Project Title:** Revision of Rule 2.14 – ARCHITECTURAL COATINGS

**Project Location:** Yolo-Solano Air Quality Management District

**Project description:** The District is proposing to amend Rule 2.14, ARCHITECTURAL COATINGS. The District is proposing to amend the rule to add a contingency measure that will decrease the VOC content limits of certain architectural coatings and colorants if the Sacramento Federal Nonattainment Area fails to demonstrate attainment of the federal 8-hour 2008 ozone standard or the federal 8-hour 2015 ozone standard or other milestone years associated with the 2015 standard.

**Name of Public Agency Approving Project:** Yolo-Solano Air Quality Management District

**Name of Person or Agency Carrying Out Project:** Yolo-Solano Air Quality Management District

Exempt Status:

- Ministerial
- Emergency Project
- Categorical Exemption (CEQA Guidelines Section 15308, Action by Regulatory Agency for Protection of the Environment)
- Statutory Exemption

**Reason why project is exempt:** The revision of Rule 2.14 is an action taken to maintain and protect the environment and is therefore exempt from CEQA because it constitutes a Class 8 categorical exemption pursuant to CEQA Guidelines 15308.

**Lead Agency Contact Person:** Gretchen Bennett, Air Pollution Control Officer

**Telephone Number:** (530) 757-3650

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Title:** \_\_\_\_\_





**Notice of Exemption**

**To:**  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

County Clerk  
County of Yolo  
625 Court Street Room 105  
Woodland, CA 95695

County Clerk  
Solano County  
600 Texas Street  
Fairfield, CA 94533

**From:** Yolo-Solano Air Quality Management District  
1947 Galileo Court, Suite 103  
Davis, CA 95618

**Project Title:** Revision of Rule 2.14 – ARCHITECTURAL COATINGS

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**Reason why project is exempt:** The revision of Rule 2.14 is an action taken to maintain and protect the environment and is therefore exempt from CEQA because it constitutes a Class 8 categorical exemption pursuant to CEQA Guidelines 15308.

**Lead Agency Contact Person:** Gretchen Bennitt, Air Pollution Control Officer

**Telephone Number:** (530) 757-3650

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**ATTACHMENT C**

**RESOLUTION NO. 1X-XX**

RESOLUTION NO. 1X-XX

RESOLUTION AMENDING YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT RULE 2.14

**WHEREAS**, California Health and Safety Code section 40702 provides that an air quality management district shall adopt rules and regulations as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the district by Division 26 of the Health and Safety Code; and

**WHEREAS**, Health and Safety Code section 40727 provides that before adopting, amending, or repealing a rule or regulation, a district board shall make findings of necessity, authority, clarity, consistency, nonduplication, and reference, based upon information developed pursuant to section 40727.2, information in the rulemaking record maintained pursuant to section 40728, and relevant information presented at the public hearing required by section 40725; and

**WHEREAS**, section 15308 of the CEQA Guidelines provides that actions taken by regulatory agencies as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment, are categorically exempt from CEQA review (Class 8 Categorical Exemption); and

**WHEREAS**, District staff identified requirements within the Federal Clean Air Act, Section 172(c)(9) and 182(c)(9), which required the revision of Rule 2.14, ARCHITECTURAL COATINGS to implement a contingency measure for the SFNA SIP in compliance with federal law.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Yolo-Solano Air Quality Management District hereby finds, authorizes, directs and declares as follows:

1. The Board of Directors has considered and hereby adopts by reference the staff report prepared in this matter.
2. The Board of Directors makes the following findings pursuant to Health and Safety Code section 40727:
  - a. Necessity: Information in the District's rulemaking record maintained pursuant to Health and Safety Code section 40728 demonstrates a need for amending District Rule 2.14;
  - b. Authority: Health and Safety Code section 40702 permits the District to amend District Rule 2.14;

- c. Clarity: District Rule 2.14 as amended is written so that its meaning can be easily understood by the persons directly affected by it;
  - d. Consistency: District Rule 2.14 as amended is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;
  - e. Nonduplication: District Rule 2.14 as amended does not impose the same requirements as an existing state or federal regulation;
  - f. Reference: By adopting District Rule 2.14, the District meets the requirements of Health & Safety Code Sections 40702.
3. The Board of Directors finds that the District has complied with the procedural requirements set forth in Chapters 6 and 6.5 of Part 3 of Division 26 of the Health and Safety Code.
4. The Board of Directors finds that amending District Rule 2.14 is an action taken by a regulatory agency as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment, and is therefore categorically exempt from CEQA review as a Class 8 Categorical Exemption.
5. The Board of Directors hereby amends District Rule 2.14 as set forth in Exhibit 1 (Attachment A of the Staff Report), which is attached and incorporated by reference. The amendment is effective May 8, 2024.

**PASSED AND ADOPTED** by the Board of Directors of the Yolo-Solano Air Quality Management District this 8th day of May, 2024, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

\_\_\_\_\_  
Mitch Mashburn, Chair Board of Directors  
Yolo-Solano Air Quality Management District

Attest:

Approved as to Form:

\_\_\_\_\_  
Denise Almaguer, Clerk  
Board of Directors

\_\_\_\_\_  
Hope Welton, District Counsel

**ATTACHMENT D**

**WRITTEN COMMENTS RECEIVED**