



Legislation Details (With Text)

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Title: Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors:
 1) Adopt and authorize the Chair to sign Resolution 131-2020, approving proposed amendments to Rule 215 Architectural Coatings; and
 2) Direct staff to forward the rule to the California Air Resources Board for transmittal to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan.

FUNDING: None required.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel Approval, 8-25-20, 2. B - BOD Resolution, Rule 215, 8-25-20, 3. C - Staff Report, Proposed Rule 215, 8-25-20, 4. D - Rule 215 - Architectural Coatings, Markup, 8-25-20, 5. E - Rule 215 - Architectural Coatings, Clean Copy, 8-25-20, 6. F - CEQA NOE Rule 215, 8-25-20, 7. G - Mailed Noticing List & Proof of Publication, 8-25-20, 8. H - Public Comment - American Coatings Association, 9. Executed Resolution 131-2020

Date	Ver.	Action By	Action	Result
8/25/2020	1	Board of Supervisors	Approved	Pass

Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors:
 1) Adopt and authorize the Chair to sign Resolution **131-2020**, approving proposed amendments to Rule 215 Architectural Coatings; and
 2) Direct staff to forward the rule to the California Air Resources Board for transmittal to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan.

FUNDING: None required.

DISCUSSION / BACKGROUND

El Dorado County is in "nonattainment" of the federal 8-hour ozone National Ambient Air Quality Standard (NAAQS). Rule 215 limits the emissions of ozone precursor VOCs from the use of architectural coatings (paints). The rule applies to anyone who supplies, manufactures, blends, repackages, sells, offers for sale, applies, or solicits the application of any architectural coating for use in the District (i.e., all of El Dorado County).

On 6/20/17, the Board adopted amendments to Rule 215 Architectural Coatings which lowered the allowable content of VOCs in architectural coatings sold in El Dorado County to levels consistent with the Suggested Control Measure (SCM) adopted by CARB in 2007. Prior to Board adoption, the draft amendments were reviewed and tentatively approved by CARB and EPA staff. After Board adoption and submittal to CARB, the amended version was reviewed by EPA legal staff. EPA legal staff found slight language differences between the 2007 SCM and the amended Rule 215.

EPA Region IX staff have asked AQMD staff to revise Rule 215 to more closely align it with the 2007 SCM language. If adopted by the Board, the proposed new revised draft Rule 215 will not result in any new requirements for El Dorado County sources.

The amended Rule 215 adopted by the Board on 6/20/17, contained sell by dates that have since expired and category definitions that are no longer applicable. Those items have been deleted. The amendments correct errors in the amended version of Rule 215 adopted by the Board on 6/20/17. All proposed revisions are identified in the attached Staff Report and Rule 215 amendments in underline/strikeout format.

On 8/4/20, AQMD staff held a public workshop to discuss the proposed changes. The workshop was attended by a representative from the American Coatings Association who expressed support for amending the rule to be consistent with the SCM as having a consistent standard throughout the State helps paint manufacturers control costs. The representative suggested that former coatings category definitions not be removed from the rule as they can be valuable to the industry in understanding which new categories are applicable to their products. That suggestion has been incorporated into the proposed revised rule.

If approved, the rule will be forwarded to EPA for inclusion in the SIP. AQMD recommends adoption of the amendments to Rule 215 to fulfill a SIP commitment made by AQMD to continue progress toward achieving the federal 8-hour ozone standard.

ALTERNATIVES

The Board of Directors may wholly approve, deny, or make further revisions to the proposed rules.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel approved the Resolution

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

No financial impact to AQMD, the County or sources operating in the County.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk to obtain the Board Chair's signature on three (3) original Resolutions, and
- 2) Clerk to provide AQMD with two (2) signed copies of the Resolution to be forwarded to the California Air Resources Board.

STRATEGIC PLAN COMPONENT

Healthy Communities

CONTACT

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