



## Legislation Text

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**File #:** 17-0537, **Version:** 1

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Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors:

- 1) Approve and authorize the Chair to sign Resolution **098-2017**, approving proposed amendments to Rule 215 Architectural Coatings and Rule 101 General Provisions and Definitions; and
- 2) Direct staff to forward the rules 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.

### **DEPARTMENT RECOMMENDATION**

AQMD recommends adoption of the amendments to Rule 215 to fulfill a State Implementation Plan (SIP) commitment made by AQMD to continue progress toward achieving the federal 8-hour ozone standard. The amendments align Rule 215 with the Suggested Control Measure (SCM) adopted by the California Air Resources Board (ARB) in 2007. The SCM was developed as a "model rule" that local districts can use when developing or updating their architectural coatings rules. AQMD recommends adoption of the amendments to Rule 101 General Provisions and Definitions to include updated definitions and clarification.

### **DISCUSSION / BACKGROUND**

Ozone is created by a chemical reaction between VOCs and oxides of nitrogen (NOx) in the presence of sunlight. Breathing ozone has both short and long term negative health effects, ranging from decreased lung capacity, chest pains, wheezing, lung disease, and potentially increased risk of cardiovascular problems. El Dorado County is in "nonattainment" of the federal 8-hour ozone National Ambient Air Quality Standard (NAAQS). Rule 215 limits the emissions of 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).

To achieve further emissions reductions, AQMD is proposing to lower the allowable content of VOCs in architectural coatings consistent with the 2007 SCM. The VOC content limits in proposed Rule 215 are the same and are not stricter than those found in the SCM. The other air districts within the Sacramento Federal Nonattainment Area (SFNA), (Sacramento Metropolitan, Placer County, Yolo-Solano, and Feather River air districts), have all previously revised their architectural coatings rules to be consistent with the SCM. The other California air districts that are nonattainment for the 8-hour ozone NAAQS (Antelope, Bay Area, Butte, Colusa, Eastern Kern, Imperial, Mojave, Monterey, Northern Sonoma, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Shasta, South Coast, Tehama, Ventura, and Yolo-Solano) have also previously revised their architectural coatings rules to be consistent with or more stringent than the SCM.

The proposed revisions to Rule 101 include additions to the VOC Exempt compound list consistent with compounds found on the US Environmental Protection Agency (EPA)'s list and other air district's lists, and minor edits to and clarifications of definitions. If approved, the rules will be forwarded to

EPA for inclusion in the SIP. Reductions in district-wide emissions of VOC are expected as a result of the proposed amendments.

### **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**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

No financial impact to AQMD or the County. Financial impact to parties affected by the amended rules are expected to be minimal as AQMD conducted in-store inventory surveys and found almost all coatings to already be in compliance with the proposed Rule 215. Additionally, compliant coatings in all categories are readily available at comparable prices. The American Coatings Association contacted AQMD and 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.

### **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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