

## **RESOLUTION NO. 2018 – XXXX**

Adopted by the Sacramento Metropolitan Air Quality Management District

### **RULE 414 – WATER HEATERS, BOILERS AND PROCESS HEATERS RATED LESS THAN 1,000,000 BTU PER HOUR**

#### **BACKGROUND:**

- A. The Board of Directors of the Sacramento Metropolitan Air Quality Management District (Board) 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 Board has determined that a need exists to amend Rule 414 to provide regulatory relief to owners and operators of hot water pressure washers, consistent with other districts [HSC Section 40727(b)(1)].
- C. The Board has determined that the meaning of Rule 414 can be easily understood by the persons affected by it [HSC Section 40727(b)(3)].
- D. The Board has determined that Rule 414 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)].
- E. The Board has determined that Rule 414 does not duplicate any existing state or federal regulations [HSC Section 40727(b)(5)].
- F. The Board has determined that Rule 414 implements HSC Section 40914(b)(2) [HSC Section 40727(b)(6)].
- G. The Board has considered a written analysis prepared by Staff [HSC Section 40727.2].
- H. The Board has maintained records of the rulemaking proceedings [HSC Section 40728].
- I. The Board held a duly noticed public hearing on October 25, 2018, and considered public comments on Rule 414 [HSC Sections 40725 and 40726].
- J. The Board has considered the socioeconomic impacts of the rule in Staff's Statement of Reasons [HSC Section 40728.5].
- K. The Board evaluated Rule 414 to determine whether it is exempt from the California Environmental Quality Act (CEQA) under Section 15038 of the State CEQA Guidelines, as an action by a regulatory agency for the protection of the environment and under Section 15061(b)(3) of the State CEQA Guidelines, as an action for which it can be seen with certainty that there is no possibility the action may have a significant adverse effect on the environment.

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

- Section 1. The amendment of Rule 414 is exempt from CEQA.
- Section 2. Approves and amends Rule 414 – WATER HEATERS, BOILERS AND PROCESS HEATERS RATED LESS THAN 1,000,000 BTU PER HOUR, shown in the attached Exhibit A.
- Section 3. Rule 414 (set forth in Exhibit A) is effective as of October 25, 2018.
- Section 4. Directs Staff to forward Rule 414 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 October 25, 2018, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Clerk, Board of Directors  
Sacramento Metropolitan Air Quality Management District