

## **RESOLUTION NO. 2025 – XXXX**

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

### **RULE 207 – TITLE V – FEDERAL OPERATING PERMIT PROGRAM**

#### **BACKGROUND:**

- A. The Board of Directors of the Sacramento Metropolitan Air Quality Management District (Board) is authorized by Sections 40001, 40702, 41010, and 42300 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 207 – TITLE V – FEDERAL OPERATING PERMIT PROGRAM to comply with U.S. EPA's requirement for states and local districts to remove emergency affirmative defense provisions from their Title V federal operating permit programs (88 FR 47029) and to remove greenhouse gas provisions invalidated by the U.S. Supreme Court in *Utility Air Regulatory Group v. EPA* (573 U.S. 302 (2014)) [Health and Safety Code Section 40727(b)(1)].
- C. The Board has determined that the meaning of Rule 207 can be easily understood by the persons affected by it [HSC Section 40727(b)(3)].
- D. The Board has determined that Rule 207 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 the rule duplicates federal regulations for permitting programs (40 CFR Part 70) and that the duplicative requirements are necessary to execute the powers and duties granted to, and imposed upon, the District [Health and Safety Code Section 40727(b)(5)].
- F. The Board has determined that Rule 207 implements and makes specific federal requirements under Title V of the federal Clean Air Act Amendments of 1990 and Title 40 Code of Federal Regulations Part 70 [Health and Safety Code Section 40727(b)(6)].
- G. The Board has considered a written analysis prepared by Staff comparing the proposed rule amendments to federal air pollution control requirements [Health and Safety Code 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 July 24, 2025, and considered public comments on Rule 207 [HSC Sections 40725 and 40726 and 40 CFR 51.102].
- J. The Board has determined that Rule 207 will not affect air quality or emissions limitations and, therefore, a socioeconomic impact analysis is not required [HSC Section 40728.5].
- K. The Board evaluated Rule 207 to determine whether it is exempt from the California Environmental Quality Act (CEQA) under Section 15060(c)(2) of the State CEQA Guidelines, which provides that CEQA does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

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

- Section 1. The amendment of Rule 207 is exempt from CEQA.
- Section 2. Rule 207 – TITLE V – FEDERAL OPERATING PERMIT PROGRAM, is approved and amended as shown in the attached Exhibit A.
- Section 3. Amended Rule 207 (set forth in Exhibit A) is effective as of July 24, 2025.
- Section 4. Staff is directed to forward Rule 207 and all necessary supporting documents to the California Air Resources Board for submittal to the U.S. Environmental Protection Agency for approval of the District's Title V program.
- 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 24, 2025, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Clerk, Board of Directors  
Sacramento Metropolitan Air Quality Management District