

**SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION NO. \_\_\_\_\_**

**Rule 456 – AEROSPACE ASSEMBLY AND COMPONENT COATING OPERATIONS**

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District is authorized to adopt, amend or repeal rules and regulations by Sections 40001, 40702, 40716, 41010, and 41013 of the California Health and Safety Code (Health and Safety Code Section 40727(b)(2)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that a need exists to amend Rule 456 – AEROSPACE ASSEMBLY AND COMPONENT COATING OPERATIONS to meet the requirements of Sections 40913, 40914, and 40919(a)(3) of the California Health and Safety Code (Health and Safety Code Section 40727(b)(1)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the meaning of Rule 456 can be easily understood by the persons affected by it (Health and Safety Code Section 40727(b)(3)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that Rule 456 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations (Health and Safety Code Section 40727(b)(4)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that Rule 456 does not impose the same requirements as any existing state or federal rule or regulation that applies to affected sources within the District (Health and Safety Code Section 40727(b)(5)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that Rule 456 implements Title 17, California Code of Regulations Section 70600 (Transport Mitigation), Health and Safety Code Sections 40919(a)(3) (Best Available Retrofit Control Technology) and 40914(b)(2) (All Feasible Measures), and Sections 182(b)(2) and 172(c)(1) of the federal Clean Air Act (Health and Safety Code Section 40727(b)(6)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has considered a written analysis prepared by staff (Health and Safety Code Section 40727.2); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has maintained records of the rulemaking proceedings (Health and Safety Code Section 40728); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District held a duly noticed public hearing on September 25, 2008 and considered public comments on the proposed rule (Health and Safety Code Sections 40725 and 40726); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District continued the public hearing to October 23, 2008 and directed Staff to address testimony presented by Aerojet on September 25, 2008 (Health and Safety Code Section 40726); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has considered the socioeconomic impacts of the rule (Health and Safety Code Section 40728.5); and

WHEREAS, the California Environmental Quality Act (CEQA) under Section 15308 of the State CEQA Guidelines, exempts actions by a regulatory agency for the protection of the environment; and Section 15061(b)(3) of the State CEQA Guidelines exempts actions that can be seen with certainty that there is no possibility that such actions may have a significant adverse effect on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT the amendment of Rule 456 is exempt from the California Environmental Quality Act (CEQA); and

BE IT FUTHER RESOLVED THAT the Board of Directors of the Sacramento Metropolitan Air Quality Management District approves and adopts the amendment of Rule 456 – AEROSPACE ASSEMBLY AND COMPONENT COATING OPERATIONS; and

BE IT ORDERED that the amendment of Rule 456 be effective as of October 23, 2008.

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, State of California, this 23<sup>rd</sup> day of October, 2008, by the following vote, to wit:

AYES: Directors  
NOES: Directors  
ABSENT: Directors

\_\_\_\_\_  
Chairperson of the Board  
Sacramento Metropolitan Air Quality Management District  
State of California

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk of the Board  
Sacramento Metropolitan Air Quality Management District