

## **RESOLUTION NO. 2024 – XXXX**

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

### **RULE 489 – GREENWASTE COMPOSTING OPERATIONS**

#### **BACKGROUND:**

- A. The Board of Directors (Board) of the Sacramento Metropolitan Air Quality Management District (District) 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 District is within an area designated nonattainment for the 2008 and 2015 8-hr ozone National Ambient Air Quality Standards.
- C. The Board has determined that a need exists to adopt Rule 489 to fulfill the contingency measure requirements of Clean Air Act Sections 172(c)(9) and 182(c)(9) [HSC Section 40727(b)(1)].
- D. The Board has determined that the meaning of Rule 489 can be easily understood by the persons affected by it [HSC Section 40727(b)(3)].
- E. The Board has determined that Rule 489 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)].
- F. The Board has determined that Rule 489 does not duplicate any existing state or federal regulations [HSC Section 40727(b)(5)].
- G. The Board has determined that Rule 489 implements the requirements of CAA Section 172(c)(9) and 182(c)(9), and HSC Sections 40150 and 40600 [HSC Section 40727(b)(6)].
- H. The Board has considered a written analysis for Rule 489 in Staff's Statement of Reasons [HSC Section 40727.2].
- I. The Board has maintained records of the rulemaking proceedings [HSC Section 40728].
- J. The Board held a duly noticed public hearing on October 24, 2024, and considered public comments on Rule 489 [HSC Sections 40725 and 40726 and 40 CFR 51.102].
- K. The Board has considered the socioeconomic impacts of Rule 489 in Staff's Statement of Reasons [HSC Section 40728.5].
- L. The Board evaluated Rule 489 to determine whether it is exempt from the California Environmental Quality Act (CEQA) as an action by a regulatory agency for protection of the environment (Class 8 Categorical Exemption, §15308 State CEQA Guidelines) and as an action in which it can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment (§15061(b)(3), State CEQA Guidelines).
- M. The modifications deleting the authority to approve alternative compliance options do not impact the emission reduction levels achieved under the published version of the rule or sources affected by the rule because (i) alternatives would have had to meet the same

emission level limits as the rule measures, (ii) there are no known alternative compliance options, and (iii) other districts that have similar provisions have never invoked the provisions.

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

- Section 1. The proposed Rule 489 is exempt from CEQA.
- Section 2. Approves RULE 489 – GREENWASTE COMPOSTING OPERATIONS, as presented to the Board today in replacement of Exhibit A.
- Section 3. Determines that Rule 489 is effective at the time specified in the Rule.
- Section 4. Determines that the revisions to the publicly noticed version of the rule are not so substantial as to significantly affect the meaning of the proposed rule.
- Section 5. Directs Staff to forward Rule 489 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 6. Rule 489 as presented to the Board today be 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 24, 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Clerk, Board of Directors  
Sacramento Metropolitan Air Quality Management District