

**PLACER COUNTY
AIR POLLUTION CONTROL DISTRICT**

STAFF REPORT

**PROPOSED RULE AMENDMENT TO
RULE 102, DEFINITIONS**

February 29, 2020

BACKGROUND

Placer County Air Pollution Control District (District) Rule 102, Definitions, establishes consistent meanings of select terms used throughout the District rule book. Rule 102 was last amended by the District on February 9, 2012.

The District is proposing to change Rule 102, Section 228, which defines “Exempt Compounds”. Exempt compounds are those organic species which are not included as volatile organic compounds (VOCs) because they have negligible photochemical reactivity and contribution to ozone formation and have low toxicity to human health and the environment. The exempt compound term is referenced in District rules that control VOCs, including Rule 212, Storage of Organic Liquids, Rule 216, Organic Solvent Cleaning and Degreasing Operations, Rule 218, Architectural Coatings, Rule 234, Automotive Refinishing, Rule 235, Adhesives, Rule 223, Metal Container Coating, Rule 236, Wood Products Coating, Rule 238, Factory Coating of Flat Wood Paneling, Rule 239, Graphic Arts, Rule 240, Surface Preparation and Cleanup, Rule 243, Polyester Resin Operations, 245, Surface Coating of Metal Parts, and 249, Surface Coating of Plastic Parts. Exempt compounds are referred to those defined in Rule 102 for all rules except Rule 223, Metal Container Coating.

The District is proposing to define exempt compounds by reference to the United States Environmental Protection Agency (U.S. EPA) list of exempt compounds contained in Title 40, Part 51, Subpart F of the Code of Federal Regulations (40 CFR 51.100, Definitions). Currently, the Rule 102 exempt compound definition has a fixed list of compounds that does not include all compounds on the U.S. EPA list. We are proposing the change to:

- Remain current with the latest advances and progress in ozone formation dynamics and associated atmospheric chemistry science and research that is represented by the dynamic U.S. EPA list.
- Avoid having to amend Rule 201 each time a new exempt compound is added or subtracted from the U.S. EPA list.

Numerous other Air Districts directly reference the U.S. EPA list (including Bay Area, San Luis Obispo, Monterey, San Diego, and Mohave) or have exempted compounds identical to the U.S. EPA list (Ventura).

DISCUSSION

Table 1 compares the U.S. EPA list with the current District list.

The U.S. EPA exempt compound list contains all of those in the current Rule 102 except for:

Carbon monoxide
Carbon dioxide
Carbonic acid
Metallic carbides or carbonates
Ammonium carbonate

The U.S. EPA exempt compound list contains the following additional organic species that are not in the current rule 102:

3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)
1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)
1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee)
difluoromethane (HFC-32)

ethylfluoride (HFC-161)
1,1,1,3,3,3-hexafluoropropane (HFC-236fa)
1,1,2,2,3-pentafluoropropane (HFC-245ca)
1,1,2,3,3-pentafluoropropane (HFC-245ea)
1,1,1,2,3-pentafluoropropane (HFC-245eb)
1,1,1,3,3-pentafluoropropane (HFC-245fa)
1,1,1,2,3,3-hexafluoropropane (HFC-236ea)
1,1,1,3,3-pentafluorobutane (HFC-365mfc)
chlorofluoromethane (HCFC-31)
1 chloro-1-fluoroethane (HCFC-151a)
1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)
1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C4F9OCH3 or HFE-7100)
2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CFCF2OCH3)
1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C3F7OCH3, HFE-7000)
3-ethoxy- 1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500)
1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea)
methyl formate (HCOOCH3)
1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane (HFE-7300)
trans-1,3,3,3-tetrafluoropropene
HCF2OCF2H (HFE-134)
HCF2OCF2OCF2H (HFE-236cal2)
HCF2OCF2CF2OCF2H (HFE-338pcc13)
HCF2OCF2OCF2CF2OCF2H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180))
trans 1-chloro-3,3,3-trifluoroprop-1-ene
2,3,3,3-tetrafluoropropene
2-amino-2-methyl-1-propanol
1,1,2,2- Tetrafluoro -1-(2,2,2-trifluoroethoxy) ethane
cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z)

Thus, the new Rule 102, Section 228, exempt compound definition is proposed as:

“EXEMPT COMPOUNDS: Organic compounds which are exempt from the definition of Volatile Organic Compounds (VOC) include: carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and all compounds included in Title 40, Part 51, Subpart F of the Code of Federal Regulations (40 CFR 51.100, Definitions) which have been determined to have negligible photochemical reactivity.”

ANALYSIS

The following Analysis and the subsequent Findings are intended to address the requirements set forth in the California Health and Safety Code relating to adoption of a new or amended District Rule, as well as other State statutes:

1. **Cost-Effectiveness of a Control Measure**

California Health and Safety Code Section 40703 requires a District to consider and make public “the cost-effectiveness of a control measure”. The proposed use of the U.S. EPA list of exempt compounds will improve the cost effectiveness of existing District rules that control VOCs because it will provide additional compliance options for coating formulations.

2. **Socioeconomic Impact**

California Health and Safety Code Section 40728, in relevant part, requires the Board to consider the socioeconomic impact of any new or amended rule if air quality or emission

limits are significantly affected. The proposed use of the U.S. EPA list of exempt compounds will lower compliance costs without causing adverse environmental impacts.

3. **Environmental Review and Compliance**

California Public Resources Code Section 21159 requires an environmental analysis of the reasonably foreseeable methods of compliance should be conducted. There will be no adverse environmental impacts caused by compliance with the proposed rule amendment.

According to the above conclusion, Staff finds that the proposed rule amendment is exempt from the California Environmental Quality Act (CEQA) because: (1) it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment (CEQA Guidelines Section 15061(b)(3)), and (2) it is as an action by a regulatory agency for protection of the environment (Class 8 Categorical Exemption, CEQA Guidelines Section 15308).

FINDINGS

- A. **Necessity:** The adoption of proposed amended Rule 102 satisfies the Districts objective to reduce VOCs to achieve attainment with ambient air standards for ozone.
- B. **Authority:** California Health and Safety Code, Sections 40000, 40001, 40701, 40702, 40716, 41010, and 41013, are provisions of law that provide the District with the authority to adopt this proposed amended Rule.
- C. **Clarity:** There is no indication, at this time, that the proposed amended Rule is written in such a manner that persons affected by the Rule cannot easily understand them.
- D. **Consistency:** The proposed amended Rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.
- E. **Non-duplication:** The proposed amended Rule does not impose the same requirements as an existing state or federal regulation.
- F. **Reference:** All statutes, court decisions, and other provisions of law used by the District in interpreting this proposed amended Rule are incorporated into this analysis and this finding by reference.

SUMMARY

The District proposes to amend Rule 102, Definitions, Section 228, to define exempt compounds by reference to the U.S. EPA list of exempt compounds contained in Title 40, Part 51, Subpart F of the Code of Federal Regulations (40 CFR 51.100, Definitions). This is to remain current with the latest science advancements and to avoid multiple future rule amendments. There will be a small cost reduction to compliance with District VOC rules and no adverse air quality impacts.