

**COMPARATIVE ANALYSIS OF PROPOSED AMENDED
NEW SOURCE REVIEW RULES 20.1, 20.3, 20.4
AND TITLE V RULE 1401**

Introduction

Prior to adopting, amending, or repealing a rule or regulation, California Health and Safety Code Section 40727 requires findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined therein. Furthermore, as part of the consistency finding and to ensure proposed rule requirements do not conflict with or contradict other Air Pollution Control District (District) or federal regulations, Health and Safety Code Section 40727.2(a) requires the District to perform a written analysis identifying and comparing the air pollution control standards and other provisions of proposed amended Rules 20.1, 20.3, 20.4 and 1401 with other existing or proposed District rules and guidelines, and with existing State and federal rules, requirements, and guidelines applying to the same categories of emission sources.

Analysis

Pursuant to Health and Safety Code 40727.2(g), if the proposed amended rule "...does not impose a new emission limit or standard, make an existing limit or standard more stringent, or impose new or more stringent monitoring, recordkeeping, or recording requirements...", compliance with subdivision (a) is achieved by making a finding that the proposed amended rule falls within one of these categories.

None of the proposed amendments to Rules 20.1, 20.3, 20.4 or 1401 impose new limits or standards, make an existing limit or standard more stringent, or impose new or more stringent monitoring, recordkeeping or reporting requirements. Fixing the EPA partial disapproval and referencing all ozone non-attainment classification thresholds and requirements simply incorporate existing federal requirements into the District rules. Removing the language on inter-pollutant offset is required due to the U.S. Court of Appeals, D.C. Circuit ruling against the allowance of inter-pollutant offset trading.

Therefore, with the finding that the proposed amendments to Rules 20.1, 20.3, 20.4 and 1401 do not impose new or more stringent emission limits or standards, or monitoring, recordkeeping or reporting requirements, the comparative analysis requirement is satisfied.