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AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

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Air Pollution Control Officer

Northern Region Office
4800 Enterprise Way
Modesto, CA 95356-8718
(209) 557-6400 • FAX (209) 557-6475

Central Region Office
1990 East Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-6000 • FAX (559) 230-6061

Southern Region Office
34946 Flyover Court
Bakersfield, CA 93308-9725
(661) 392-5500 • FAX (661) 392-5585

www.valleyair.org

DATE: November 4-5, 2026

TO: SJVUAPCD Governing Board

FROM: Samir Sheikh, Executive Director/APCO
Project Coordinator: Tim Franquist

RE: ITEM NUMBER 19: RECEIVE AND FILE SUMMARY OF RULES AND PLANS

RECOMMENDATION:

Receive and file Summary of Rules and Plans for November 2026.

Attachment: Summary of Rules and Plans (6 Pages)

San Joaquin Valley Unified Air Pollution Control District
Meeting of the Governing Board
November 4-5, 2026

RECEIVE AND FILE SUMMARY OF RULES AND PLANS 2026

Attachment:

Summary of Rules and Plans
(6 PAGES)

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT
SUMMARY OF RULES AND PLANS
November 4-5, 2026

Air Quality Attainment Plans

Particulate Matter Standards

1997 24-Hour (65 µg/m³) and Annual PM2.5 (15 µg/m³) Standards: On January 28, 2022, EPA determined that the San Joaquin Valley (Valley) attained the 1997 24-hour PM2.5 standard by the 2020 attainment deadline. Additionally, on January 29, 2026, EPA finalized the determination that the Valley attained the 1997 annual PM2.5 standard by the December 31, 2024, applicable attainment date.

Status: The District is developing a Maintenance Plan to support EPA's formal redesignation of the Valley to attainment for the 1997 PM2.5 standards and demonstrate that the Valley satisfies the five redesignation criteria under Clean Air Act (CAA) section 107(d)(3)(E). The District held a public workshop on April 28, 2025, to present the proposed approach, discuss development of the Maintenance Plan, and receive public input. The District continues to coordinate with CARB to finalize the remaining elements of the Plan, including updated emissions information and Motor Vehicle Emissions Budgets. Upon completion of these elements, the full Maintenance Plan is anticipated to be presented to the Governing Board for consideration in 2027.

Governing Board Public Hearing: 2027
Contact: Brenda Estrada-Diaz

2006 24-Hour PM2.5 Standard (35 µg/m³): On June 30, 2020, EPA approved portions of the *2018 PM2.5 Plan* and the *San Joaquin Valley Supplement to the 2016 State Strategy for the State Implementation Plan* for the 2006 24-hour PM2.5 standard, and granted an extension of the Serious area attainment date from December 31, 2019, to December 31, 2024. In the case *Medical Advocates for Healthy Air v EPA*, the court upheld EPA's approval of the District's control measure evaluation for this standard, finding that the District's regulations implement the most stringent measures. The court, however, vacated EPA's approval with respect to the CARB's aggregate emission reduction commitment for this standard based upon a perceived short-fall of funding for state incentive-based measures.

On June 11, 2026, EPA denied the extension request stating it had erred in its original approval and determined that the Valley failed to attain the 2006 24-hour PM2.5 standard by the original December 31, 2019, attainment date. EPA's final determination triggers contingency measures for District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters) and as a result, non-hot spot counties will adopt hot-spot thresholds Districtwide, including a Level One curtailment threshold of 12 µg/m^3 and a Level Two curtailment threshold of 35 µg/m^3. In addition, Rule 8051 (Open Areas) will apply to rural open areas and will decrease the rural threshold from 3.0 to 1.0 acre with at least 1,000 square feet of disturbed surface area. Furthermore, CARB's Smog Check Contingency Measure will be triggered for the second time for the seven to six model year vehicle exemptions. (Note, the first trigger became effective on October 27, 2025, following EPA's finding of failure to attain for the 1997 8-hour ozone standard.) This action also requires the District and CARB to develop a "five percent plan" demonstrating expeditious attainment of the 2006 24-hour PM2.5 standard. The five percent plan is currently under development and will address applicable CAA requirements, including an attainment demonstration, reasonable further progress, emissions inventory, major source permitting requirements, control measure evaluations, and contingency measures. Plan development will also include opportunities for public participation. The plan is due to EPA by June 10, 2027.

Air Quality Attainment Plans

2012 Annual PM2.5 Standard (12 µg/m³): The Governing Board approved the *Initial SIP Requirements for the 2012 Annual PM2.5 Standard* on October 19, 2023, which addressed requirements for the emissions inventory, precursor demonstration, and Best Available Control Measure analysis. Subsequently, the District's Governing Board adopted the *2024 Plan for the 2012 Annual PM2.5 Standard* (*2024 PM2.5 Plan*) on June 20, 2024, which addressed the remaining planning requirements for this standard. The CARB Governing Board adopted the Plan on July 25, 2024, and was subsequently submitted to EPA on August 22, 2024. On May 5, 2026, environmental groups filed a lawsuit against EPA, alleging failure to meet its mandatory deadline to act on the *2024 PM2.5 Plan* and is seeking a court order requiring EPA to take final action on the Plan. The District will continue to monitor the outcome of this lawsuit. In addition, on June 11, 2026, EPA proposed approval of the five-year extension request, formalizing the December 31, 2030, attainment deadline. The District continues to work closely with CARB and EPA to facilitate EPA's final action on the attainment date extension request, the *2024 PM2.5 Plan*, and any subsequent revisions.

2024 Annual PM2.5 Standard (9 µg/m³): On February 7, 2024, EPA strengthened the primary annual standard for PM2.5 by lowering the level from 12 µg/m³ to 9 µg/m³, based on the latest health science. On January 23, 2025, CARB held a public meeting to consider adopting staff designation recommendations for nonattainment areas for the 2024 PM2.5 standard. The CARB Governing Board approved recommendations that the Valley be designated as nonattainment of this standard and has subsequently submitted their designation recommendations to EPA. However, on December, 16, 2025, EPA filed a motion to vacate the 2024 PM2.5 standard in D.C. Circuit Court. The motion argues that the prior EPA administration did not conduct a sufficiently or procedurally complete NAAQS review during the reconsideration process. On February 10, 2026, environmental justice organizations sent a Notice of Intent to Sue to EPA alleging failure to designate areas under the 2024 annual PM2.5 standard. On April 24, 2026, California and ten other states filed suit against EPA, alleging that EPA failed to meet its deadline for area designations for the revised 2024 annual PM2.5 standard.

Following the litigation, and consistent with the principle established in *EPA v. West Virginia* that agencies must act within the authority and deadlines prescribed by Congress, the Court ruled against EPA on June 26, 2026. Contrary to the position taken by the prior Administration that implementation of a revised standard should be delayed, the Court's ruling recognized that EPA may move forward with implementation of a new or revised standard when supported by the scientific record, including before the expiration of a five-year period. As a result, on July 17, 2026, the Court ordered EPA to promulgate designations for the 2024 annual PM2.5 standard by February 6, 2027. On August 28, 2026, petitioners in *Kentucky v. EPA* and *Chamber of Commerce v. EPA*, filed petitions for a writ of certiorari with the U.S. Supreme Court seeking review of the D.C. Circuit's June 26, 2026 decision upholding EPA's 2024 annual PM2.5 NAAQS. Both petitions remain pending. On October 2, 2026, federal respondents filed briefs supporting the petitions. The Supreme Court subsequently extended the deadline for respondents to file their briefs to November 17, 2026. Both cases remain pending, and the District will continue to monitor developments in these proceedings.

On September 29, 2026, EPA notified California of its intended approach for finalizing area designations for the 2024 annual PM2.5 NAAQS. EPA intends to use 2023-2025 monitoring

Air Quality Attainment Plans

data for final designations, rather than relying solely on the 2021-2023 data that was available when the State submitted its initial area designation recommendations. EPA accepted additional information, including exceptional-event demonstrations, through November 1, 2026, before finalizing designations by the court-ordered deadline of February 6, 2027.

PM2.5 Contingency Measures: To address contingency measure requirements for the 1997, 2006, and 2012 PM2.5 standards, the District and CARB developed the *PM2.5 Contingency Measure SIP Revision*, as adopted by the District Governing Board on May 18, 2023. On October 4, 2024, EPA took final action to approve the *PM2.5 Contingency Measure SIP Revision* and amendments to District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters) and Rule 8051 (Open Areas). However, in *Committee for a Better Arvin v. EPA,* filed on December 3, 2024, petitioners challenged EPA's approval of the *PM2.5 Contingency Measure SIP Revision,* and on August 5, 2026, the United States Court of Appeals for the Ninth Circuit ruled against EPA, holding that the CAA does not authorize states to consider feasibility in identifying available contingency measures. The court remanded EPA's approval without vacatur. The District will continue to monitor the outcomes of all legal proceedings.

1987 PM10 Standard (24-hour 150 µg/m^3): In December 2008, EPA redesignated the Valley to attainment of the federal PM10 standard. This was a historic achievement representing years of hard work by individuals, industry, agriculture, Valley communities, and the District. Pursuant to the federal CAA (see section 175A(b)), the District must prepare a maintenance plan SIP revision to provide for continued attainment. The PM10 Maintenance Plan is currently under development.

Contact: Tim Franquist

Ozone Standards

1997 8-Hour Ozone Standard: Effective October 27, 2025, EPA issued a final Finding of Failure to Attain the 1997 8-hour ozone standard for the Valley. This federal determination constitutes the formal triggering event for implementation of an approved contingency measure and CAA section 185 fees. As a result of the recent finding of failure to attain, the eight to seven model year exemption change for smog check will begin for registrations expiring after January 1, 2027.

2015 8-Hour Ozone Standard: On December 15, 2022, the Governing Board adopted the *2022 Plan for 2015 8-Hour Ozone Standard* (*2022 Ozone Plan*). The attainment strategy relied on a combination of stationary source measures, primarily implemented by the District, and mobile source measures developed by CARB under federal waiver authority. However, during the first half of 2025, several key mobile source waivers were either withdrawn by CARB or disapproved through federal action. In addition, litigation seeking to compel EPA to take final action on the *2022 Ozone Plan* (or a revised plan), resulted in a court-ordered deadline of July 17, 2026, which was subsequently renegotiated and extended to January 15, 2027. To that end, CARB in coordination with the District, developed the *2026 Extreme Ozone SIP Revision*, a revised Plan for the Valley's 2015 8-hour ozone standard. The updated Plan includes a "black box" provision that provides additional time for CARB to develop and implement updated mobile source strategies to address the shortfall of emission reductions resulting from the 2025 waiver actions. CARB's Board adopted the *2026 Extreme Ozone SIP Revision* at the July 23, 2026, hearing and

Air Quality Attainment Plans

subsequently submitted the revision to EPA on September 23, 2026.

Ozone Contingency Measures: On April 25, 2024, the District adopted the *Ozone Contingency Measure State Implementation Plan Revision for the 2008 and 2015 8-Hour Ozone Standards* (*Ozone Contingency Measure SIP Revision*). On June 4, 2026, EPA took final action to conditionally approve the contingency measure provisions for the 2008 ozone standard. On that same date, EPA published a notice of a proposed consent decree addressing its obligation to take final action on the contingency measure submissions for the 2008 and 2015 ozone standards. The finalized consent decree established January 15, 2027, as the deadline for EPA to complete these required actions. Subsequently, on July 30, 2026, environmental groups filed a petition for judicial review challenging EPA's conditional approval of the contingency measures for the 2008 8-hour ozone standard.

Separately, EPA has taken action on contingency measure requirements for the 1997 8-hour ozone standard. On July 9, 2024, EPA finalized approval of CARB's Smog Check Measure into the California SIP. Following this action, on March 23, 2026, EPA approved CARB's *California Smog Check Contingency Measure SIP Revision* as satisfying the CAA contingency measure requirements for the 1997 8-hour ozone standard in the Valley. On May 20, 2026, environmental groups filed a petition for judicial review challenging EPA's approval of these contingency measures.

The District will continue to monitor ongoing litigation and EPA actions associated with the Valley's ozone contingency measure requirements and evaluate any potential implications for future SIP obligations and District rule development activities.

Contact: Tim Franquist

Rule Development

Rule 4461 (Metal Shredding Facilities Fence-line Air Monitoring): In accordance with Assembly Bill 2851, the District in coordination with the Department of Toxic Substances Control and the Office of Environmental Health Hazard Assessment, is developing requirements for facility wide fence-line air quality monitoring at metal shredding facilities. These requirements include establishing health-based threshold levels for lead, zinc, cadmium, and nickel, along with community notification procedures in the event thresholds are exceeded.

Status: The District hosted a public scoping meeting on July 1, 2026, to present, discuss, and receive feedback on the development of the Rule. The District plans to schedule a public workshop in the near future.

Governing Board Public Hearing: 2027
Contact: Celina Chavez

Rule 4550 (Conservation Management Practices): Rule 4550 was the first rule of its kind in the nation to reduce fugitive particulate emissions from agricultural operations through the required reduction in the number of passes through a field by agricultural equipment and through the implementation of other conservation management practices (CMPs). Rule 4550 established a menu-based approach of control techniques to accommodate the wide variability of agricultural industries found in the Valley, which has since been duplicated by other agencies. Per commitments in the *2024 PM2.5 Plan*, the District committed to evaluate the feasibility and effectiveness of CMPs on fallow lands that are tilled or otherwise worked with implements of husbandry to reduce windblown PM2.5 emissions from disturbed fallowed acreage.

Status: The District held multiple workshops to present, discuss, and receive feedback on proposed amendments. The District is continuing to evaluate opportunities for this source category.

Governing Board Public Hearing: 2027
Contact: Tim Franquist

Rule 4601 (Architectural Coatings), Rule 4603 (Surface Coating of Metal Parts and Products, Plastic Parts and Products, and Pleasure Crafts), Rule 4604 (Can and Coil Coating Operations), Rule 4653 (Adhesives and Sealants), and Rule 4663 (Organic Solvent Cleaning, Storage, and Disposal): The purpose of these rules is to limit Volatile Organic Compound (VOC) emissions from organic solvent cleaning, storage and disposal of solvents, and waste solvent materials associated with coating operations. On April 25, 2024, the District adopted the *Ozone Contingency Measure SIP Revision*, which included commitments to implement a contingency measure for several identified coating categories and VOC contents.

Status: On June 4, 2026, EPA took final action to conditionally approve the *Ozone Contingency Measure SIP Revision* for the 2008 8-hour ozone standard. The District has conducted technical research and has had conversations with affected stakeholders. The District hosted a public workshop on September 3, 2026, to present, discuss, and receive feedback on the proposed amendments.

Governing Board Public Hearing: 2026
Contact: Kyle Matsumura

Rule Development

Rule 4901 (Wood-Burning Fireplaces and Wood-Burning Heaters): Rule 4901 reduces emissions from residential burning through stringent curtailment requirements during the wood-burning season. Through the District's Residential Woodsmoke Reduction Program, the District has declared and enforced episodic wood burning curtailments, also called "No Burn" days, since 2003. Per commitments in the *2024 PM2.5 Plan*, the District committed to further reduce PM2.5 emissions from wood burning fireplaces and heaters by extending the wood burning season through March 31.

Status: The District hosted a public scoping meeting on April 30, 2025, to present, discuss, and receive feedback on potential amendments. The District is continuing to review opportunities in this source category.

Governing Board Public Hearing: 2027
Contact: Brenda Estrada Diaz

Copies of draft plans and rules are available by calling (559) 230-6000 and on the District's Website https://ww2.valleyair.org/public-meetings-and-participation/workshops-hearings/. Staff contacts can be reached at (559) 230-6000.