

BOARD MEETING DATE: February 3, 2023

AGENDA NO. 3

PROPOSAL: Set Public Hearings March 3, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

A. Determine that Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II, Are Exempt from CEQA; and Amend Rule 219 and Rule 222

Proposed Amended Rule 219 will add or clarify permit exemption requirements and includes enhanced recordkeeping provisions to address comments by U.S. EPA. Proposed Amended Rule 219 also includes targeted exemptions per the Board's direction to encourage the usage of low-emission technologies. Proposed amendments to Rule 222 are necessary to align with the proposed revisions in Rule 219 and address certain sources with negligible emissions. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II. (Reviewed: Stationary Source Committee, January 20, 2023)

B. Determine That Proposed Amended Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools, Is Exempt from CEQA; and Amend Rule 1401.1

In March 2015, OEHHA approved revisions to its Risk Assessment Guidelines to include age sensitivity factors for young children. The school definition in recently adopted or amended air toxics rules includes early learning and

development programs, such as pre-kindergarten centers, to expand the protection to younger children. Amendments are proposed to harmonize the definition of school in Rule 1401.1 with other air toxic rules. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools. (Reviewed: Stationary Source Committee, January 20, 2023)

The complete text of the proposed amended rules, staff report and other supporting documents will be available from the South Coast AQMD's Public Information Center at (909) 396-2001, or Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov) and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of January 31, 2023.

**RECOMMENDED ACTION:**

Set public hearings March 3, 2023 to determine that: Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools, are exempt from CEQA; and Amend Rule 219, Rule 222, and Rule 1401.1

Wayne Natri  
Executive Officer