

December 3, 2010

Office of the Secretary for Resources
Attn: General Counsel's Office
1416 9th Street, Suite 1311
Sacramento, CA 95814

To Whom It May Concern:

Enclosed please find two copies of the Notice of Decision (NOD) for the CEQA document prepared for Proposed Amended Rule (PAR) 1143 – Consumer Paint Thinners and Multi-Purpose Solvents. The Final Environmental Assessment (EA) for PAR 1143 was prepared pursuant to CEQA and the South Coast Air Quality Management District's (SCAQMD) certified regulatory program. The CEQA document was certified by SCAQMD's Governing Board at its December 3, 2010 Public Hearing. Please record and post the NOD according to the provisions of CEQA.

SCAQMD Rule 110 requires that written responses to public comments on a SCAQMD CEQA document be filed with the Secretary of Resources along with the Notice of Decision. No comments were received on the Draft EA.

It was determined that the proposed project qualifies for the “no effect” fee exemption in accordance with recently revised Department of Fish and Game Code §711.4, Title 14, California Code of Regulations (CCR) and, therefore, a copy of the signed Fish and Game “no effect” fee exemption form is attached to prove compliance and ensure immediate posting of the NOD.

Please confirm receipt of one copy of the NOD and return it to the undersigned. Two return envelopes have been provided for your convenience (one for the confirmed copy upon receipt, and one for the original NOD to be returned after the posting period). If you have any questions, please call me at (909) 396-3054 or James Koizumi at (909) 396-3234.

Sincerely,

Steve Smith, Ph.D.
CEQA Program Supervisor
Planning, Rule Development and Area Sources

Enclosures

NOTICE OF DECISION

To: Office of the Secretary for Resources
General Counsel's Office
1416 9th Street, Suite 1311
Sacramento, CA 95814

From: SCAQMD
Planning, Rules and Area Sources
21865 Copley Drive
Diamond Bar, CA 91765

Subject: FILING OF NOTICE OF DECISION IN COMPLIANCE WITH §21080.5 OF THE PUBLIC RESOURCES CODE

Project Title: Proposed Amended Rule (PAR) 1143 – Consumer Paint Thinners and Multi-Purpose Solvents

Lead Agency: South Coast Air Quality Management District

SCAQMD Number: 100820JK
SCH No.: 2008111052

Date Certified: December 5, 2010

Contact Person: James Koizumi

Telephone Number: (909) 396-3234

Project Location: South Coast Air Quality Management District area of jurisdiction: South Coast Air Basin (all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin

Project Description: The proposed project would exempt artist solvents and thinners from the VOC content limit requirements of Rule 1143 provided they are labeled and designated exclusively to reduce the viscosity of, or remove, art coating compositions or components and are individually packaged in containers having a total capacity less than one liter. Artist solvents and thinners would be defined as any liquid product labeled to meet ASTM D4236-94 (Reapproved 2005) and have been refined to remove impurities for artistic use to reduce the viscosity of, or remove, art coating compositions or components. Artist solvents and thinners do not include commercial-grade solvents and thinners. The proposed project would also align the existing Rule 1143 with CARB's Consumer Products Regulations. The Initial Study and the Draft EA identified air quality as the only topic where adverse impacts are expected to exceed the SCAQMD's significance thresholds associated with implementing the proposed project. PAR 1143 is considered significant because it would result in 113.7 pounds per day of VOC emission reductions foregone from exempting artist solvents and thinners, which exceeds the SCAQMD operational VOC significant threshold of 55 pounds per day. No feasible mitigation measures or project alternatives have been identified that would further reduce air quality impacts to less than significant levels, while still achieving the overall objectives of the project.

This is to advise that the South Coast Air Quality Management District has approved the above described project and has made the following determinations regarding the above described project:

1. The project will have a significant impact on the environment.
2. Since no feasible mitigation measures were identified, while still achieving the overall objectives of the project; mitigation measures not were made a condition of the approval of this project.
3. Since no feasible mitigation measures were identified, while still achieving the overall objectives of the project; a mitigation monitoring program under PRC § 21081.6 was not adopted for this project.
4. Findings were adopted for this project.
5. A Statement of Overriding Considerations was adopted for this project.

The Final EA, supporting documentation, and record of project approval may be examined at: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Date Received for Filing

Signature: _____

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rules, and Area Sources