

November 5, 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 Rule 1420.1 — Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities. The Final Environmental Assessment (EA) for PR 1420.1 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 November 5, 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. Two comment letters were received after the public comment period. The comment letters and response to comments are included in Appendix C of the Final EA. A copy of the Final EA is enclosed with this letter.

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 Rule 1420.1 — Emissions Standard for Lead from Large Lead-Acid Battery
Recycling Facilities

Lead Agency: South Coast Air Quality Management District

SCAQMD Number: 100331JK
SCH No.: 2010041086

Date Certified: November 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: PR 1420.1 would protect public health by reducing lead emissions produced by lead-acid battery recycling facilities. PR 1420.1 would accomplish this by requiring enclosures for lead processes, pollution control equipment for lead point sources and additional housekeeping. Owner/operators of affected facilities would be required to meet a standard for lead of 0.15 micrograms per cubic meter averaged over any 30 consecutive days. Additionally, the proposed rule includes source testing, air monitoring, and recordkeeping requirements.

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 not have a significant impact on the environment.
2. Mitigation measures were not made a condition of the approval of this project.
3. A mitigation monitoring program under PRC § 21081.6 was not adopted for this project.
4. Findings were not adopted for this project.
5. A Statement of Overriding Considerations was not 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