



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

December 4, 2015

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 Final Program Environmental Assessment (PEA) prepared for proposed amended Regulation XX – Regional Clean Air Incentives Market (RECLAIM). The Final PEA was prepared for the proposed project 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 4, 2015, Public Hearing. Please record and post the Notice of Decision 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. Eight comment letters were received on the Draft PEA for the proposed project. The comment letters and responses to the public comments can be found in Appendix I of the Final PEA for the proposed project. Enclosed is a cd rom which contains the Final PEA, including Appendix I, and the Findings, Statement of Overriding Considerations and Mitigation Monitoring Plan.

In addition, the Department of Fish and Wildlife has determined that the proposed project would have no effect on fish, wildlife or their habitat, and as a result, no CEQA filing fee is required. Enclosed is the original signed CEQA Filing Fee No Effect Determination Form from the Department of Fish and Wildlife pursuant to §711.4 of the California Fish and Game Code.

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 copies 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) 396-2716.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Radlein", is written over a light blue horizontal line.

Barbara Radlein
Program Supervisor, CEQA Special Projects
Planning, Rule Development and Area Sources

Enclosures

NOTICE OF DECISION

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

From: SCAQMD
Office of Planning and Rules
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: Final Program Environmental Assessment for Proposed Amended Regulation XX – Regional Clean Air Incentives Market (RECLAIM)

SCH Number: 2014121018

SCAQMD Number: 12052014BAR

Date Certified: December 4, 2015

Contact Person: Barbara Radlein

Telephone Number: (909) 396-2716

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: To comply with the requirements in Health and Safety Code §§40440 and 39616 by conducting a Best Available Retrofit Control Technology (BARCT) assessment, SCAQMD staff is proposing amendments to the following rules which are part of Regulation XX: Rule 2002 – Allocations for Oxides of Nitrogen (NOx) and Oxides of Sulfur (SOx); Rule 2005 – New Source Review For RECLAIM; Attachment C from Rule 2011 Appendix A – Protocol for Monitoring, Reporting, and Recordkeeping Oxides of Sulfur (SOx) Emissions; and, Attachment C from Rule 2012 Appendix A – Protocol for Monitoring, Reporting, and Recordkeeping Oxides of Nitrogen (NOx) Emissions. The proposed amendments to Regulation XX would reduce emissions from equipment and processes operated at NOx RECLAIM facilities located throughout the entire SCAQMD jurisdiction. In particular, the environment could be impacted from the proposed project due to facilities installing new, or modifying existing control equipment for the following types of equipment/source categories in the NOx RECLAIM program: 1) fluid catalytic cracking units; 2) refinery boilers and heaters; 3) refinery gas turbines; 4) sulfur recovery units – tail gas treatment units; 5) non-refinery/non-power plant gas turbines; 6) non-refinery sodium silicate furnaces; 7) non-refinery/non-power plant internal combustion engines; 8) container glass melting furnaces; 9) coke calcining; and, 10) metal heat treating furnaces. For clarity and consistency throughout the regulation, other minor revisions are also proposed. The Initial Study identified the following environmental topics as areas that may be adversely affected by the proposed project: aesthetics; air quality and greenhouse gas emissions; energy; hazards and hazardous materials; hydrology and water quality; solid and hazardous waste; and, transportation and traffic. Further analysis of these environmental areas in the Final Program Environmental Assessment (PEA) has shown that only the topics of air quality and GHGs, hydrology (water demand), and, hazards and hazardous materials (due to ammonia transportation) exceed the SCAQMD's significance thresholds associated with implementing the proposed project.

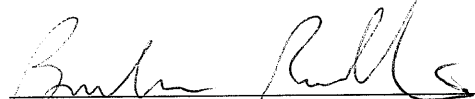
This is to advise that the South Coast Air Quality Management District has approved the above described project and has made the following determinations regarding the above described project:

1. A Final Program Environmental Assessment (PEA) was prepared for this project pursuant to the provisions of CEQA.
2. The Final PEA concluded that this project would have significant unavoidable adverse impacts on the environment.
3. Mitigation measures were made a condition of the approval of this project.
4. A mitigation monitoring program, prepared pursuant to Public Resource Code §21081.6 and CEQA Guidelines §15097, was adopted for this project.
5. Findings were made pursuant to CEQA Guidelines §15091.
6. A Statement of Overriding Considerations pursuant to CEQA Guidelines §15093 was adopted for this project.

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

Date Received for Filing

Signature: _____



Barbara Radlein
Program Supervisor, CEQA Special Projects
Planning, Rules, and Area Sources

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4. A mitigation monitoring program, prepared pursuant to Public Resource Code §21081.6 and CEQA Guidelines §15097, was adopted for this project.
5. Findings were made pursuant to CEQA Guidelines §15091.
6. A Statement of Overriding Considerations pursuant to CEQA Guidelines §15093 was adopted for this project.

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Signature: _____


Barbara Radlein
Program Supervisor, CEQA Special Projects
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