

## NOTICE OF DECISION

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

**From:** SCAQMD  
Planning, Rule Development & Area  
21865 Copley Drive  
Diamond Bar, CA 91765

**Subject:** Filing of Notice of Decision in compliance with CEQA Guidelines Section 15252(b) and SCAQMD Rule 110(f)

**Project Title:** Final Subsequent Environmental Assessment (SEA) for Proposed Amended Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants

**Lead Agency:** South Coast Air Quality Management District (SCAQMD)

**SCH Number:** 2017051046

**Date Certified:** December 1, 2017

**SCAQMD Number:** 05122017SW/10062017RB

**Contact Person:** Ryan Bañuelos

**Telephone Number:** (909) 396-3479

**Project Location:** The proposed project will affect sites that are conducting earth-moving activities located within the SCAQMD's jurisdiction that meet the applicability requirements of the proposed amended rule. The SCAQMD has jurisdiction over all of Orange County, the urban portions of Los Angeles and San Bernardino counties southwest of the San Bernardino and San Gabriel mountains, and nearly all of Riverside County, with the exception of communities near the state border.

**Project Description:** Amendments to Rule 1466 were adopted in order to address the Governing Board's Resolution directing staff to expand the list of applicable toxic air contaminants. The amendments to Rule 1466: 1) expanded the list of applicable toxic air contaminants to include pesticides, herbicides, and persistent bio-cumulative toxics; 2) expanded applicability to other government designated sites; and 3) included language to clarify existing provisions. The sites that may be affected by Rule 1466 have been designated as cleanup sites on lists compiled by the United States Environmental Protection Agency, the California Department of Toxic Substances Control (DTSC), the California Environmental Protection Agency's State Water Resources Control Board or Regional Water Quality Control Board, and other county, local, or state regulatory agencies.

While including additional toxic air contaminants in Rule 1466 is expected to create an environmental benefit, the activities that site operators may undertake to comply with Rule 1466 may also create secondary adverse environmental impacts. However, the analysis of Rule 1466 in the Final SEA did not result in the identification of any environmental topic areas that would be significantly adversely affected.

This is to advise that the SCAQMD has certified the Final SEA and approved the above described project, and has made the following determinations:

1. The Final SEA was prepared and certified pursuant to the SCAQMD's Certified Regulatory Program.
2. The Final SEA concluded that the project will not have a significant adverse impact on the environment.
3. Because the Final SEA concluded that the project will not have a significant adverse impact on the environment, mitigation measures were not made a condition of the approval of this project. Thus, a Mitigation Monitoring and Reporting Plan, pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, was not required or adopted for this project.
4. Findings pursuant to CEQA Guidelines Section 15091 and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 were also not required or adopted for this project.

The Final SEA, 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  
Planning, Rule Development, and Area  
Sources