

NOTICE OF DECISION

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

From: South Coast Air Quality Management District
Planning, Rule Development and Area Sources
21865 Copley Drive
Diamond Bar, CA 91765

Subject: Filing of Notice of Decision in compliance with Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Section 15252(b), and South Coast AQMD Rule 110(f)

Project Title: Final Environmental Assessment (EA) for Proposed Rule (PR) 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule (PAR) 461 – Gasoline Transfer and Dispensing, and PAR 219 – Equipment not Requiring a Written Permit Pursuant to Regulation II

Lead Agency: South Coast Air Quality Management District (South Coast AQMD)

SCH Number: 2021110387

Date Certified: January 7, 2022

South Coast AQMD Number: 11232021RB

Contact Person: Ryan Banuelos

Telephone Number: (909) 396-3479

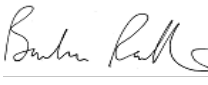
Project Location: The project applies to mobile fueling operations occurring within the South Coast Air Quality Management District (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Project Description: The project is comprised of adopted Rule 461.1, and amended Rules 461 and 219. The adoption of Rule 461.1 established requirements designed to minimize emissions of volatile organic compounds (VOC) and toxics from mobile fueling operations which are applicable to: 1) an owner or operator of a mobile fueler conducting retail or non-retail mobile fueling operations; and 2) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufactures emissions control equipment or the associated components thereof. Amendments to Rule 461 removed specific provisions pertaining to the requirements and emission control equipment associated with mobile fueling operations since these requirements are included in Rule 461.1. Further, amendments to Rule 219 removed the general storage exemption for mobile fuelers of any gasoline capacity and added the following exemptions for: 1) retail mobile fuelers with a cumulative capacity of 10 gallons or less of gasoline; and 2) non-retail mobile fuelers with a cumulative capacity of 120 gallons or less of gasoline. Additionally, mobile fuelers that were previously exempt from Rule 219 will continue to be exempt until July 1, 2022 to provide time for owners and/or operators to obtain permits. Implementation of the project is expected to result in less than significant increases of VOC and toxic emissions and associated public health risk from mobile fueling operations.

This is to advise that the South Coast AQMD has certified the Final EA, approved the above-described project, and has made the following determinations:

1. The South Coast AQMD, as lead agency, has evaluated the potential environmental effects of the project pursuant to the California Environmental Quality Act (CEQA).
2. The requirements for a Negative Declaration have been triggered pursuant to South Coast AQMD’s Certified Regulatory Program (Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l); codified in South Coast AQMD Rule 110) and CEQA Guidelines Section 15070, and that a Final EA, a substitute document allowed pursuant to CEQA Guidelines Section 15252 and South Coast AQMD’s certified regulatory program, was prepared.
3. In accordance with CEQA Guidelines Section 15187 which requires an environmental analysis to be performed when proposing to adopt a new rule or regulation requiring the installation of air pollution control equipment, or establishing a performance standard, the Final EA examines the potential environmental impacts of the project.
4. The Final EA concluded that the project will not have a significant adverse impact on the environment.
5. Because the Final EA 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.
6. Because the Final EA concluded that the project will not have a significant adverse impact on the environment, Findings pursuant to CEQA Guidelines Section 15091 and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 were also neither required nor adopted for this project.
7. The South Coast AQMD Governing Board reviewed and considered the Final EA and supporting documentation prior to making a decision on the project.

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

	Signature:		January 7, 2022
Date Received for Filing		Barbara Radlein Program Supervisor, CEQA Planning, Rule Development and Area Sources	