



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED RULE 1714 – PREVENTION OF SIGNIFICANT DETERIORATION (PSD) FOR GREENHOUSE GASSES (GHGS) AND PROPOSED AMENDED REGULATION XXX – TITLE V PERMITS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

Proposed Rule 1714 and Proposed Amended Regulation XXX would implement the federal tailoring rule, which includes requirements for GHGs for the PSD and Title V programs. Proposed Rule 1714 would incorporate federal requirements for GHGs by reference. Proposed amendments to Regulation XXX would add federal GHG requirements into existing SCAQMD regulations. Since the proposed project is implementing federal requirements and the SCAQMD is not exercising discretion with regard to implementing the federal requirements, it is exempt from CEQA pursuant to state CEQA Guidelines §15268 – Ministerial Projects. A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. The Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following the adoption of the proposed project.

Any questions regarding this Notice of Exemption should be sent to Jeff Inabinet (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Inabinet can also be reached at (909) 396-2453.

Date: November 5, 2010

Signature: *Steve Smith*

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

NOTICE OF EXEMPTION

To: County Clerks of Los Angeles, Orange, Riverside, San Bernardino	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title:

Proposed Rule 1714 – Prevention of Significant Deterioration (PSD) for Greenhouse Gasses (GHGs) and Proposed Amended Regulation XXX – Title V Permits

Project Location:

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

Proposed Rule 1714 – Prevention of Significant Deterioration for GHGs, and Proposed Amended Regulation XXX – Title V Permits, are proposed to implement federal changes to 40 CFR Parts 52 and 70, published June 3, 2010 and effective August 2, 2010. Proposed Rule 1714 (proposed for Regulation XVII) adopts by reference the provisions promulgated by EPA in the June 3, 2010 Federal Register. In general, the federal rules establish dates for a phased-in multi-step process for Proposed Rule 1714. Beginning January 2, 2011, any source already subject to the PSD regulation for new construction or a modification for any attainment pollutant, and having an increase in GHG emissions on a carbon dioxide equivalent (CO₂e) basis (Global Warming Potential [GWP] applied) greater than or equal to 75,000 tons per year (tpy) CO₂e and with a net emission increase of GHG emissions greater than zero on a mass basis (no GWP applied), will be required to include Best Available Control Technology (BACT) for GHG emissions (Step 1). Step 2 of the phased-in implementation for GHG sources has an effective date of July 1, 2011. At this point, all sources subject to the regulation through Step 1 will continue to be subject to the rule, and additionally, sources with a potential to emit (PTE) GHGs greater than or equal to 100,000 tpy CO₂e and emitting a New Source Review (NSR) or GHG pollutant above the 100/250 tpy (mass based) statutory thresholds, will be subject to the regulation. Amendments to Regulation XXX are proposed for the following rules: PAR 3000 – General, is proposed to be amended by adding three definitions: carbon dioxide equivalent (CO₂E), global warming potential (GWP) and greenhouse gas (GHG), and the definition for minor permit revision is amended by adding a GHG threshold; PAR 3001 – Applicability and PAR 3002 – Requirements, are proposed to be amended by adding the January 2, 2011 and July 1, 2011 dates for including GHGs in Title V permits; PAR 3003 – Applications, PAR 3005 – Permit Revisions, and PAR 3006 – Public Participation, are proposed for amendment only due to references in those rules to definitions in PAR 3000 – General; and PAR 3008 – PTE Limitations, authorizes sources to cap their PTE to avoid applicability of Title V based on GHG emissions.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

Ministerial Projects [CEQA Guidelines §15268]

Reasons why project is exempt:

Proposed Rule 1714 and Proposed Amended Regulation XXX would implement the federal tailoring rule, which includes requirements for GHGs for the PSD and Title V programs. Proposed Rule 1714 would incorporate federal requirements for GHGs by reference. Proposed amendments to Regulation XXX would add federal GHG requirements into existing SCAQMD regulations. Since the proposed project is implementing federal requirements and the SCAQMD is not exercising discretion with regard to implementing the federal requirements, it is exempt from CEQA pursuant to state CEQA Guidelines §15268 – Ministerial Projects.

Certification Date:

SCAQMD Governing Board Hearing: November 5, 2010, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:

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Date Received for Filing _____

Signature _____

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