



South Coast Air Quality Management District

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1148.2 – NOTIFICATION AND REPORTING REQUIREMENTS FOR OIL AND GAS WELLS AND CHEMICAL SUPPLIERS

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

The proposed project is amending Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, to revise the reporting requirements for chemicals and trade name products used in well drilling, rework and completions in order to make the rule more consistent with Senate Bill (SB) 4 and the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) reporting structure. The proposed amended rule will continue to require specific information not specified under SB 4. SCAQMD staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines §15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA.

Because the SCAQMD is proposing to incorporate state regulatory requirements into Rule 1148.2 without exercising discretion, the project is considered to be ministerially exempt from CEQA pursuant to CEQA Guidelines §15268 – Ministerial Projects. Furthermore, the SCAQMD has determined that it can be seen with certainty that there is no possibility that the proposed project may have any significant effects on the environment, and is therefore, also exempt pursuant to CEQA Guidelines §15061 - Review for Exemption, paragraph (b)(3) – “general rule” exemption.

A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. If the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

Any questions regarding this Notice of Exemption should be sent to my attention at the above address. I can also be reached at (909) 396-2716. Mr. Edward Eckerle is also available at (909) 396-3128 to answer any questions regarding the proposed amendments.

Date: May 29, 2015

Signature: 
Barbara Radlein
Program Supervisor, CEQA Section
Planning, Rule Development, & Area Sources

NOTICE OF EXEMPTION

To: County Clerks
Counties of Los Angeles, Orange,
Riverside and San Bernardino

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title:

Proposed Amended Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers

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:

SCAQMD staff is proposing to modify the chemical reporting requirements in Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, to be more consistent with state law. The California Department of Conservation, through its Division of Oil, Gas, and Geothermal Resources (DOGGR), adopted a well stimulation treatment regulation in response to the passage of Senate Bill (SB) 4 which was finalized in December 2014 and is scheduled to go into effect on July 1, 2015. Proposed Amended Rule (PAR) 1148.2 will: 1) disaggregate the reporting of the trade name product from the chemical ingredients within the product; 2) eliminate the requirement to report the chemical mass concentration within the trade name product, and instead, require the total mass of each chemical ingredient to be reported; and, 3) no longer allow specified SB 4-related well stimulation information to be deemed as trade secret and instead, make this information available to the public on the SCAQMD’s website. The SCAQMD is also proposing to increase the public notification period before a well activity begins from 24 hours to 72 hours to provide additional lead time to the public prior to the well event. PAR 1148.2 also includes changes to provisions for canceling and revising well event start times. Additional minor changes are also proposed to promote clarity, consistency, and enforceability throughout the rule.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines §15002 (k)(1) - General Concepts (Three Step Process)

CEQA Guidelines §15061 - Review for Exemption

CEQA Guidelines §15268 - Ministerial Projects

Reasons why project is exempt:

Staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines §15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Because the SCAQMD is amending Rule 1148.2 to align it with the requirements in SB4, without exercising discretion with regard to the proposed amendments, the project is considered to be ministerially exempt from CEQA pursuant to CEQA Guidelines §15268 – Ministerial Projects. Furthermore, the SCAQMD has determined that it can be seen with certainty that there is no possibility that the proposed project may have any significant effects on the environment, and is therefore, also exempt pursuant to CEQA Guidelines §15061 - Review for Exemption, paragraph (b)(3) – “general rule” exemption.

Project Approval Date:

SCAQMD Governing Board Hearing: July 10, 2015, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:

Ms. Barbara Radlein

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Regulations Contact Person:

Mr. Edward Eckerle

Phone Number:

(909) 396-3128

Fax Number:

(909) 396-3324

Email:

eeckerle@aqmd.gov

Date Received for Filing: _____

Signature: _____

(Signed Upon Project Approval)

Barbara Radlein
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources