



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 REGULATION IX - STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES, AND, REGULATION X – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

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 Regulation IX – Standards of Performance for New Stationary Sources (NSPS), and, Regulation X – National Emission Standards for Hazardous Air Pollutants (NESHAP), to conform with federal requirements. 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 federal NSPS and NESHAP requirements by reference into Regulations IX and X, respectively, 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 proposed amendments are considered to be categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Actions By Regulatory Agencies For Protection Of The Environment. 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 Barbara Radlein (c/o Planning, Rule Development and Area Sources) at the above address. Ms. Radlein can also be reached at (909) 396-2716. Ms. Tuyet-le Pham is also available at (909) 396-3299 to answer any questions regarding the proposed amendments.

Date: February 5, 2015

Signature: _____

A handwritten signature in blue ink that reads "Michael Krause". The signature is written in a cursive style and is positioned above a horizontal line.

Michael Krause
Program Supervisor, CEQA Section
Planning, Rules, and 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 Regulation IX – Standards of Performance for New Stationary Sources, and, Regulation X – National Emission Standards for Hazardous Air Pollutants

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:

The purpose of the proposed amendments is to incorporate by reference federal New Source Performance Standards (NSPS) into Regulation IX and National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements into Regulation X. The incorporation by reference of NSPS requirements into Regulation IX and NESHAP requirements into Regulation X recognizes the SCAQMD's authority to implement and enforce these federal regulations at the local level.

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

CEQA Guidelines §15308 - Actions By Regulatory Agencies For Protection Of The Environment (Class 8 Categorical Exemption)

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 incorporating federal NSPS and NESHAP requirements by reference into Regulations IX and X, respectively, 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 proposed amendments are considered categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Actions By Regulatory Agencies For Protection Of The Environment.

Project Approval Date:

SCAQMD Governing Board Hearing: April 3, 2015, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:

Ms. Barbara Radlein

Phone Number:

(909) 396-2716

Fax Number:

(909) 396-3324

Email:

bradlein@aqmd.gov

Regulations Contact Person:

Ms. Tuyet-le Pham

Phone Number:

(909) 396-3299

Fax Number:

(909) 396-3324

Email:

tpham@aqmd.gov

Date Received for Filing: _____

Signature: _____

(Signed Upon Project Approval)

Michael Krause
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources