



# 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 (CEQA)**

**PROJECT TITLE: PROPOSED AMENDMENTS TO THE BEST AVAILABLE CONTROL TECHNOLOGY (BACT) GUIDELINES AND CHARTER FOR BACT SCIENTIFIC REVIEW COMMITTEE**

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.

SCAQMD staff has reviewed the proposed amendments to the Best Available Control Technologies (BACT) Guidelines and the Charter for the BACT Scientific Review Committee, pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA.

Periodically, SCAQMD staff proposes amendments to the BACT Guidelines to add new or update determinations and/or policy. These actions are to add new and amended listings to Part B: Lowest Achievable Emission Rate (LAER) Determinations for Major Polluting Facilities, Part D: BACT Determinations for Non-Major Polluting Facilities and update Parts A and C, Policy for Major and Non-Major Polluting Facilities, respectively. Additionally, these actions are to amend the BACT Guidelines to reflect current SCAQMD practices in permitting and approve amendments to the Charter for the BACT Scientific Review Committee.

Since the proposed project is comprised of updates that reflect current practices of LAER/BACT determinations in the BACT Guidelines and the most current achieved-in-practice air pollution control equipment and/or processes, and make administrative amendments to the Charter for the BACT Scientific Review Committee, SCAQMD staff has determined that it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule. In addition, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. Further, SCAQMD staff has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions. Therefore, the proposed project is exempt from CEQA. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption. If the 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 Ryan Bañuelos (c/o Planning, Rule Development and Area Sources) at the above address. Mr. Bañuelos can also be reached at (909) 396-3479. Mr. Alfonso Baez is also available at (909) 396-2516 to answer any questions regarding the proposed amended guidelines.

**Date:** January 4, 2019

**Signature:**

Barbara Radlein  
Program Supervisor, CEQA Section  
Planning, Rules, and Area Sources

**NOTICE OF EXEMPTION  
FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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**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

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**Project Title:** Proposed Amendments to the Best Available Control Technology (BACT) Guidelines and Charter for the BACT Scientific Review Committee

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**Project Location:** The SCAQMD has jurisdiction over 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 portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin (MDAB). The SCAQMD's jurisdiction includes the federal nonattainment area known as the Coachella Valley Planning Area, which is a sub-region of Riverside County and the SSAB.

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**Description of Nature, Purpose, and Beneficiaries of Project:** SCAQMD staff is proposing the following amendments to the BACT Guidelines to add new or update determinations and/or policy that reflect current SCAQMD practices in permitting and the most current achieved-in-practice air pollution control equipment and/or processes: 1) revise the Overview to add a reference to an Engineering and Permitting Division policy for the prevention of circumvention of BACT requirements for emissions increases greater than or equal to one pound per day; 2) revise Part A – Policy and Procedures for Major Polluting Facilities to add a reference to SCAQMD's Air Quality-Related Energy policy established in September 2011; and 3) revise Part B, Section I – SCAQMD Lowest Achievable Emissions Rate (LAER)/BACT Determinations for Major Polluting Facilities, to add: a) External Floating Roof Tank-Dome Installation, and b) Soil Vapor Extraction –Thermal Oxidation at 30 parts per million (ppm) oxides of nitrogen (NOx). Updates to the following major source categories are also proposed to be added to Part B, Section I – SCAQMD LAER/BACT Determinations: 1) Gas Turbines – Combined Cycle, natural gas-fired rated at 56.1 megawatt (MW) with selective catalytic reduction (SCR) and a permit limit of 2 ppm NOx, 2 ppm carbon monoxide (CO), 2 ppm volatile organic compounds (VOC) and 5 ppm ammonia slip; 2) Gas Turbines – Simple Cycle, natural gas-fired rated at 100.1 MW with SCR and a permit limit of 2.5 ppm NOx, 4 ppm CO, 2 ppm VOC and 5 ppm ammonia slip; 3) Gas Turbines – Simple Cycle, landfill gas-fired rated at 4.9 MW and a permit limit of 12.5 ppm NOx, 21.5 ppm CO and 10.5 ppm VOC; 4) Gas Turbines – Combined Cycle, digester gas-fired rated at 11.35 MW and a permit limit of 18.8 ppm NOx, 60 ppm CO, 25 ppm VOC and 10 ppm ammonia slip; 5) Gas Turbines – Simple Cycle, produced gas-fired rated at 5.6 MW and a permit limit of 5 ppm NOx, 6 ppm CO, 2 ppm VOC and 5 ppm ammonia slip; 6) Internal Combustion (I.C.) Engine – Portable, Compression Ignition rated at 123.4 horsepower (hp) with oxidation catalyst and SCR at Tier 4 Final emission standards; and 7) I.C. Engine – Emergency, Compression Ignition rated at 183 hp at Tier 3 emission standards. An update to Part B, Section II – Other LAER/BACT Determinations, is proposed for the category of Gas Turbine – Combined Cycle, natural gas-fire rated at 299.6 MW to include a listing from a permit issued by the Virginia State Air Pollution Control Board. Outdated LAER determinations are proposed for deletion from Part B, Section I – SCAQMD LAER/BACT, and Section II – Other LAER/BACT Determinations, to maintain current and up-to-date listings that reflect the latest permitted achieved in practice technologies. Part C – Policy and Procedures for Non-Major Polluting Facilities, is proposed to be revised to include a reference to SCAQMD's Air Quality-Related Energy policy established in September 2011. Also, the Maximum Cost-Effectiveness Values in Table 5 of Part C are proposed to be revised in order establish consistency with the third quarter 2018 Marshall and Swift equipment index. Updates to Part D – BACT Guidelines for Non-Major Polluting Facilities are proposed for the following categories for consistency with SCAQMD Rule 1147 – NOx Reductions from Miscellaneous Sources: 1) Boiler; 2) Fryer; 3) I.C. Emergency, Stationary, Emergency; 4) Process Heater – Non-Refinery; 5) Printing (Graphic Arts); 6) Spray Booth; 7) Aluminum Melting Furnace; 8) Brass Melting Furnace; 9) Burnoff Furnace; 10) Calciner; 11) Coffee Roasting; 12) Crematory; 13) Dryer-Kiln; 14) Dryer or Oven Tenter Frame/Carpet; 15) Fish Reduction Cooker/Dryer; 16) Fryer - Deep Fat, 17) Fryer - Non-Integrated; 18) Lead Melting Furnace; and 19) Soil Vapor Extraction (Remediation) Thermal Oxidation and Zinc Melting Furnace. The following minor source categories are proposed to be added to Part D: 1) Composting subcategory: Greenwaste Composting; and 2) Thermal/Catalytic Oxidizer-Natural Gas-Fired with a subcategory of "All." Lastly, amendments are proposed to update the BACT Scientific Review Committee Charter to clarify language under the Reporting section.

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**Public Agency Approving Project:**  
South Coast Air Quality Management District

**Agency Carrying Out Project:**  
South Coast Air Quality Management District

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**Exempt Status:**

CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule  
CEQA Guidelines Section 15308 – Actions By Regulatory Agencies For Protection Of The Environment

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**Reasons why project is exempt:** SCAQMD staff has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) - General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 - Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project is comprised of updates that reflect current practices of LAER/BACT determinations in the BACT Guidelines and the most current achieved-in-practice air pollution control equipment and/or processes, and make administrative amendments to the Charter for the BACT Scientific Review Committee, SCAQMD staff has determined that it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule. Furthermore, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. Further, SCAQMD staff has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions. Therefore, the proposed project is exempt from CEQA.

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**Date When Project Will Be Considered for Approval (subject to change):**

SCAQMD Governing Board Hearing: February 1, 2019; SCAQMD Headquarters - Auditorium

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<b>CEQA Contact Person:</b>	<b>Phone Number:</b>	<b>Email:</b>	<b>Fax:</b>
Mr. Ryan Bañuelos	(909) 396-3479	<a href="mailto:rbañuelos@aqmd.gov">rbañuelos@aqmd.gov</a>	(909) 396-3982

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<b>Rule Contact Person:</b>	<b>Phone Number:</b>	<b>Email:</b>	<b>Fax:</b>
Mr. Alfonso Baez	(909) 396-2516	<a href="mailto:abaez@aqmd.gov">abaez@aqmd.gov</a>	(909) 396-3253

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**Date Received for Filing:** \_\_\_\_\_ **Signature:** (Signed Upon Board Approval)

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