

## **NOTICE OF PUBLIC HEARING**

### **PROPOSED ADOPTION OF, OR AMENDMENT TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

#### **RE: Proposed Amended Rule 408 – Circumvention**

**NOTICE IS HEREBY GIVEN** that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, May 4, 2018 in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., at which time evidence will be taken and all interested persons will be heard by the SCAQMD Board.

**NOTICE IS FURTHER GIVEN** that the SCAQMD is considering the adoption of Proposed Amended Rule 408 – Circumvention. The proposed amended rule will limit the existing exemption to cases in which the only violation is an odor nuisance. The proposed amendments would also prohibit alterations to normal business operations or equipment to suppress emissions for the purpose of evading detection or concealing emissions during monitoring or testing.

**NOTICE IS FURTHER GIVEN** that the proposed amendments to Rule 408 – Circumvention will not be submitted for inclusion into the State Implementation Plan.

**NOTICE IS FURTHER GIVEN** that the proposed amendments to Rule 408 – Circumvention implement Title 40 of the Code of Federal Regulations Section 63.4.

**NOTICE IS FURTHER GIVEN** that Proposed Amended Rule 408 – Circumvention does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements; therefore, a comparative analysis pursuant to Health and Safety Code Section 40727.2 is not required.

**NOTICE IS FURTHER GIVEN** that the SCAQMD staff reviewed the proposed project pursuant to CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which documents to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, and has determined that the proposed amendments to Rule 408 are exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) – Activities Covered by General Rule. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption, and 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.

**NOTICE IS FURTHER GIVEN** that SCAQMD staff prepared documents, for consideration by the SCAQMD Board, including:

Proposed Amended Rule 408 – Circumvention  
Staff Report for Proposed Amended Rule 408 – Circumvention  
Socioeconomic Impact Assessment for Proposed Amended Rule 408 –  
Circumvention, included in the Staff Report

**NOTICE IS FURTHER GIVEN** that the above documents are available on the SCAQMD website at [www.aqmd.gov/home/regulations/rules/proposed-rules](http://www.aqmd.gov/home/regulations/rules/proposed-rules), or may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from: Fabian Wesson - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov).

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, the SCAQMD Board may make other modifications to Proposed Amended Rule 408 – Circumvention, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendments.

Questions, comments, or requests for clarification regarding Proposed Amended Rule 408 – Circumvention can be directed to Nicole Silva, Planning, Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, [nsilva@aqmd.gov](mailto:nsilva@aqmd.gov), (909) 396-3384. All CEQA inquiries can be directed to Diana Thai, CEQA Section, Planning, Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, [dthai@aqmd.gov](mailto:dthai@aqmd.gov) or by calling (909) 396-3443. All inquiries regarding the Socioeconomic Assessment can be directed to Shah Dabirian, Socioeconomic Section, Planning, Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, [sdabirian@aqmd.gov](mailto:sdabirian@aqmd.gov), (909) 396-3076.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov) on or before Tuesday, April 24, 2018. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain or HTML format.

DATED: March 28, 2018

DENISE GARZARO  
Clerk of the Boards