



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
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SUBJECT: NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL ASSESSMENT

PROJECT TITLE: PROPOSED AMENDED RULE 1401– NEW SOURCE REVIEW OF TOXIC AIR CONTAMINANTS; AND IMPACT ASSESSMENT FOR FACILITIES SUBJECT TO RULE 1402 – CONTROL OF TOXIC AIR CONTAMINANTS FROM EXISTING SOURCES

In accordance with the California Environmental Quality Act (CEQA), the South Coast Air Quality Management District (SCAQMD), as the Lead Agency, prepared this Draft Environmental Assessment (EA) pursuant to its certified regulatory program (SCAQMD Rule 110), which assesses potential environmental impacts that may result from implementing the proposed project identified above. The Draft EA concludes that there will be no significant adverse environmental impacts from implementing the proposed project.

This letter, the Notice of Completion (NOC) and the attached Draft EA are not SCAQMD applications or forms requiring a response from you. Their purpose is simply to provide information to you on the above project. If the proposed project has no bearing on you or your organization, no action on your part is necessary. The proposed project's description, location, and potential adverse environmental impacts are described in the NOC and in the Draft EA.

Comments focusing on your area of expertise, your agency's area of jurisdiction, or issues relative to the environmental analysis should be addressed to Mr. Michael Krause (c/o CEQA Section, Planning, Rule Development and Area Sources) at the address shown above, or sent by FAX to (909) 396-3324 or by e-mail to mkrause@aqmd.gov. Comments must be received no later than 5:00 PM on April 28, 2009. Please include the name and phone number of the contact person for your agency. Questions relative to proposed amended Rule 1401 and impact assessment for facilities subject to Rule 1402 should be directed to Ms. Cheryl Marshall at (909) 396-2567.

The Public Workshop will be held on April 1, 2009 and the Public Hearing for the proposed amended rule is currently scheduled for June 5, 2009. Both meetings will be held at the SCAQMD Headquarters in Diamond Bar, California. Note: the Public Hearing date is subject to change.

Date: March 27, 2009

Signature: _____

Steve Smith

Steve Smith, Ph.D.
Program Supervisor
Planning, Rules, and Area Sources

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 Copley Drive, Diamond Bar, CA 91765-4182

NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL ASSESSMENT

Project Title:

Draft Environmental Assessment (EA): Proposed Amended Rule 1401– New Source Review of Toxic Air Contaminants; and Impact Assessment for Facilities Subject to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources

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 proposed project consists of adding ethyl benzene as a carcinogen to the Rule 1401 Table I list of toxic air contaminants (TACs), which would affect new, modified, or relocated facilities. Rule 1402 regulates the same TACs that are listed in Table I in 1401 at existing facilities. Because adding ethyl benzene to Table I in 1401 affects facilities subject to Rule 1402, it is necessary to perform an impact assessment for facilities subject to Rule 1402. The Draft EA concluded that the affected facilities could potentially be required to update inventory, provide notification, conduct health risk assessment and/or risk reduction. However, the environmental impact areas would not be significantly adversely affected by the proposed project.

Lead Agency:

South Coast Air Quality Management District

Division:

Planning, Rule Development and Area Sources

Draft EA and all supporting documentation are available at:

SCAQMD Headquarters
21865 Copley Drive
Diamond Bar, CA 91765

or by calling:

(909) 396-2039

The Draft EA can be accessed on the SCAQMD's website at:

<http://www.aqmd.gov/ceqa/aqmd.html>

The Public Notice of Completion is provided through the following:

- Los Angeles Times (March 27, 2009) AQMD Website AQMD Permit Holders & Interested Parties (e.g., public workshop attendees) Mailing List
-

Draft EA Review Period:

March 27, 2009 – April 28, 2009

Scheduled Public Meeting Dates:

Public Workshop: April 1, 2009, 1:00 p.m.; SCAQMD Headquarters
SCAQMD Governing Board Hearing: June 5, 2009, 9:00 a.m.; SCAQMD Headquarters

The proposed project will not have regional and areawide significant impacts, therefore, a CEQA scoping meeting is not required (pursuant to Public Resources Code §21083.9(a)(2)).

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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Draft Environmental Assessment for:

Proposed Amended Rule 1401– New Source Review of Toxic Air Contaminants; and Impact Assessment for Facilities Subject to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources.

March 27, 2009

SCAQMD No. 090327MK

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CHAPTER 1 - PROJECT DESCRIPTION

Introduction

Legislative Authority

California Environmental Quality Act

Project Location

Project Background

Project Objectives

Project Description

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INTRODUCTION

A substance is considered toxic if it has the potential to cause adverse health effects in humans. A toxic substance released to the air is considered a toxic air contaminant (TAC) or “air toxic.” TACs are identified by state and federal agencies based on a review of available scientific evidence. Federal agencies also use the term hazardous air pollutant (HAP). In the state of California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act, Assembly Bill (AB) 1807, Tanner. This two-step process of risk identification and risk management was designed to protect residents from the health effects of toxic substances in the air. During the first step (identification), the California Air Resources Board (CARB) and the Office of Environmental Health Hazard Assessment (OEHHA) determines if a substance should be formally identified as a TAC in California. In the second step (risk management), the CARB reviews the emission sources of an identified TAC to determine if any regulatory action is necessary to reduce the risk. Exposure to TACs can potentially increase the risk of contracting cancer or result in other adverse health effects (e.g., birth defects). TACs can cause health effects through both short-term, high-level or “acute” exposure and long-term, low-level or “chronic” exposure. Many TACs are hydrocarbon substances or varieties of metals. A health risk assessment is used to estimate the likelihood that an individual would contract cancer or experience other adverse health effects as a result of exposure to listed TACs. TACs are regulated by the South Coast Air Quality Management District (SCAQMD) based on the recommendations of the OEHHA. OEHHA is the state agency responsible for developing risk assessment methodologies and risk factors to be used for conducting risk evaluations, thereby establishing a state-wide standard procedure for evaluating potential health risks.

The SCAQMD is proposing to add ethyl benzene as a carcinogen to Rule 1401, which regulates TAC emissions from new, modified, and relocated sources. Rule 1402 regulates the same TACs that are listed in Table I in 1401 at existing facilities. Because adding ethyl benzene as a carcinogen to Table I in 1401 affects facilities subject to Rule 1402, it is necessary to perform an impact assessment for facilities subject to Rule 1402. The primary objective of proposed amended Rule (PAR) 1401, which also affects facilities subject to Rule 1402, is to further reduce ethyl benzene emissions from stationary sources located within the area of SCAQMD’s jurisdiction. OEHHA approved a chronic reference exposure limit (REL) for ethyl benzene in year 2000 as a TAC with chronic effects to the liver, kidney, and endocrine system, and the compound was added to Rule 1401 list of TACs with a chronic REL that same year. In 2007, OEHHA approved a cancer risk value for ethyl benzene and the proposal would add ethyl benzene to the Rule 1401 list of TACs as a carcinogen. The cancer potency value (inhalation potency factor) would be added to the SCAQMD’s “Risk Assessment Procedures for Rules 1401 and 212.”

Paragraph (j)(5) of Rule 1402 requires a report to the Governing Board regarding a preliminary estimate of Rule 1402 impacts that are associated with the addition of new compounds to the list of TACs in Rule 1401. Depending on the facility and its potential toxic risk, Rule 1402 may require toxic emissions inventories, health risk assessments (HRAs), public notification, and/or risk reduction as required under Assembly Bill (AB) 2588 Air Toxics Hot Spots Program. Thus, adding ethyl benzene to Table I in 1401 means this TAC would be included in the facility risk calculated at existing facilities, which may require risk reduction measures. Since amending Rule 1401 is expected to impact facilities under Rule 1402, the environmental assessment (EA) analyzes the impact assessment for facilities subject to Rule 1402.

The SCAQMD Governing Board approved an air toxics planning document in March 2000 called “Final Draft Air Toxics Control Plan (ATCP) for the Next Ten Years.” PAR 1401, which affects facilities regulated by Rule 1402, satisfy the following two programmatic measures as outlined in the ATCP: AT-PRG-01 – New Source Review of Toxic Air Contaminants (Amend Rule 1401); and AT-PRG-02 – Control of Toxic Air Contaminants from Existing Sources (Rule 1402). Specifically, AT-PRG-01 is a strategy that recommends continuing efforts to update Rule 1401, which would indirectly update Rule 1402 since it regulates the TACs listed in Rule 1401, by incorporating current TACs with risk values approved by the state Scientific Review Panel (SRP) and approved by OEHHA. The effectiveness of Rules 1401 and 1402 is enhanced when more chemicals are regulated. PAR 1401 and Rule 1402 provide emission reductions/risk reductions so the proposed project is consistent with the ATCP.

This Draft EA, prepared pursuant to the California Environmental Quality Act (CEQA), determined after evaluation and analysis that the potential environmental impacts are not significant from implementing the proposed project. Throughout this document, references to the proposed project or PAR 1401 and impact assessment for facilities subject to Rule 1402, are used interchangeably.

LEGISLATIVE AUTHORITY

The California Legislature created the SCAQMD in 1977 (Lewis-Presley Air Quality Management Act, California Health and Safety Code §§ 40400 et seq.) as the agency responsible for developing and enforcing air pollution control rules and regulations in the Basin and portions of the Salton Sea Air Basin and Mojave Desert Air Basin. By statute, SCAQMD is required to adopt an air quality management plan (AQMP) demonstrating compliance with all state and federal ambient air quality standards for the District [California Health and Safety Code §40460(a)]. Furthermore, SCAQMD must adopt rules and regulations that carry out the AQMP [California Health and Safety Code, §40440(a)].

According to Health and Safety Code §39656, California legislature has delegated the air districts, including the SCAQMD, to establish and implement a program to regulate TACs.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

PAR 1401, and impact on facilities subject to Rule 1402, is a "project" as defined by CEQA (California Public Resources Code §21080.5). SCAQMD is the lead agency for the proposed project and has prepared appropriate environmental analysis pursuant to its certified regulatory program (SCAQMD Rule 110). California Public Resources Code §21080.5 allows public agencies with regulatory programs to prepare a plan or other written document in lieu of an environmental impact report (EIR) once the Secretary of the Resources Agency has certified the regulatory program. The SCAQMD's regulatory program was certified by the Secretary of the Resources Agency on March 1, 1989, and is codified as SCAQMD Rule 110.

CEQA requires that the potential adverse environmental impacts of proposed projects be evaluated and that feasible methods to reduce or avoid significant adverse environmental impacts of these projects be identified. To fulfill the purpose and intent of CEQA, the SCAQMD has prepared this EA to address the potential adverse environmental impacts associated with adopting and implementing PAR 1401. This Draft EA is intended to: (a) provide the lead agency, responsible agencies, decision makers and the general public with detailed information on the environmental effects of the proposed project; and, (b) to be used as a tool by decision makers to facilitate decision making on the proposed project.

All comments received during the public comment period on the analysis presented in the Draft EA will be responded to and included in the Final EA. Prior to making a decision on the proposed rule, the SCAQMD Governing Board must review and certify the EA as providing adequate information on the potential adverse environmental impacts of the proposed rule.

SCAQMD's review of the proposed project shows that the project would not generate significant adverse effects on the environment. Therefore, pursuant to CEQA Guidelines §15252, no alternatives or mitigation measures are included in this Draft EA. The analysis in Chapter 2 supports the conclusion of no significant adverse environmental impacts.

PROJECT LOCATION

PAR 1401 and impacts on facilities subject to Rule 1402 would apply to the SCAQMD's entire jurisdiction. The SCAQMD has jurisdiction over an area of 10,473 square miles (referred to hereafter as the district), consisting of the four-

county South Coast Air Basin (Basin) and the Riverside County portions of the Salton Sea Air Basin (SSAB) and the Mojave Desert Air Basin (MDAB). The Basin, which is a subarea of the SCAQMD's jurisdiction, is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The 6,745 square-mile Basin includes all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties. The Riverside County portion of the SSAB and MDAB is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley. The federal nonattainment area (known as the Coachella Valley Planning Area) is a subregion of both Riverside County and the SSAB and is bounded by the San Jacinto Mountains to the west and the eastern boundary of the Coachella Valley to the east (Figure 1-1).



FIGURE 1-1

South Coast Air Quality Management District

PROJECT BACKGROUND

Rule 1401

Rule 1401 – New Source Review for Toxic Air Contaminants (TACs) was adopted by the SCAQMD Governing Board in June 1990. The rule establishes cancer and non-cancer risk requirements for new, relocated, or modified sources of toxic air pollutants. It is amended periodically to add new compounds or new risk values to the list of TACs as they are identified and risk values are finalized or amended by OEHHA. Associated cancer potency values are not listed in Rule 1401 but are added to the SCAQMD’s “Risk Assessment Procedures for Rules 1401 and 212.”

Rule 1402

Rule 1402 – Control of Toxic Air Contaminants from Existing Sources was adopted in April 1994. It establishes facility-wide risk requirements for existing facilities that emit TACs and implements the state Air Toxics “Hot Spots” program. Rule 1402 is not being amended, however the list of TACs in Rule 1401 are also used for Rule 1402. Depending on the facility and its potential toxic risk, Rule 1402 may require toxic emissions inventories, health risk assessments (HRA), public notification, and/or risk reduction as required under the AB 2588 Air Toxics “Hot Spots” Program.

Ethyl Benzene

Ethyl benzene is a colorless, flammable liquid. It is a natural constituent of crude petroleum and is found in gasoline, diesel, and other fuels and in their exhaust. In addition to fuels it is used in coatings and chemical operations. Sources of ethyl benzene emissions include petroleum storage facilities, especially gasoline storage because of the high vapor pressure of gasoline. Crude oil and diesel storage have much lower ethyl benzene emissions because of their low vapor pressure. Sources of ethyl benzene from fuel combustion include power producers, refineries, and landfills. Other sources of ethyl benzene emissions from raw materials include chemical manufacturers, asphalt manufacturers, coatings manufacturers, large furniture manufacturing operations, and large vehicle manufacturers.

Ethyl benzene was identified under section 112(b)(1) of the U.S. Clean Air Act as a Hazardous Air Pollutant in the 1990 amendment. It was recognized by the California Air Resources Board as a toxic air contaminant on April 8, 1993.

A study by the National Toxicology Program in 1999 was found to show clear evidence of the compound’s carcinogenicity. The Scientific Review Panel reviewed this and several other studies and, because of the scientific evidence and potential for

significant human exposure, a cancer potency value was developed and adopted by OEHHA on November 14, 2007. The studies are discussed in OEHHA's "Long-term Health Effects of Exposure to Ethylbenzene" (OEHHA, November 2007, http://www.oehha.ca.gov/air/hot_spots/pdf/Ethylbenzene_FINAL110607.pdf).

OEHHA approved a chronic REL in 2000 because it was determined to be a TAC with chronic effects to the liver, kidney, and endocrine system. On August 8, 2000, the SCAQMD adopted a chronic REL for ethyl benzene by adding it to Rule 1401 list of TACs and adding the chronic REL to the SCAQMD's "Risk Assessment Procedures for Rules 1401 and 212."

On November 14, 2007 OEHHA adopted a cancer potency value for ethyl benzene (CAS Registry Number 100-41-4) of $0.0087 \text{ (mg/kg-day)}^{-1}$. This corresponds to a screening value of 13.1 pounds per year per one-in-one million cancer risk at a receptor distance of 25 meters. The proposal to amend Rule 1401 would add ethyl benzene to the Rule 1401 list of TACs as a carcinogen and the cancer potency value (inhalation potency factor) would be added to the SCAQMD's "Risk Assessment Procedures for Rules 1401 and 212." Although ethyl benzene has both cancer and non-cancer effects, cancer risk far outweighs the non-cancer risk. The addition of the cancer potency value for ethyl benzene will affect new, relocated, or modified equipment that emit the TAC under Rule 1401. The Rule 1401 list of TACs is also used for Rule 1402, so existing facilities may also be affected.

PROJECT OBJECTIVES

The objectives of PAR 1401 and impacts on facilities subject to Rule 1402 are to:

1. Provide a reduction in toxic risk from future and existing ethyl benzene emissions.
2. Provide clarifying rule language.

PROJECT DESCRIPTION

PAR 1401 is composed of the following detailed components, listed in the order they appear in the rule:

- (a) Purpose

No proposed modification to this subdivision of the rule.

(b) Applicability

No proposed modification to this subdivision of the rule.

(c) Definitions

No proposed modification to this subdivision of the rule.

(d) Requirements

No proposed modification to this subdivision of the rule.

(e) Risk Assessment Procedures

No proposed modification to this subdivision of the rule.

(f) Emissions Calculations

No proposed modification to this subdivision of the rule.

(g) Exemptions

No proposed modification to this subdivision of the rule.

Table I

Ethyl benzene would be added to Rule 1401's Table I list of TACs as a carcinogen. The OEHHA-approved cancer risk value (i.e., inhalation potency factor) for ethyl benzene would be added to the SCAQMD's "Risk Assessment Procedures for Rules 1401 and 212" as shown in Table 1-1.

TABLE 1-1

Ethyl Benzene Cancer Risk Value

	CAS* Number	Inhalation Potency Factor (mg/kg-day) ⁻¹
Ethyl Benzene	100-41-4	0.0087

*CAS stands for Chemical Abstracts Service, who produce a "CAS registry number" which are unique numerical identifiers for chemical compounds, polymers, biological sequences, mixtures and alloys.

AFFECTED FACILITIES

Sources of ethyl benzene emissions include petroleum storage facilities, especially gasoline storage because of the high vapor pressure of gasoline. Crude oil and diesel storage have much lower ethyl benzene emissions because of their low vapor pressure. Large sources of ethyl benzene from fuel combustion include power producers, refineries, and landfills. Other sources of ethyl benzene emissions from raw materials include chemical manufacturers, asphalt manufacturers, coatings manufacturers, large furniture manufacturing operations, and large vehicle manufacturers.

Rule 1401 Facilities

The proposed amendment to add ethyl benzene to Rule 1401 as a carcinogen may impact a few new sources. Under Rule 1401, the cancer potency value for ethyl benzene will be used to calculate the maximum individual cancer risk (MICR) for new, modified, or relocated equipment requiring a permit to operate. Rule 1401 requires that these sources have an MICR that is less than or equal to one-in-one million without best available control technology for toxics (T-BACT) or less than or equal to ten-in-one million with T-BACT. Historical data illustrated that new, modified and relocated equipment subject to Rule 1401 that could be a source for ethyl benzene were varied, including gasoline service stations, gasoline exhaust and coatings. Those potential affected sources are evaluated in the following paragraphs.

Gasoline Service Stations

New gasoline service stations are permitted under Rule 1401 requirements, which allows a maximum cancer risk of ten-in-one million with T-BACT. Since new gasoline stations use T-BACT, permits for new, modified, or relocated gasoline stations limit the throughput of the station such that risk does not exceed ten-in-one million. Adding ethyl benzene to the list of TACs under Rule 1401 would impact the risk levels for new gasoline service stations, however, emission reductions from the new enhanced vapor recovery requirements for Rule 461 – Gasoline Transfer and Dispensing effective April 1, 2009 will reduce gasoline dispensing emissions and more than offset the increase in risk due to ethyl benzene. Decreased benzene emissions from gasoline will be greater because the cancer potency value of benzene (from gasoline) is $0.1 \text{ (mg/kg-day)}^{-1}$, which is higher than the cancer potency factor for ethyl benzene at $0.0087 \text{ (mg/kg-day)}^{-1}$. In addition, the screening value at 25 meters for benzene (from gasoline) is 1.14 pounds per year, which is lower than ethyl benzene. The screening value for ethyl benzene at the same distance is 13.1 pounds per year. Finally, ethyl benzene

emissions are less than benzene emissions from gasoline storage and transfer facilities.

Gasoline Exhaust

The addition of ethyl benzene to Rule 1401 is not expected to impact sources of gasoline exhaust because the SCAQMD no longer issues permits for stationary gasoline engines. Most gasoline engines are used for passenger vehicles whose emissions are regulated under CARB rather than the SCAQMD. Although ethyl benzene is a constituent of diesel exhaust, the cancer risk value for diesel particulate matter from internal combustion engines encompasses all components of diesel exhaust. Therefore, diesel engine risk values would be calculated using the cancer potency value for diesel PM from internal combustion engines rather than a speciated list of compounds. Ethyl benzene is also a component of exhaust from other non-diesel petroleum-based fuels so future Rule 1401 analysis will include calculating risk for ethyl benzene after rule adoption.

Coatings

Ethyl benzene is also a component of coatings. Based on an SCAQMD permitting staff review of ethyl benzene content and allowable coatings usage, the amount of ethyl benzene is not expected to result in an MICR exceeding one-in-one million for new coatings permits. Because ethyl benzene is a small component in coatings and coatings usage is typically limited for new sources by a permit condition to address volatile organic compound emissions, new coating sources are not expected to exceed a cancer risk of one in one million. Therefore, adding the cancer risk value for ethyl benzene is expected to have minimal impacts on new, modified, or relocated equipment subject to Rule 1401.

Rule 1402 Facilities

Rule 1402 regulates toxic air contaminants at existing facilities and implements the state AB2588 Air Toxics “Hot Spots Program. Paragraph (j)(4) of Rule 1402 requires SCAQMD staff to report preliminary estimates of Rule 1402 impacts that are associated with the addition of new compounds or new risk values to the list of TACs in Rule 1401. Since the list of TACs in Rule 1401 is also used for Rule 1402, adding a cancer potency value for ethyl benzene may impact some existing facilities under Rule 1402. Requirements of Rule 1402 include air toxics inventories, public notification, health risk assessments, and/or risk reductions depending upon facility-wide risk levels. The cancer risk threshold in Rule 1402 is ten-in-one million for public notification and 25-in-one million for risk reduction as demonstrated by a health risk assessment. The SCAQMD currently requires AB2588 facilities to report ethyl benzene emissions since the compound

is listed as a chronic TAC in Rule 1401. Data from the Annual Emissions Reporting (AER) database and permitting data were used for the preliminary assessment for Rule 1402. Unlike the Rule 1401 evaluation, the impact from Rule 1402 covers a broader universe of sources that currently exist and are potential sources of ethyl benzene emissions. Data from the 2006 AER database, permitting data, and AB2588 data were used for the preliminary analysis for Rule 1402 facilities.

Gasoline Service Stations

According to AQMD permitting data, there are approximately 4,600 existing gasoline service stations in the district. AB2588 staff has recently verified that cancer risk from almost all existing service stations is also below ten-in-one million. The three facilities above ten-in-one million must comply with all risk reduction application requirements of Rule 1402. As noted above in the Rule 1401 discussion, existing gasoline stations emit ethyl benzene but they are not expected to be impacted by the current amendments because the increase in risk due to ethyl benzene will be offset by decreased benzene emissions associated with new enhanced vapor recovery requirements for Rule 461 – Gasoline Transfer and Dispensing which is effective April 1, 2009 and applies to both new and existing gasoline dispensing facilities. The offset is demonstrated by the higher cancer potency factor, lower emission factor, and lower screening level for benzene from gasoline when compared to the cancer potency factor and screening level of ethyl benzene.

Remaining Affected Facilities

Approximately 300 facilities reported ethyl benzene emissions in 2006, the most recent AER data available. Based on a conservative screening analysis of the facilities identified, six facilities potentially could exceed ten-in-one million cancer risk at the nearest receptor. Additional more detailed risk assessments will be required to determine what action may be required under Rule 1402. The affected facilities include two refineries, one landfill, two coatings operations, and one coatings manufacturer.

Based on the preliminary analysis, it is unlikely any of the six facilities will exceed the action risk level of 25-in-one million cancer risk which would require risk reduction. It should be noted that any facility required to reduce risk under Rule 1402 would have the option of determining how to reduce overall facility-wide risk. The source(s) of toxic emissions a facility might choose as an alternative to reducing risk from the ethyl benzene source is not known at this time and any further analysis would be speculative. Actions required of affected existing facilities could include submitting or updating a toxics emissions

inventory, public notification, health risk assessment, and/or risk reduction depending on estimated risk. Further, more detailed, risk analysis will be done by AB2588 staff to determine what action may be required.

The direct air quality impact from regulating a TAC is a reduction in toxic risk, thus, an air quality benefit. Any potential adverse environmental impacts from adding cancer potency factors to TACs would typically be secondary or cross-media impacts generated by the installation and operation of air pollution control equipment. However, because of the source types (e.g., coatings, flare at landfill) of the six potentially affected facilities, risk reduction measures would most likely involve coating reformulation, product or equipment replacement (e.g., flare replacement) or a process change (e.g., reduce usage or alter facility practices).

CHAPTER 2 - ENVIRONMENTAL CHECKLIST

Introduction

General Information

Environmental Factors Potentially Affected

Determination

Environmental Checklist and Discussion

INTRODUCTION

The environmental checklist provides a standard evaluation tool to identify a project's adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the Proposed Amended Rule 1401– New Source Review of Toxic Air Contaminants; and Impact Assessment for Facilities Subject to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources.

GENERAL INFORMATION

Project Title: Proposed Amended Rule 1401– New Source Review of Toxic Air Contaminants; and Impact Assessment for Facilities Subject to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources

Lead Agency Name: South Coast Air Quality Management District

Lead Agency Address: 21865 Copley Drive
Diamond Bar, CA 91765

CEQA Contact Person: Michael A. Krause (909) 396-2706

Rule Contact Person: Cheryl Marshall (909) 396-2567

Project Sponsor's Name: South Coast Air Quality Management District

Project Sponsor's Address: 21865 Copley Drive
Diamond Bar, CA 91765

General Plan Designation: Not applicable

Zoning: Not applicable

Description of Project: The proposed project consists of adding ethyl benzene to the Rule 1401 Table I list of TACs, which would affect new, modified, or relocated facilities. Rule 1402 regulates the same TACs that are listed in Table I in 1401 at existing facilities. Because adding ethyl benzene to Table I in 1401 affects facilities subject to Rule 1402, it is necessary to perform an impact assessment for facilities subject to Rule 1402.

Surrounding Land Uses and Setting: Not applicable

Other Public Agencies Whose Approval is Required: Not applicable

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The following environmental impact areas have been assessed to determine their potential to be affected by the proposed project. None of the environmental topics are expected to be adversely affected by the proposed project. An explanation relative to the determination of impacts can be found following the checklist for each area.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology and Water Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Solid/Hazardous Waste |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Transportation/Circulation. |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings |

DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project, in accordance with those findings made pursuant to CEQA Guideline §15252, COULD NOT have a significant effect on the environment, and that an ENVIRONMENTAL ASSESSMENT with no significant impacts will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will NOT be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. An ENVIRONMENTAL ASSESSMENT with no significant impacts will be prepared.
- I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL ASSESSMENT will be prepared.
- I find that the proposed project MAY have a "potentially significant impact" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards,

and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL ASSESSMENT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL ASSESSMENT pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL ASSESSMENT, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date March 27, 2009

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

GENERAL ENVIRONMENTAL IMPACT DISCUSSION

While it is expected that no facilities will trigger a risk reduction requirement, the proposed project will potentially affect six existing facilities (e.g., two refineries, one landfill, two coatings operations, and one coatings manufacturer) to take action, such as submitting or updating a toxics emissions inventory, public notification, health risk assessment, and/or risk reduction depending on estimated risk. Inventories, notification and assessment have no adverse impacts on the environment. It should be noted that any facility required to reduce risk under Rule 1402 would have the option of determining how to reduce overall facility-wide risk. The proposed rule amendments will not require installations of emission control devices if not warranted to reduce risk. Because of the types of affected source (e.g., coatings, flare at landfill), the risk reduction measures at the six potentially affected facilities would most likely involve coating reformulation, product or equipment replacement (e.g., flare replacement) or a process change (e.g., reduce usage). Reformulating coatings does not entail any construction or major operating changes. New equipment is expected to replace similar equipment in size, throughput, location, etc. Thus, no new foundations or support equipment (e.g., power lines to source, piping, etc.) are expected to be required. The only construction activity is expected to be delivery, removal of old equipment and minor installation work (e.g., welding). The new equipment is expected to be built and assembled offsite. If the process change is reducing usage, no adverse environmental impacts would be generated. Any other change in facility practices is not known at this time and, thus, speculative to analyze. According to CEQA Guidelines § 15145, if a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion.

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:			
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

The proposed project impacts on aesthetics will be considered significant if:

The project will block views from a scenic highway or corridor.

The project will adversely affect the visual continuity of the surrounding area.

The impacts on light and glare will be considered significant if the project adds lighting which would add glare to residential areas or sensitive receptors.

Discussion

(a) a), b) & c): Coating reformulation, equipment replacement or process change is not expected to trigger major construction activities or substantial physical changes to existing facilities potentially affected by the proposed project. Therefore, construction equipment and materials will not be needed and stockpiling of construction materials will not result from the proposed project. Equipment replacement could result in minor construction activities, which would be temporary, and expected to be equivalent replacement with newer equipment that may improve aesthetics. No scenic resources will be damaged and since no new construction of buildings or other structures is anticipated, scenic resources will not be obstructed and the existing visual character of any site in the vicinity of affected facilities will not be degraded. On the contrary, scenic vistas and visual character of the site may improve as old equipment is replaced as a result of implementing the proposed project.

I. d). There are no components in PAR 1401 and impact assessment for facilities subject to Rule 1402 that would require construction activities at night. Therefore, no additional lighting at the facility would be required. Similarly, the proposed project has no provisions that would require affected equipment to operate at night. Thus, the proposed project is not expected to create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, the proposed project is not expected to create significant adverse aesthetic impacts.

Based on the above consideration, significant adverse impacts to aesthetics are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. Would the project:			
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

Project-related impacts on agricultural resources will be considered significant if any of the following conditions are met:

The proposed project conflicts with existing zoning or agricultural use or Williamson Act contracts.

The proposed project will convert prime farmland, unique farmland or farmland of statewide importance as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California Resources Agency, to non-agricultural use.

The proposed project would involve changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural uses.

Discussion

II. a) - c): As discussed previously under “Aesthetics,” neither modification of existing structures nor construction of new structures is anticipated to result from adopting and implementing the proposed project. Coating reformulation, equipment replacement or process change would not result in any construction of new buildings or other structures that would require converting farmland to non-agricultural use or conflict with zoning for agricultural use or a Williamson Act contract. Since the proposed project would not substantially change the facility where the ethyl benzene is emitted, there are no provisions in the proposed rule that would affect land use plans, policies, or regulations. Land use and other planning considerations are determined by local governments and no land use or planning requirements relative to agricultural resources will be altered by the proposed project.

Based on the above consideration, significant adverse impacts to agriculture resources are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
III. AIR QUALITY. Would the project:			
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- e) Create objectionable odors affecting a substantial number of people?
- f) Diminish an existing air quality rule or future compliance requirement resulting in a significant increase in air pollutant(s)?
- g) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?
- h) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Significance Criteria

Impacts will be evaluated and compared to the significance criteria in Table 2-1. If impacts equal or exceed any of the following criteria, they will be considered significant.

TABLE 2-1
Air Quality Significance Thresholds

Mass Daily Thresholds		
<i>Pollutant</i>	<i>Construction</i>	<i>Operation</i>
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
TAC, AHM, and Odor Thresholds		
Toxic Air Contaminants (TACs, including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk \geq 10 in 1 million Hazard Index \geq 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	

TABLE 2-1 (CONTINUED)
Air Quality Significance Thresholds

Ambient Air Quality for Criteria Pollutants ^(a)	
NO ₂ 1-hour average annual average	In attainment; significant if project causes or contributes to an exceedance of any standard: 0.25 ppm (state) 0.053 ppm (federal)
PM ₁₀ 24-hour average annual geometric average annual arithmetic mean	10.4 µg/m ³ (recommended for construction) ^(b) 2.5 µg/m ³ (operation) 1.0 µg/m ³ 20 µg/m ³
PM _{2.5} 24-hour average	10.4 µg/m ³ (recommended for construction) ^(b) 2.5 µg/m ³ (operation)
Sulfate 24-hour average	1 µg/m ³
CO 1-hour average 8-hour average	In attainment; significant if project causes or contributes to an exceedance of any standard: 20 ppm (state) 9.0 ppm (state/federal)

^(a) Ambient air quality thresholds for criteria pollutants based on SCAQMD Rule 1303, Table A-2 unless otherwise stated.

^(b) Ambient air quality threshold based on SCAQMD Rule 403.

PM₁₀ = particulate matter less than 10 microns in size, ug/m³ = microgram per cubic meter; pphm = parts per hundred million; mg/m³ = milligram per cubic meter; ppm = parts per million; TAC = toxic air contaminant; AHM = Acutely Hazardous Material. NO₂ = Nitrogen Oxide, CO = Carbon Monoxide, VOC = Volatile Organic Compounds, SO_x = Sulfur Oxide.

Greenhouse Gases Significance Thresholds

SCAQMD's adopted interim greenhouse gases (GHG) significance threshold proposal uses a tiered approach to determining significance. Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. Tier 2 consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate approach, which corresponds to 10,000 metric tons of CO₂ equivalent emissions per year (MTCO₂eq/yr). Tier 4 consists of a decision tree approach that allows the lead agency to choose one of three compliance options based on performance standards, but was not recommended for approval at this time. Under Tier 5 the project proponent would implement offsite mitigation (GHG reduction projects) to reduce GHG emission impacts to less than the proposed screening level.

Discussion

III. a): The proposed project would not conflict with or obstruct, air quality plan implementation. The primary purpose of the SCAQMD's AQMP is to control emissions to attain and maintain all federal and state ambient air quality standards for the district. The 2007 AQMP concluded that major reductions in emissions of VOC and NO_x are necessary to attain the air quality standards for ozone and PM10. By reducing toxic risk from ethyl benzene, which is a VOC, the proposed project will also reduce VOC emissions. These criteria pollutant emission reductions will contribute to the SCAQMD's progress in attaining the ambient air quality standards for ozone as well as reducing toxic risk. As a result, implementing PAR 1401 and impact assessment for facilities subject to Rule 1402 will not conflict or obstruct AQMP implementation.

The SCAQMD Governing Board approved an air toxics planning document in March 2000 called "Final Draft ATCP for the Next Ten Years." PAR 1401, which affects facilities regulated by Rule 1402, satisfy the following two programmatic measures as outlined in the ATCP: AT-PRG-01 – New Source Review of Toxic Air Contaminants (Amend Rule 1401); and AT-PRG-02 – Control of Toxic Air Contaminants from Existing Sources (Rule 1402). Specifically, AT-PRG-01 is a strategy that recommends continuing efforts to update Rule 1401, which would indirectly update Rule 1402 since it regulates the TACs listed in Rule 1401, by incorporating current TACs with risk values finalized by OEHHA and approved by the state SRP. The effectiveness of Rules 1401 and 1402 is enhanced when more chemicals are regulated. PARs 1401 and Rule 1402 provides emission reductions/risk reductions so the proposed project is consistent with the ATCP.

III. b) & d): The proposed project would not violate any ambient air quality standards, but, as noted above, would contribute to the SCAQMD's progress in attaining the ambient air quality standards for ozone as well as reducing toxic risk. No significant adverse air quality impact is anticipated from coating reformulation, equipment replacement or process changes that could occur at the six potentially affected facilities. Reformulating coatings does not entail any construction or major operating changes. In addition, the replacement of ethyl benzene in a coating formulation may not result in a waterborne coating or may already be a waterborne coating, so traditional coating issues with low-VOC coating reformulations, such as more thickness, illegal thinning, more priming, more topcoats and more touch-up and repair, are not expected to occur. New equipment is expected to replace similar equipment in size, throughput, location, etc. Thus, no new foundations or support equipment (e.g., power lines to source, piping, etc.) are expected to be required. The only construction activity is expected to be delivery, removal of old equipment and minor installation work (e.g., welding). The new equipment is expected to be built and assembled offsite. Of the six affected facilities, equipment replacement could realistically occur at one affected facility. If equipment replacement did take place at

more than one facility, it is highly unlikely the construction activity would take place on the same day. Thus, the construction activity calculated in Table 2-2 would be the peak daily construction emissions from the proposed project. As shown in Table 2-2, the delivery and installation of the one replaced product would not exceed the SCAQMD's daily NO_x significance threshold of 100 pounds per day from the construction phase of the project. It is assumed for a worst-case scenario, one crane and one welder would be necessary to install the equipment. Because the equipment replacement is expected to be identical or similar in process, if not more efficient and less polluting, the operational emissions are expected to be identical or less than the current equipment.

TABLE 2-2

Construction Emissions from Equipment Replacement (Year 2009)

Equipment Type	Distance Traveled (miles/day)	Hours of Daily Operation	NO _x Emission Factor ¹	NO _x Emissions (pounds/day)	Total NO _x Emissions (pounds/day)
Heavy-heavy duty delivery truck	50	n/a	0.04184591 pounds/mile ²	2.1	10.1
Crane	On-site	4	1.5293 pounds/hour ³	6.12	
Welder	On-site	6	0.3015 pounds/hour ³	1.8	
Employee Vehicle	75 ⁴	n/a	0.00100518 pounds/mile ⁵	0.08	

1. NO_x was used as the driver because it would be criteria pollutant with highest emissions.
2. Source : http://www.aqmd.gov/ceqa/handbook/onroad/onroadEFHHDT07_26.xls
3. Because the horsepower of the equipment is unknown at this time, the composite factor was used. Source : http://www.aqmd.gov/ceqa/handbook/offroad/offroadEF07_25.xls
4. Assumes 25 mile roundtrip for three construction employees (25 miles/day x 3 = 75 miles/day).
5. Source : http://www.aqmd.gov/ceqa/handbook/onroad/onroadEF07_26.xls

III. c): As already noted, implementing the proposed project is not expected to require the installation of control equipment or construction of new structures. Since coating reformulation, equipment replacement or process changes is not expected to generate significant adverse project-specific construction or operational air quality impacts, it is not expected to cause cumulative impacts in conjunction with other projects that may occur concurrently with or subsequent to the proposed project (CEQA Guidelines §15130(a)). The proposed project's contribution to a potentially significant cumulative impact is rendered less than cumulatively considerable and, thus, is not significant (CEQA Guidelines §15064(h)(2)).

IV. e): Objectionable odors are often associated with a number of polluting sources. To the extent that the proposed project could result in coating reformulations, equipment replacement or process changes, odors may continue or cease to be experienced. It is unknown at this time the constituents of the coating reformulation or the result of a process change, however, old equipment is typically replaced with

newer, more efficient, safer, less polluting, thus, less odorous equipment. It is not expected, however, that a coating reformulation or process change would change from current odor conditions or get worse. It is expected that implementing the proposed project will provide a benefit by reducing population exposures from odors associated with VOC and toxic emissions. Therefore, no significant adverse odor impacts are expected from implementing PAR 1401 and impact assessment for facilities subject to Rule 1402.

V. f): The proposed project will not diminish an existing air quality rule or future compliance requirement. The analysis concludes that the proposed project will provide air quality benefits from VOC and toxic emission and cancer risk reduction. Secondary impacts from risk reduction actions, such as coating reformulation, equipment replacement or process changes, is not expected to change or worsen the existing air quality conditions at the affected facilities and, therefore, any potential adverse air quality impact from the proposed project is not significant.

VI. g) & h): The proposed project could result in coating reformulations, equipment replacement or reduction in usage. Coating reformulations and process changes do not generate GHG emissions and, therefore, may not result in a significant GHG impact on the environment or possibly conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG. Equipment replacement at one facility could generate GHG emissions from the delivery truck and on-site equipment, however, as shown in Table 2-3, the GHG emissions would be substantially less than the annual GHG significance threshold of 10,000 metric tons per year of CO₂eq adopted by the SCAQMD.

TABLE 2-3

GHG Emissions from Equipment Replacement (Year 2009)

Equipment Type	Distance Traveled (miles/day)	Hours of Daily Operation	CO ₂ Emission Factor	CH ₄ Emission Factor	TOTAL GHG Emissions (pounds/day)	TOTAL GHG Emissions (metric tons/day)	TOTAL Project GHG Emissions (metric tons)
Heavy-heavy duty delivery truck	50	n/a	4.21080792 pounds/mile ¹	0.00015249 pounds/mile ¹	210	0.1	0.44
Crane	On-site	4	129 pounds/hour ²	0.0152 pounds/hour ²	516	0.23	
Welder	On-site	6	25.6 pounds/hour ²	0.0076 pounds/hour ²	154	0.07	
Employee Vehicle	75	n/a	1.09755398 pounds/mile ³	0.00008767 pounds/mile ³	82.3	0.04	

1. Source: http://www.aqmd.gov/ceqa/handbook/onroad/onroadEFHHDT07_26.xls

2. Source: http://www.aqmd.gov/ceqa/handbook/offroad/offroadEF07_25.xls

3. Source: http://www.aqmd.gov/ceqa/handbook/onroad/onroadEF07_26.xls

Based on the above consideration, significant adverse impacts to air quality are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:			
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by §404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| e) Conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

Impacts on biological resources will be considered significant if any of the following criteria apply:

The project results in a loss of plant communities or animal habitat considered to be rare, threatened or endangered by federal, state or local agencies.

The project interferes substantially with the movement of any resident or migratory wildlife species.

The project adversely affects aquatic communities through construction or operation of the project.

Discussion

IV. a), b), d): The proposed rule is not expected to require any construction activities or construction of new structures and the proposed rule amendments will not require any additional installations of emission control devices. Potential risk reduction measures, such as coating reformulation, equipment replacement or process changes, will have no direct or indirect impacts that could adversely affect plant or animal species or the habitats on which they rely in the SCAQMD's jurisdiction. Further, PAR 1401 and impact assessment for facilities subject to Rule 1402 does not require acquisition of additional land or further conversions of riparian habitats or sensitive natural communities where endangered or sensitive species may be found. Any changes to the existing physical environment would occur for business reasons, not as a result of implementing the proposed project.

IV. c): Acquisition of protected wetlands is not expected to be necessary to reduce the cancer risk from ethyl benzene. Operators of affected facilities would reformulate coatings, replace equipment, or reduce hours of operation which would not require removing, filling or interrupting any hydrological system or have an adverse effect on federally protected wetlands.

IV. e), f): There are no provisions in the proposed rule that would adversely affect land use plans, local policies or ordinances, or regulations. Land use and other planning considerations are determined by local governments and no land use or planning requirements will be altered by the proposed project. PAR 1401 and impact assessment for facilities subject to Rule 1402 would not affect in any way habitat conservation or natural community conservation plans, agricultural resources or operations, and would not create divisions in any existing communities.

Based on the above consideration, significant adverse impacts to biological resources are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:			
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside a formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

Impacts to cultural resources will be considered significant if:

The project results in the disturbance of a significant prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group.

Unique paleontological resources are present that could be disturbed by construction of the proposed project.

The project would disturb human remains.

Discussion

V. a) - d): There are existing laws in place that are designed to protect and mitigate potential impacts to cultural resources. Operators of affected facilities will not be required to perform major construction activities such as grading, trenching, etc., to comply with the proposed project. Equipment replacement is expected to take place on the same foundation already previously graded and paved. Therefore, cultural resources would not be disturbed. As a result, the proposed project has no potential to cause a substantial adverse change to a historical or archaeological resource, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains, including those interred outside a formal cemeteries.

Based on the above consideration, significant adverse impacts to cultural resources are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:			
a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the need for new or substantially altered power or natural gas utility systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create any significant effects on local or regional energy supplies and on requirements for additional energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create any significant effects on peak and base period demands for electricity and other forms of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- e) Comply with existing energy standards?

Significance Criteria

Impacts to energy and mineral resources will be considered significant if any of the following criteria are met:

The project conflicts with adopted energy conservation plans or standards.

The project results in substantial depletion of existing energy resource supplies.

An increase in demand for utilities impacts the current capacities of the electric and natural gas utilities.

The project uses non-renewable resources in a wasteful and/or inefficient manner.

Discussion

VI. a), e): Reformulating coatings, replacing equipment and reducing usage does not require additional energy demands that would conflict with adopted energy conservation plans. The proposed project is expected to comply with existing energy conservation standards, to the extent the affected facilities are operating equipment subject to energy conservation standards. Coatings, for example, are not subject to any energy conservation standard.

VI. b), c), d): As noted above, implementation of PAR 1401 and impact assessment for facilities subject to Rule 1402 will not result in the need for new or substantially altered power or natural gas utility systems. Effects of the proposed project on the electricity capacity are not expected to change because new coatings do not require additional electricity and new equipment is expected to replace similar equipment with identical characteristics, such as electricity usage. Further, if replacing equipment, new equipment is typically more efficient than older equipment so the new equipment will more likely use less electricity and reduce energy impact compared to the old equipment. If the process change is a reduction in ethyl benzene usage, current applicable electricity usage would be reduced. Thus, no significant adverse impacts on peak or base demands for electricity are anticipated.

Based on the above considerations, significant adverse impacts to energy are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:			
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

Impacts on the geological environment will be considered significant if any of the following criteria apply:

Topographic alterations would result in significant changes, disruptions, displacement, excavation, compaction or over covering of large amounts of soil.

Unique geological resources (paleontological resources or unique outcrops) are present that could be disturbed by the construction of the proposed project.

Exposure of people or structures to major geologic hazards such as earthquake surface rupture, ground shaking, liquefaction or landslides.

Secondary seismic effects could occur which could damage facility structures, e.g., liquefaction.

Other geological hazards exist which could adversely affect the facility, e.g., landslides, mudslides.

Discussion

VII. a): Facilities affected are already existing so the proposed project will not expose people to substantial geological effects greater than what they are exposed to already. Since the proposed rule amendments will not require any additional equipment beyond what is already operating, PAR 1401 and impact on facilities subject to Rule 1402 will not expose people or structures to risks of loss, injury, or death involving: rupture of an earthquake fault, seismic ground shaking, ground failure or landslides.

VII. b): The proposed project will not require major construction activities (e.g., grading, trenching, refilling and repaving), so no potential impacts to existing geophysical conditions are anticipated. Because affected facilities are primarily located at existing sites on established foundations, no soil will need to be disrupted. Therefore, no substantial soil erosion or loss of topsoil is expected from the existing affected facilities as a result of controlling emissions and toxic risk from ethyl benzene.

VII. c) & d): Affected facilities are primarily located at existing sites and, therefore, will not involve locating any structures on soil that is unstable or expansive. However, as already noted, no soil disturbance is anticipated from the proposed project, therefore, no further destabilization of unstable soils would be expected that could cause on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse.

VII. e): The proposed project does not involve the installation of septic tanks or alternative waste water disposal systems. Therefore, this type of soil impact will not occur.

Based on the above considerations, significant adverse impacts to geology and soils are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:			
a) Create a significant hazard to the public or the environment through the routine transport, use, and disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

working in the project area?

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Significantly increased fire hazard in areas with flammable materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

Impacts associated with hazards will be considered significant if any of the following occur:

Non-compliance with any applicable design code or regulation.

Non-conformance to National Fire Protection Association standards.

Non-conformance to regulations or generally accepted industry practices related to operating policy and procedures concerning the design, construction, security, leak detection, spill containment or fire protection.

Exposure to hazardous chemicals in concentrations equal to or greater than the Emergency Response Planning Guideline (ERPG) 2 levels.

Discussion

VIII. a), b), & c): Equipment replacement or process changes are not expected to require any new transport, use, or disposal of hazardous materials, thus, no new significant hazard to the public or the environment from a release of hazardous materials will occur as a result of the proposed beyond the current risk of upset. Affected coatings will be reformulated with less or without ethyl benzene. To comply, the ethyl benzene substitute would have to be less toxic. Since ethyl

benzene is a VOC, its removal will lower the VOC content of the coating, which would concurrently reduce the hazard impacts. However the ethyl benzene replacement could also be a VOC, but the VOC content is not expected to increase as it is already regulated and limited. So, for a worst-case scenario, the hazard impacts from coating reformulation remain constant from the current condition. Because no new transport of hazardous materials will occur as a result of the proposed project, emission of hazardous emissions, or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school will not result. Consequently, proposed amended Rule 1401 and impact from facilities subject to Rule 1402 will not create a significant new hazard to the public or create a reasonably foreseeable upset condition involving the release of hazardous materials.

VIII. d): Government code §65962.5 refers to hazardous waste handling practices at facilities subject to the Resources Conservation and Recovery Act (RCRA). If any affected facilities are identified on such a list, compliance with the proposed project is not expected to affect in any way any facility's hazardous waste handling practices.

VIII. e) & f): Regardless of whether or not affected facilities are located near airports or private airstrips, the proposed project will not create new safety hazards because the proposed project affects existing facilities. No new hazards will be introduced at affected facilities that could create safety hazards at local airports or private airstrips.

VIII. g): The proposed project could result in coating reformulations, equipment replacement or process changes. In the event that operators at affected facilities use a different type of product to reduce risk from ethyl benzene, adopted emergency response plans and emergency evacuation plans may need to be amended, but the proposed project is not expected to physically interfere with implementing an adopted emergency response plans and emergency evacuation plans.

VIII. h,) & i): Since the proposed rule amendments will not require any changes to the affected facility or operational process that will expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Because affected facility operations are not expected to change substantially, except for possibly a reduction in the annual hours of operation, there will be no significant increase of fire hazards in areas with flammable materials than whatever currently exists already.

Based on the above considerations, significant adverse impacts to hazards and hazardous materials are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY.			
Would the project:			
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

other flood hazard delineation map?

- | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|
| h) | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) | Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k) | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l) | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| m) | Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| n) | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o) | Require in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

Potential impacts on water resources will be considered significant if any of the following criteria apply:

Water Quality:

The project will cause degradation or depletion of ground water resources substantially affecting current or future uses.

The project will cause the degradation of surface water substantially affecting current or future uses.

The project will result in a violation of National Pollutant Discharge Elimination System (NPDES) permit requirements.

The capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project.

The project results in substantial increases in the area of impervious surfaces, such that interference with groundwater recharge efforts occurs.

The project results in alterations to the course or flow of floodwaters.

Water Demand:

The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use a substantial amount of potable water.

The project increases demand for water by more than five million gallons per day.

Discussion

IX. a), b), f), n), & o): The proposed project could result in coating reformulations, equipment replacement or process changes. None of these activities are expected to have direct or indirect impact on hydrology and water quality because operators at affected facilities are not expected to use water to a greater extent than they currently use for cleaning, etc., because no additional water is required from reformulated coatings, and the new equipment type is expected to be similar to the equipment being replaced. Therefore, PAR 1401 and impact to facilities subject to Rule 1402 will not adversely affect water resources, water quality standards, groundwater supplies, water quality degradation, existing water supplies or wastewater treatment facilities.

IX. c), d), e): The proposed project would primarily affect operations at existing facilities using ethyl benzene possibly requiring coating reformulation, equipment replacement or change in process (e.g., reduction in usage). As discussed previously, no major construction activities will be necessary to comply with PAR 1401 and

impact to facilities subject to Rule 1402, so the proposed project will not alter any existing drainage patterns, increase the rate or amount of surface runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

IX. g) & h): PAR 1401 and impact to facilities subject to Rule 1402 does not involve or require the construction of housing so it will not result in placing housing in a 100-year flood hazard areas that could create new flood hazards. The proposed project would affect operations at existing facilities with ethyl benzene usage so any flood hazards would be part of the existing setting.

IX. i), j): Since PAR 1401 and impact to facilities subject to Rule 1402 primarily reduces toxic emissions and risk at existing facilities and does not require construction of new facilities, it will not create new flood risks or risks from seiches, tsunamis or mudflow conditions. Any risks from seiches, tsunamis, or mudflows would be part of the existing setting.

IX. k): Because reducing toxic risk from ethyl benzene at affected facilities does not require water, no changes to any existing wastewater treatment permits would be necessary. As a result, the proposed project is not expected to affect any affected facility's ability to comply with existing wastewater treatment requirements or conditions from any applicable Regional Water Quality Control Board or local sanitation district.

IX. l) & m): Because reducing toxic risk emissions from ethyl benzene at affected facilities does not require water as part of the control equipment or control process, no increase in wastewater from complying with the proposed project that could exceed the capacity of existing stormwater drainage systems or require the construction of new wastewater or stormwater drainage facilities is anticipated.

Based on the above considerations, significant adverse impacts to hydrology and water quality are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:			
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- c) Conflict with any applicable habitat conservation or natural community conservation plan?

Significance Criteria

Land use and planning impacts will be considered significant if the project conflicts with the land use and zoning designations established by local jurisdictions.

Discussion

X. a.): Since PAR 1401 and impact to facilities subject to Rule 1402 primarily reduces toxic emissions and risk by reformulating coatings, replacing equipment or changing operational process, the proposed project will not create divisions in any existing communities because this provision applies generally to operations at existing facilities. Similarly, the proposed project does not require construction of new structures that could physically divide an established community. Any new structures would be built for reasons other than to comply with the proposed project, such as starting a new, or relocating an existing business.

X. b), c): Operations at affected facilities using ethyl benzene would still be expected to comply, and not interfere, with any applicable land use plans, zoning ordinances, habitat conservation or natural community conservation plans. There are no provisions of the proposed project that would directly affect these plans, policies, or regulations. Land use and other planning considerations are determined by local governments and no present or planned land uses in the region or planning requirements will be altered by the proposed project.

Based on the above considerations, significant adverse impacts to land use and planning are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:			
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

Project-related impacts on mineral resources will be considered significant if any of the following conditions are met:

The project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

The proposed project results in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Discussion

XI. a), b): There are no provisions of the proposed rule that would directly result in the loss of availability of a known mineral resource, such as aggregate, coal, shale, etc., of value to the region and the residents of the state, or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. PAR 1401 and impacts to facilities subject to Rule 1402 reduces toxic risk from ethyl benzene and does not require risk reduction measures that would need a mineral resource to comply. Based on the above considerations, significant adverse impacts to mineral resources are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XII. NOISE. Would the project result in:			
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airship, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

Impacts on noise will be considered significant if:

Construction noise levels exceed the local noise ordinances or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three decibels (dBA) at the site boundary. Construction noise levels will be considered significant if they exceed federal Occupational Safety and Health Administration (OSHA) noise standards for workers.

The proposed project operational noise levels exceed any of the local noise ordinances at the site boundary or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three dBA at the site boundary.

Discussion

XII. a), b), c) & d): Reformulated coating, replaced equipment and new process change (e.g., reduction in usage) will not generate additional or new noise, excessive groundborne vibration, or substantially increase ambient noise levels beyond existing levels. New equipment is expected to produce similar, if not less noise levels, than the current older equipment. Operators at affected facilities who do choose to operate equipment fewer hours per year to reduce ethyl benzene toxic risk will produce less noise or any vibration, which is considered to be a benefit. As a result, the proposed rule would have no new or additional noise impacts, but may produce beneficial effects relative to noise produced by affected equipment or process.

XII. e) & f): As indicated in the preceding discussion, noise levels will either not change or will decline as a result of the proposed project and, therefore, will have a neutral effect on noise levels from affected facilities that may be located within two miles of an airport or private airstrip.

Based on the above considerations, significant adverse impacts to noise are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:			
a) Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

Impacts of the proposed project on population and housing will be considered significant if the following criteria are exceeded:

The demand for temporary or permanent housing exceeds the existing supply.

The proposed project produces additional population, housing or employment inconsistent with adopted plans either in terms of overall amount or location.

Discussion

XIII. a), b), c): Human population in the SCAQMD's jurisdiction is anticipated to grow regardless of implementing the proposed project. The proposal would reduce cancer risk from ethyl benzene, which will not require additional employees to use reformulated coatings, operate replaced equipment or alter operational procedures. If replacing equipment a temporary construction crew would be required to conduct the installation of new equipment. This crew could be obtained from the existing vast labor market in the region and would not require displacement of population or housing. Therefore, the district population will not be affected directly or indirectly as a result of adopting and implementing PAR 1401 and impact to facilities subject to Rule 1402. Further, reducing cancer risk will not indirectly induce growth in the area of facilities using ethyl benzene. The construction of single- or multiple-family housing units would not be required as a result of implementing the proposed project since no new employees will be required at affected facilities. The proposed project will not require relocation of affected facilities, so existing housing or populations in the district are not anticipated to be displaced necessitating the construction of replacement housing elsewhere.

Based on the above considerations, significant adverse impacts to population and housing are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

**Potentially
Significant
Impact** **Less Than
Significant
Impact** **No Impact**

XIV. PUBLIC SERVICES. Would the proposal result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

- | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

Impacts on public services will be considered significant if the project results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives.

Discussion

XIV. a) & b): The proposed project will not involve the use of acutely hazardous materials. Thus, no new fire hazards or increased use of hazardous materials would be introduced at existing affected facilities. Thus, no new demands for fire or police protection are expected from PAR 1401 and impact on facilities subject to Rule 1402 since reformulated coatings, replaced equipment and reduction in usage will not require actions warranting additional fire or police protection.

XIV. c), d): As noted in the “Population and Housing” discussion, implementing PAR 1401 and impact on facilities subject to Rule 1402 will not require major construction or permanent employees to continue operation at existing affected

facilities. The employees required for the one-day replacement of equipment would be received from the extensive existing labor pool in the region and, as a result, the proposed project will have no direct or indirect effects on population growth in the district. Consequently, no new impacts to schools, parks or other recreational facilities are foreseen as a result of implementing the proposed project.

XIV. e): Because the reduction in cancer risk only requires minor modifications at affected facilities, the proposal would not result in the need for new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives.

Based on the above considerations, significant adverse impacts to public services are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XV. RECREATION.			
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

Impacts to recreation will be considered significant if:

The project results in an increased demand for neighborhood or regional parks or other recreational facilities.

The project adversely effects existing recreational opportunities.

Discussion

XV. a) & b): As discussed under “Land Use and Planning” above, there are no provisions in the proposed project that would affect land use plans, policies or ordinances, or regulations. Land use and other planning considerations are determined by local governments; no land use or planning requirements will be altered by the proposal. As already noted in item XII, Population and Housing, the proposed project is not expected to increase population growth in the district because no additional operational employees would be required at affected facilities and construction employees will be a small number, needed temporarily, and can be obtained from the extensive existing labor pool in the region. Therefore, no additional demand for recreation facilities is anticipated. Further, the proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities or include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

Based on the above considerations, significant adverse impacts to recreation are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XVI. SOLID/HAZARDOUS WASTE. Would the project:			
a) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Comply with federal, state, and local statutes and regulations related to solid and hazardous waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance Criteria

The proposed project impacts on solid/hazardous waste will be considered significant if the following occur:

The generation and disposal of hazardous and non-hazardous waste exceeds the capacity of designated landfills.

Discussion

XVI. a): Using reformulated coatings or replaced equipment would not change the project’s current solid waste disposal needs as the existing operation would not change as a result of these risk reduction measures. If the facility changes the operation by reducing ethyl benzene usage, the current solid waste disposal needs will either not change or be reduced.

XVI. b): It is expected that proposed project will have no effect on an operator’s ability to comply with relevant statutes and regulations related to solid and hazardous wastes. Consequently, it is anticipated that operators of affected facilities would continue to comply with federal, state, and local statutes and regulations related to solid and hazardous waste handling and disposal. Therefore, potential solid waste impacts are considered not significant.

Based on the above consideration, significant adverse impacts to solid/hazardous waste are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION/CIRCULATION			
Would the project:			
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significance Criteria

Impacts on transportation/traffic will be considered significant if any of the following criteria apply:

Peak period levels on major arterials are disrupted to a point where level of service (LOS) is reduced to D, E or F for more than one month.

An intersection's volume to capacity ratio increase by 0.02 (two percent) or more when the LOS is already D, E or F.

A major roadway is closed to all through traffic, and no alternate route is available.

There is an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

The demand for parking facilities is substantially increased.

Water borne, rail car or air traffic is substantially altered.

Traffic hazards to motor vehicles, bicyclists or pedestrians are substantially increased.

The need for more than 350 employees

An increase in heavy-duty transport truck traffic to and/or from the facility by more than 350 truck round trips per day

Increase customer traffic by more than 700 visits per day.

Discussion

XVII. a), b), f): As noted in the “Discussion” sections of other environmental topics compliance with PAR 1401 and impact to facilities subject to Rule 1402 is not expected to require major construction to use reformulated coatings or install new equipment, either to the equipment or at the site, e.g., site preparation, construction, etc. If replacing equipment, delivery of new equipment and transport for workers to install the new equipment would result in four additional vehicle trips on the road. The construction, however, is expected to be minor and temporary, occurring in one day. Four additional vehicle trips on a given day is not expected to generate significant increase in traffic. Continuing operation at affected facilities will add no new trips because no new employees are expected to be required.

XVII. c): Air traffic patterns are not expected to be directly or indirectly affected by the proposed project because the operation of the risk reduction measures (e.g., using reformulated coatings, operating replaced equipment, etc.) do not involve new additional transport of products beyond what is currently transported by air nor will operation at existing facilities interfere with air traffic. All applicable local, state and federal requirements would continue to be complied with so no increase in any safety risks is expected.

XVII. d), e): PAR 1401 and impact to facilities subject to Rule 1402 does not have direct or indirect impacts on specific construction design features because the proposed project does not require or induce the construction of any roadways or other transportation design features. In addition, the proposed project affects existing facilities so will not result in inadequate emergency access beyond what already currently exists.

XVII. g): Affected facilities would still be expected to comply with, and not interfere with adopted policies, plans, or programs supporting alternative transportation. The proposed project will reduce cancer risk from ethyl benzene and has no provision that will hinder compliance with any applicable alternative transportation plans or policies.

Based on the above considerations, significant adverse impacts to transportation/circulation are not expected from PAR 1401 and impact assessment for facilities subject to Rule 1402. Since there are no significant adverse impacts, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.			
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

XVIII. a): As discussed in items I through XVII above, PAR 1401 and impact to facilities subject to Rule 1402 has no potential to cause significant adverse environmental effects because the potential impacts from implementing risk reductions measures at affected facilities are less than significant. Therefore, the proposed project is not expected to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. Similarly, the proposed project includes no provision that would eliminate important examples of the major periods of California history or prehistory or otherwise degrade cultural resources.

XVIII.b) Based on the foregoing analyses, since PAR 1401 and impact to facilities subject to Rule 1402 will not result in project-specific significant environmental impacts, the proposed project is not expected to cause cumulative impacts in conjunction with other projects that may occur concurrently with or subsequent to the proposed project. Furthermore, the proposed project impacts will not be "cumulatively considerable" because the incremental impacts are not considerable when viewed in connection with the effects of past, current, or probable future projects.

XVIII.c) Based on the foregoing analyses, PAR 1401 and impact assessment for facilities subject to Rule 1402 is not expected to cause significant adverse effects on human beings, either directly, or indirectly.

APPENDIX A

PROPOSED AMENDED RULE 1401

(Adopted June 1, 1990)(Amended December 7, 1990)
(Amended July 10, 1998)(Amended January 8, 1999)
(Amended March 12, 1999)(Amended August 13, 1999)
(Amended March 17, 2000)(Amended August 18, 2000)
(Amended June 15, 2001)(Amended May 3, 2002)(Amended February 7, 2003)
(Amended May 2, 2003)(Amended March 4, 2005)(Amended March 7, 2008)
PAR1401a
March 11, 2009

**PROPOSED AMENDED RULE 1401. NEW SOURCE REVIEW OF TOXIC
AIR CONTAMINANTS**

(a) Purpose

This rule specifies limits for maximum individual cancer risk (MICR), cancer burden, and noncancer acute and chronic hazard index (HI) from new permit units, relocations, or modifications to existing permit units which emit toxic air contaminants listed in Table I. The rule establishes allowable risks for permit units requiring new permits pursuant to Rules 201 or 203.

(b) Applicability

(1) Applications for new, relocated, and modified permit units which were received by the District on or after June 1, 1990 shall be subject to Rule 1401. Applications shall be subject to the version of Rule 1401 that is in effect at the time the application is deemed complete. Permit units installed without a required permit to construct shall be subject to this rule, if the application for a permit to operate such equipment was submitted after June 1, 1990.

(2) This rule shall apply to new, relocated, and modified equipment identified in Rule 219 as not requiring a written permit if the risk from the equipment will be greater than identified in subparagraph (d)(1)(A), or paragraphs (d)(2) or (d)(3) in Rule 1401.

(c) Definitions

(1) ACCEPTABLE STACK HEIGHT for a permit unit is defined as a stack height that does not exceed two and one half times the height of the permit unit or two and one half times the height of the building housing the permit unit, and shall not be greater than 65 meters (213 feet), unless the applicant demonstrates to the satisfaction of the Executive Officer that a

greater height is necessary.

- (2) BEST AVAILABLE CONTROL TECHNOLOGY FOR TOXICS (T-BACT) means the most stringent emissions limitation or control technique which:
 - (A) has been achieved in practice for such permit unit category or class of source; or
 - (B) is any other emissions limitation or control technique, including process and equipment changes of basic and control equipment, found by the Executive Officer to be technologically feasible for such class or category of sources, or for a specific source.
- (3) CANCER BURDEN means the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to toxic air contaminants.
- (4) CONTEMPORANEOUS RISK REDUCTION means any reduction in risk resulting from a decrease in emissions of toxic air contaminants at the facility that is permanent, real, quantifiable and enforceable through District permit conditions. Permit applications associated with the increase and decrease in risk must be submitted together and the reduction of risk must occur before the start of operation of the permit unit that will have an increased risk. A contemporaneous risk reduction shall be calculated based on the actual average annual emissions, as determined by facility records, and annual emissions declarations pursuant to Rule 301 as appropriate, or other data approved by the Executive Officer, whichever is less, which have occurred during the two-year period immediately preceding the date of application.
- (5) FACILITY means any permit unit or grouping of permit units or other air contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control), or an outer continental shelf (OCS) source as determined in 40 CFR Section 55.2. Such above-described groupings, if noncontiguous, but connected only by land carrying a pipeline, shall not be considered one facility. Notwithstanding the above, sources or installations involved in crude oil and gas production in Southern California Coastal or OCS

Waters and transport of such crude oil and gas in Southern California Coastal or OCS Waters shall be included in the same facility which is under the same ownership or use entitlement as the crude oil and gas production facility on-shore.

- (6) INDIVIDUAL SUBSTANCE ACUTE HAZARD INDEX (HI) is the ratio of the estimated maximum one-hour concentration of a toxic air contaminant for a potential maximally exposed individual to its acute reference exposure level.
- (7) INDIVIDUAL SUBSTANCE CHRONIC HAZARD INDEX (HI) is the ratio of the estimated long-term level of exposure to a toxic air contaminant for a potential maximally exposed individual to its chronic reference exposure level. The chronic hazard index calculations shall include multipathway consideration, if applicable.
- (8) MAXIMUM INDIVIDUAL CANCER RISK (MICR) is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over a period of 70 years for residential receptor locations. The MICR for worker receptor locations shall be calculated pursuant to the Risk Assessment Procedures referenced in subdivision (e). The MICR calculations shall include multipathway consideration, if applicable.
- (9) MODIFICATION means any physical change in, change in method of operation, or addition to an existing permit unit that requires an application for a permit to construct and/or operate. Routine maintenance and/or repair shall not be considered a physical change. A change in the method of operation of equipment, unless previously limited by an enforceable permit condition, shall not include:
 - (A) an increase in the production rate, unless such increase will cause the maximum design capacity of the equipment to be exceeded; or
 - (B) an increase in the hours of operation; or
 - (C) a change in ownership of a source; or
 - (D) a change in formulation of the materials processed which will not result in a net increase of the MICR, cancer burden, or chronic or acute HI from the associated permit unit.

For facilities that have been issued a facility permit pursuant to Regulation XX or a Title V permit pursuant to Regulation XXX, modification means any physical change in, change in method of operation of, or addition to

an existing individual article, machine, equipment or other contrivance which would have required an application for a permit to construct and/or operate, were the unit not covered under a facility permit or Title V permit.

- (10) PERMIT UNIT means any article, machine, equipment, or other contrivance, or combination thereof, which may cause or control the issuance of air contaminants, and which requires a written permit pursuant to Rules 201 and/or 203. For facilities that have been issued a facility permit or Title V permit, a permit unit for the purpose of this rule means any individual article, machine, equipment or other contrivance which may cause or control the issuance of air contaminants and which would require a written permit pursuant to Rules 201 and/or 203 if it was not covered under a facility permit or Title V permit. For publicly-owned sewage treatment operations, each process within multi-process permit units at the facility shall be considered a separate permit unit for purposes of this rule.

- (11) RECEPTOR LOCATION means
- (A) for the purpose of calculating acute HI, any location outside the boundaries of the facility at which a person could experience acute exposure; and
 - (B) for the purpose of calculating chronic HI and MICR, any location outside the boundaries of the facility at which a person could experience chronic exposure.

The Executive Officer shall consider the potential for exposure in determining whether the location will be considered a receptor location.

- (12) RELOCATION means the removal of an existing permit unit from one parcel of land in the District and installation at another parcel of land where two parcels are not in actual physical contact and are not separated solely by a public roadway or other public right-of-way. The removal of a permit unit from one location within a facility and installation at another location within the facility is a relocation only if an increase in maximum individual cancer risk in excess of one in one million (1×10^{-6}) or a Hazard Index of 1.0 occurs at any receptor location.
- (13) TOTAL ACUTE HAZARD INDEX (HI) is the sum of the individual substance acute HIs for all toxic air contaminants affecting the same target organ system.

- (14) TOTAL CHRONIC HAZARD INDEX (HI) is the sum of the individual substance chronic HIs for all toxic air contaminants affecting the same target organ system.
- (15) TOXIC AIR CONTAMINANT is an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. For the purpose of this rule, toxic air contaminants are those listed in Table I.

(d) Requirements

The requirements of paragraphs (d)(2) and (d)(3) shall become effective September 8, 1998. The Executive Officer shall deny the permit to construct a new, relocated or modified permit unit if emissions of any toxic air contaminant listed in Table I may occur, unless the applicant has substantiated to the satisfaction of the Executive Officer all of the following:

(1) MICR and Cancer Burden

The cumulative increase in MICR which is the sum of the calculated MICR values for all toxic air contaminants emitted from the new, relocated or modified permit unit will not result in any of the following:

- (A) an increased MICR greater than one in one million (1.0×10^{-6}) at any receptor location, if the permit unit is constructed without T-BACT;
- (B) an increased MICR greater than ten in one million (1.0×10^{-5}) at any receptor location, if the permit unit is constructed with T-BACT;
- (C) a cancer burden greater than 0.5.

(2) Chronic Hazard Index

The cumulative increase in total chronic HI for any target organ system due to total emissions from the new, relocated or modified permit unit owned or operated by the applicant for which applications were deemed complete on or after the date when the risk value for the compound is finalized by OEHHA, unless paragraph (e)(3) applies, will not exceed 1.0 at any receptor location.

(3) Acute Hazard Index

The cumulative increase in total acute HI for any target organ system due to total emissions from the new, relocated or modified permit unit owned or operated by the applicant for which applications were deemed complete

on or after the date when the risk value for the compound is finalized by OEHHA, unless paragraph (e)(3) applies, will not exceed 1.0 at any receptor location.

(4) Risk Per Year

The risk per year shall not exceed 1/70 of the maximum allowable risk specified in (d)(1)(A) or (d)(1)(B) at any receptor locations in residential areas.

(5) If a permit contains operating conditions imposed pursuant to Rule 1401, which prohibit or limit the use or emission of toxic air contaminants, those conditions shall apply only to those toxic air contaminants listed in the version of Rule 1401 applicable at the time the permit conditions were imposed.

(6) Federal New Source Review for Toxics

Pursuant to Section 112(g) of the federal Clean Air Act (CAA), no person shall begin construction or reconstruction of a major stationary source emitting hazardous air pollutants listed in Section 112 (b) of the CAA, unless the source is constructed with Best Available Control Technology for Toxics (T-BACT) and complies with all other applicable requirements, including definitions and public noticing, referenced in 40 CFR 63.40 through 63.44. The requirements of this paragraph shall not apply to:

- (A) any source that is subject to an existing National Emission Standard for Hazardous Air Pollutants (NESHAP) pursuant to sections 112(d), 112(h), or 112(j) of the federal CAA;
- (B) any source that is exempted from regulations under a NESHAP issued pursuant to sections 112(d), 112(h), or 112(j) of the federal CAA;
- (C) any source that has received all necessary air quality permits for such construction or reconstruction before June 29, 1998;
- (D) electric utility steam generating units, unless and until such time as these units are added to the source category list pursuant to the requirements of section 112(c)(5) of the federal CAA;
- (E) any sources that are within a source category that has been deleted from the source category list pursuant to section 112(c)(9) of the federal CAA; or

(F) research and development activities.

Compliance with this paragraph does not relieve any owner or operator of a major stationary source from complying with all other applicable District rules and regulations, including this rule, any applicable state airborne toxic control measure, or other applicable state and federal laws. Exemptions under subdivision (g) of this rule do not apply to this paragraph. This paragraph shall take effect retroactively from June 29, 1998.

(e) Risk Assessment Procedures

- (1) The Executive Officer shall periodically publish procedures for determining health risks under this rule. To the extent possible, the procedures will be consistent with the policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA).
- (2) Within 150 days of risk values for compounds not in Table I being finalized by OEHHA, staff will bring proposed amendments to this rule to reflect changes to Table I.
- (3) Within 150 days of risk values for compounds in Table I being updated by OEHHA, staff will:
 - (A) publish a Notice of Intent to change risk values;
 - (B) perform an impact assessment, including socioeconomic effects; and
 - (C) submit a report to the District Governing Board with recommendations for changing the risk values in the procedures for determining risk assessment published pursuant to paragraph (e)(1).
- (4) To calculate the cumulative increase in MICR pursuant to paragraph (d)(1), the increase from each permit unit shall be based on the emissions of toxic air contaminants, the risk values, and risk assessment procedures applicable at the time when each complete application was deemed complete by the District.

(f) Emissions Calculations

- (1) For the purpose of determining MICR and cancer burden due to a new or relocated permit unit pursuant to this rule, the total Toxic Air Contaminant emissions from the new or relocated permit unit shall be

calculated on an annual basis from permit conditions which directly limit the emissions or, when no such conditions are imposed, from:

- (A) the maximum rated capacity;
 - (B) the maximum possible annual hours of operation;
 - (C) the maximum annual emissions; and
 - (D) the physical characteristics of the materials processed.
- (2) For the purpose of determining chronic HI due to a new or relocated permit unit pursuant to this rule, the total emissions from a permit unit shall be calculated on an annual average basis from permit conditions which directly limit the emissions or, when no such conditions are imposed, from:
- (A) the maximum rated capacity;
 - (B) the annual average hours of operation;
 - (C) the annual average emissions; and
 - (D) the physical characteristics of the materials processed.
- (3) For the purpose of determining MICR, cancer burden and chronic HI due to a modified permit unit pursuant to this rule, the increase in emissions from the modified permit unit shall be calculated based on the difference between the total permitted emissions after the modification, calculated pursuant to the criteria established in subparagraphs (f)(1)(A), (B), (C), and (D), and:
- (A) the total permitted emissions prior to the modification as stated in the permit conditions; or
 - (B) if there are no existing permit conditions that limit emissions, the average annual emissions which have occurred during the two-year period immediately preceding the date of the complete permit application for modification or other appropriate period determined by the Executive Officer to be representative of a permit unit's operation; or
 - (C) for modification of any source installed prior to October 8, 1976, resulting from the addition of air pollution controls installed solely to reduce the issuance of air contaminants, emission shall be calculated from permit conditions which directly limit the emissions or, when no such conditions are imposed, from:
 - (i) the maximum rated capacity; and
 - (ii) the maximum proposed daily hours of operation; and

- (iii) the physical characteristics of the materials processed.
- (4) For the purpose of determining acute HI due to a new, relocated or modified permit unit pursuant to this rule, the total emissions from a permit unit shall be calculated on a maximum hourly basis from permit conditions which directly limit the emissions or, when no such conditions exist, from:
 - (A) the maximum rated capacity;
 - (B) the maximum hourly emissions; and
 - (C) the physical characteristics of the materials processed.
- (5) De Minimus Values

Any permit unit with values at or below the screening levels as specified in the procedures for determining health risks under this rule, published pursuant to paragraph (e)(1), shall be deemed in compliance with the requirements of subdivision (d).
- (g) Exemptions
 - (1) The requirements of subdivision (d) shall not apply to:
 - (A) Permit Renewal or Change of Ownership

Any permit unit which is in continuous operation, without modification or change in operating conditions, for which a new permit to operate is required solely because of permit renewal or change of ownership.
 - (B) Modification with No Increase in Risk

A modification of a permit unit that causes a reduction or no increase in the cancer burden, MICR or acute or chronic HI at any receptor location.
 - (C) Functionally Identical Replacement

A permit unit replacing a functionally identical permit unit, provided there is no increase in maximum rating or increase in emissions of any toxic air contaminants. For replacement of dry cleaning permit units only, provided there is no increase in any toxic air contaminants.
 - (D) Equipment Previously Exempt Under Rule 219

Equipment which previously did not require a written permit pursuant to Rule 219 that is no longer exempt, provided that the equipment was installed prior to the Rule 219 amendment

eliminating the exemption and a complete application for the permit is received within one (1) year after the Rule 219 amendment removing the exemption.

- (E) **Modifications to Terminate Research Projects**
Modifications restoring the previous permit conditions of a permit unit, provided that: the applicant demonstrates that the previous permit conditions were modified solely for the purpose of installing innovative control equipment as part of a demonstration or investigation designed to advance the state of the art with regard to controlling emissions of toxic air contaminants; the emission reductions achieved by the demonstration project are not used for permitting any equipment with emission increases under the contemporaneous emission reduction exemption as specified in paragraph (g)(2); the demonstration project is completed within two (2) years; and a complete application is submitted no later than two (2) years after the date of issuance of the permit which modified the conditions of the previous permit for the purpose of the demonstration or investigation.
- (F) **Emergency Internal Combustion Engines**
Emergency internal combustion engines that are exempted under Rule 1304.
- (G) **Wood Product Stripping**
Wood product stripping permit units, provided that the risk increases due to emissions from the permit unit owned or operated by the applicant for which complete applications were submitted on or after July 10, 1998 will not exceed a MICR of 100 in one million (1.0×10^{-4}) or a total acute or chronic hazard index of five (5) at any receptor location. This exemption shall not apply to permit applications received after January 10, 2000, or sooner if the Executive Officer makes a determination that T-BACT is available to enable compliance with the requirements of paragraphs (d)(1), (d)(2) and (d)(3).
- (H) **Gasoline Transfer and Dispensing Facilities**
For gasoline transfer and dispensing facilities, as defined in Rule 461 – Gasoline Transfer and Dispensing, the Executive Officer shall not, for the purposes of paragraphs (d)(1) through (d)(5),

consider the risk contribution of methyl tert-butyl ether for any gasoline transfer and dispensing permit applications deemed complete on or before December 31, 2003. If the state of California extends the phase-out requirement for methyl tert-butyl ether as an oxygenate in gasoline, the limited time exemption shall be extended to that expiration date or December 31, 2004, whichever is sooner.

(2) Contemporaneous Risk Reduction

(A) The requirements of paragraphs (d)(1) and (d)(4) shall not apply if the applicant demonstrates that a contemporaneous risk reduction resulting in a decrease in emissions will occur such that both of the following conditions are met:

- (i) no receptor location will experience a total increase in MICR of greater than one in one million (1.0×10^{-6}) due to the cumulative impact of both the permit unit and the contemporaneous risk reduction; and
- (ii) the contemporaneous risk reduction occurs within 100 meters of the permit unit.

T-BACT shall be used on permit units exempted under this subparagraph if the MICR from the permit unit exceeds one in one million (1.0×10^{-6}).

(B) The requirements of paragraphs (d)(2) and (d)(3) shall not apply if the applicant substantiates to the satisfaction of the Executive Officer that a contemporaneous risk reduction will occur such that any increase in individual substance acute or chronic HI from the permit unit exceeding 1.0 is mitigated with an equal or greater decrease in the same individual substance acute or chronic HI, respectively, from the contemporaneous risk reduction such that both of the following conditions are met:

- (i) no receptor location will experience an increase in total acute or chronic HI of more than 1.0 due to the cumulative impact of both the permit unit and the contemporaneous risk reduction; and
- (ii) the contemporaneous risk reduction occurs within 100 meters of the permit unit.

(3) Alternate Hazard Index Levels

The requirements of paragraphs (d)(2) and (d)(3) shall not apply if the applicant substantiates to the satisfaction of the Executive Officer that at all receptor locations and for every target organ system, the total chronic and acute HI level resulting from emissions from the new, modified or relocated permit unit owned or operated by the applicant for which applications were submitted on or after July 10, 1998 shall not exceed alternate HI levels which are determined by the Executive Officer in consultation with the Office of Environmental Health Hazard Assessment to be protective against adverse health effects. No alternate HI level shall exceed 10.

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
75-07-0	acetaldehyde	December 7, 1990	September 8, 1998	
60-35-5	acetamide	January 8, 1999		
107-02-8	acrolein		June 15, 2001	August 13, 1999
79-06-1	acrylamide (or propenamide)	December 7, 1990	**	
79-10-7	acrylic acid		*	August 13, 1999
107-13-1	acrylonitrile (or vinyl cyanide)	December 7, 1990	May 3, 2002	
107-05-1	allyl chloride	January 8, 1999		
117-79-3	aminoanthraquinone, 2-	January 8, 1999		
7664-41-7	ammonia		August 18, 2000	August 13, 1999
62-53-3	aniline	January 8, 1999		
7440-38-2	arsenic and arsenic compounds (inorganic) including, but not limited to: arsenic compounds (inorganic) arsine	December 7, 1990	June 15, 2001	August 13, 1999
7784-42-1			*	August 13, 1999 August 13, 1999
1332-21-4	asbestos	June 1, 1990		
71-43-2	benzene (including benzene from gasoline)	June 1, 1990	August 18, 2000	August 13, 1999
92-87-5	benzidine (and its salts)	December 7, 1990	**	
100-44-7	benzyl chloride	September 8, 1998	**	August 13, 1999

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
7440-41-7	beryllium and beryllium compounds	December 7, 1990	May 3, 2002	
111-44-4	bis(2-chloroethyl)ether (DCEE)	December 7, 1990		
117-81-7	bis(2-ethylhexyl)phthalate (DEHP)	September 8, 1998	**	
542-88-1	bis(chloromethyl)ether	December 7, 1990		
7789-30-2	bromine pentafluoride		*	
106-99-0	butadiene, 1,3-	December 7, 1990	June 15, 2001	
7440-43-9	cadmium and cadmium compounds	June 1, 1990	June 15, 2001	
75-15-0	carbon disulfide		May 3, 2002	August 13, 1999
56-23-5	carbon tetrachloride (or tetrachloromethane)	June 1, 1990	June 15, 2001	August 13, 1999
7782-50-5	chlorine		August 18, 2000	August 13, 1999
10049-04-4	chlorine dioxide		June 15, 2001	
95-83-0	chloro-o-phenylenediamine, 4-	January 8, 1999		
95-69-2	chloro-o-toluidine, p-	January 8, 1999		
108-90-7	chlorobenzene		June 15, 2001	
	chlorofluorocarbons			
75-43-4	dichlorodifluoromethane (CFC-12)		*	
75-69-4	trichlorofluoromethane (CFC-11)		*	
76-13-1	trichlorotrifluoroethane (CFC-113)		*	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
67-66-3	chloroform (trichloromethane)	December 7, 1990	August 18, 2000	August 13, 1999
95-57-8 88-06-2 87-86-5	Chlorophenols chlorophenol, 2- trichlorophenol, 2,4,6- tetrachlorophenols (TECPH) pentachlorophenol	December 7, 1990 September 8, 1998	* **	
76-06-2	chloropicrin		May 3, 2002	August 13, 1999
126-99-8	chloroprene		**	
18540-29-9 7758-97-6	chromium (hexavalent) and chromium compounds including, but not limited to: lead chromate	June 1, 1990 September 8, 1998	June 15, 2001 **	
1333-82-0	chromic trioxide		June 15, 2001	
7440-50-8	copper and copper compounds		*	August 13, 1999
120-71-8	residine, p-	January 8, 1999		
1319-77-3 108-39-4	resols/resylic acid (all isomers and mixture) resol, m-		June 15, 2001 June 15, 2001	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
95-48-7 106-44-5	cresol, o- cresol, p-		June 15, 2001 June 15, 2001	
135-20-6	cupferron	January 8, 1999		
924-16-3 621-64-7 55-18-5 62-75-9 10595-95-6	dialkylnitrosamines nitrosodi-n-butylamine, n- nitrosodi-n-propylamine, n- nitrosodiethylamine, n- nitrosodimethylamine, n- nitrosomethylethylamine, n-	December 7, 1990 September 8, 1998 December 7, 1990 December 7, 1990 September 8, 1998		
615-05-4	diaminoanisoole, 2,4- (sulfate)	January 8, 1999		
95-80-7	diaminotoluene, 2,4-	January 8, 1999		
1746-01-6 40321-76-4 39227-28-6 57653-85-7 19408-74-3 35822-46-9 3268-87-9	dibenzo-p-dioxins (chlorinated) tetrachlorodibenzo-p-dioxin, 2,3,7,8- pentachlorodibenzo-p-dioxin, 1,2,3,7,8- hexachlorodibenzo-p-dioxin, 1,2,3,4,7,8- hexachlorodibenzo-p-dioxin, 1,2,3,6,7,8- hexachlorodibenzo-p-dioxin, 1,2,3,7,8,9- heptachlorodibenzo-p-dioxin, 1,2,3,4,6,7,8-	June 1, 1990 June 1, 1990 June 1, 1990 June 1, 1990 June 1, 1990 June 1, 1990 June 1, 1990	August 18, 2000 August 18, 2000 August 18, 2000 August 18, 2000 August 18, 2000 August 18, 2000 August 18, 2000	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
41903-57-5	octachlorodibenzo-p-dioxin, 1,2,3,4,5,6,7,8-	June 1, 1990	August 18, 2000	
36088-22-9	total tetrachlorodibenzo-p-dioxin	June 1, 1990	August 18, 2000	
34465-46-8	total pentachlorodibenzo-p-dioxin	June 1, 1990	August 18, 2000	
37871-00-4	total hexachlorodibenzo-p-dioxin	June 1, 1990	August 18, 2000	
	total heptachlorodibenzo-p-dioxin			
	total dioxins, with individual isomers reported	June 1, 1990	August 18, 2000	
	total dioxins, without individual isomers reported	June 1, 1990	August 18, 2000	
	dibenzofurans (chlorinated)			
51207-31-9	tetrachlorodibenzofuran, 2,3,7,8-	June 1, 1990	August 18, 2000	
57117-41-6	pentachlorodibenzofuran, 1,2,3,7,8-	June 1, 1990	August 18, 2000	
57117-31-4	pentachlorodibenzofuran, 2,3,4,7,8-	June 1, 1990	August 18, 2000	
70648-26-9	hexachlorodibenzofuran, 1,2,3,4,7,8-	June 1, 1990	August 18, 2000	
57117-44-9	hexachlorodibenzofuran, 1,2,3,6,7,8-	June 1, 1990	August 18, 2000	
72918-21-9	hexachlorodibenzofuran, 1,2,3,7,8,9-	June 1, 1990	August 18, 2000	
60851-34-5	hexachlorodibenzofuran, 2,3,4,6,7,8-	June 1, 1990	August 18, 2000	
67562-39-4	heptachlorodibenzofuran, 1,2,3,4,6,7,8-	June 1, 1990	August 18, 2000	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE	EFFECTIVE DATE	EFFECTIVE DATE
		CANCER	CHRONIC	ACUTE
55673-89-7	heptachlorodibenzofuran, 1,2,3,4,7,8,9-	June 1, 1990	August 18, 2000	
39001-02-0	octachlorodibenzofuran, 1,2,3,4,5,6,7,8	June 1, 1990	August 18, 2000	
55722-27-5	total tetrachlorodibenzofuran	June 1, 1990	August 18, 2000	
30402-15-4	total pentachlorodibenzofuran	June 1, 1990	August 18, 2000	
55684-94-1	total hexachlorodibenzofuran	June 1, 1990	August 18, 2000	
38998-75-3	total heptachlorodibenzofuran	June 1, 1990	August 18, 2000	
96-12-8	dibromo-3-chloropropane, 1,2- (DBCP)	September 8, 1998	**	
106-46-7	dichlorobenzene, 1,4- (or p-dichlorobenzene)	September 8, 1998	June 15, 2001	
91-94-1	dichlorobenzidine, 3,3	December 7, 1990		
75-34-3	dichloroethane, 1,1-	January 8, 1999		
75-35-4	dichloroethylene, 1,1-		June 15, 2001	
9901 (emittant ID)	diesel PM – diesel particulate matter from diesel-fueled internal combustion engine exhaust	March 7, 2008	March 7, 2008	
111-42-2	diethanolamine		May 3, 2002	
60-11-7	dimethylaminoazobenzene, p-	January 8, 1999		
68-12-2	dimethylformamide (N,N-)		June 15, 2001	
121-14-2	dinitrotoluene, 2,4-	December 7, 1990		
123-91-1	dioxane, 1,4- (or 1,4-diethylene dioxide)	December 7, 1990	August 18, 2000	August 13, 1999

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
106-89-8	epichlorohydrin (or 1-chloro-2,3-epoxypropane)	December 7, 1990	June 15, 2001	August 13, 1999
106-88-7	epoxybutane, 1,2-		June 15, 2001	
140-88-5	ethyl acrylate		*	
100-41-4	ethyl benzene	<i>(date of adoption)</i>	August 18, 2000	
75-00-3	ethyl chloride (or chloroethane)		August 18, 2000	
106-93-4	ethylene dibromide (or 1,2-dibromoethane)	June 1, 1990	May 3, 2002	
107-06-2	ethylene dichloride (or 1,2-dichloroethane)	June 1, 1990	June 15, 2001	
75-21-8	ethylene oxide (or 1,2-epoxyethane)	June 1, 1990	June 15, 2001	
96-45-7	ethylene thiourea	January 8, 1999		
50-00-0	formaldehyde	December 7, 1990	August 18, 2000	August 13, 1999
	gasoline vapors		*	
111-30-8	glutaraldehyde		June 15, 2001	
	glycol ethers (and their acetates)			
107-21-1	ethylene glycol		August 18, 2000	
111-76-2	ethylene glycol butyl ether		*	August 13, 1999
110-80-5	ethylene glycol ethyl ether		August 18, 2000	February 10, 1999
111-15-9	ethylene glycol ethyl ether acetate		August 18, 2000	August 13, 1999

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
109-86-4	ethylene glycol methyl ether		August 18, 2000	August 13, 1999
110-49-6	ethylene glycol methyl ether acetate		August 18, 2000	
118-74-1	hexachlorobenzene	December 7, 1990	**	
608-73-1	hexachlorocyclohexanes (mixed or technical grade)	December 7, 1990	**	
58-89-9	hexachlorocyclohexane, gamma- (lindane)	September 8, 1998	**	
77-47-4	hexachlorocyclopentadiene		*	
110-54-3	hexane		August 18, 2000	
302-01-2	hydrazine	September 8, 1998	June 15, 2001	
122-66-7	hydrazobenzene (or 1,2-diphenylhydrazine)	December 7, 1990		
7647-01-0	hydrochloric acid (or hydrogen chloride)		August 18, 2000	August 13, 1999
7664-39-3	hydrofluoric acid (or hydrogen fluoride)		*	August 13, 1999
10035-10-6	hydrogen bromide (HBR)		*	
74-90-8	hydrogen cyanide		August 18, 2000	August 13, 1999
7783-06-4	hydrogen sulfide		August 18, 2000	February 10, 1999
7783-07-5	hydrogen selenide			August 13, 1999
624-83-9	isocyanates methyl isocyanate		May 3, 2002	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
78-59-1	isophrone		May 3, 2002	
67-63-0	isopropyl alcohol		August 18, 2000	August 13, 1999
7439-92-1	lead and lead compounds (inorganic, including elemental lead) including, but not limited to:	September 8, 1998	**	
	lead compounds (inorganic)	September 8, 1998	**	
301-04-2	lead acetate	September 8, 1998	**	
7758-97-6	lead chromate	September 8, 1998	**	
7446-27-7	lead phosphate	September 8, 1998	**	
1335-32-6	lead subacetate	September 8, 1998	**	
	lead compounds (other than inorganic)	September 8, 1998	**	
108-31-6	maleic anhydride		May 3, 2002	
7439-96-5	manganese and manganese compounds		August 18, 2000	
7439-97-6	mercury and mercury compounds (inorganic)		August 18, 2000	August 13, 1999
	including, but not limited to:			
7487-94-7	mercuric chloride		August 18, 2000	
593-74-8	methyl mercury		August 18, 2000	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
67-56-1	methanol (methyl alcohol)		August 18, 2000	August 13, 1999
74-83-9	methyl bromide (or bromomethane)		August 18, 2000	August 13, 1999
71-55-6	methyl chloroform (or 1,1,1-trichloroethane)		August 18, 2000	August 13, 1999
78-93-3	methyl ethyl ketone		*	August 13, 1999
80-62-6	methyl methacrylate		*	
1634-04-4	methyl tert-butyl ether	May 2, 2003	August 18, 2000	
101-14-4	methylene bis(2-chloroaniline), 4,4- (MOCA)	January 8, 1999		
75-09-2	methylene chloride (or dichloromethane)	June 1, 1990	August 18, 2000	August 13, 1999
101-77-9	methylene dianiline, 4,4'- (and its dichloride)	September 8, 1998	May 3, 2002	
101-68-8	methylene phenyl diisocyanate		June 15, 2001	
1135	mineral fibers (other than man-made)		*	
90-94-8	michler's ketone	January 8, 1999		
7440-02-0	nickel and nickel compounds: including, but not limited to:	March 12, 1999	August 18, 2000	August 13, 1999
373-02-4	nickel acetate	March 12, 1999	August 18, 2000	August 13, 1999
3333-67-3	nickel carbonate	March 12, 1999	August 18, 2000	August 13, 1999
13463-39-3	nickel carbonyl	March 12, 1999	August 18, 2000	August 13, 1999
12054-48-7	nickel hydroxide	March 12, 1999	August 18, 2000	August 13, 1999

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE	EFFECTIVE DATE	EFFECTIVE DATE
		CANCER	CHRONIC	ACUTE
1313-99-1	nickel oxide	March 12, 1999	August 18, 2000	August 13, 1999
12035-72-2	nickel subsulfide	December 7, 1990	August 18, 2000	August 13, 1999
1271-28-9	nickelocene	March 12, 1999	August 18, 2000	August 13, 1999
	refinery dust from the pyrometallurgical process	December 7, 1990	August 18, 2000	August 13, 1999
7697-37-2	nitric acid		*	August 13, 1999
98-95-3	nitrobenzene		*	
79-46-9	nitropropane, 2-		*	
759-73-9	nitroso-n-ethylurea, n-	December 7, 1990		
684-93-5	nitroso-n-methylurea, n-	December 7, 1990		
86-30-6	nitrosodiphenylamine, n-	December 7, 1990		
156-10-5	nitrosodiphenylamine, p-	September 8, 1998		
59-89-2	nitrosomorpholine, n-	January 8, 1999		
100-75-4	nitrosopiperidine, n-	January 8, 1999		
930-55-2	nitrosopyrrolidine, n-	December 7, 1990		
108171-26-2	paraffins, chlorinated (average chain length, c12; approx. 60% cl by weight)	January 8, 1999		
127-18-4	perchloroethylene (or tetrachloroethylene)	September 8, 1998	September 8, 1998	August 13, 1999
108-95-2	phenol		August 18, 2000	August 13, 1999

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
75-44-5	phosgene		*	August 13, 1999
7723-14-0 7803-51-2	phosphorus and phosphorus compounds phosphine		* February 7, 2003	
7664-38-2	phosphoric acid		August 18, 2000	
85-44-9	phthalic anhydride		June 15, 2001	
1336-36-3	polychlorinated biphenyls (PCBs) 3,3',4,4' Tetrachlorobiphenyl 3,4,4',5 Tetrachlorobiphenyl 2,3,3',4,4' Pentachlorobiphenyl 2,3,4,4',5 Pentachlorobiphenyl 2,3',4,4',5 Pentachlorobiphenyl 2',3,4,4',5 Pentachlorobiphenyl 3,3',4,4',5 Pentachlorobiphenyl 2,3,3',4,4',5 Hexachlorobiphenyl 2,3,3',4,4',5' Hexachlorobiphenyl 2,3',4,4',5.5' Hexachlorobiphenyl 3,3',4,4',5,5' Hexachlorobiphenyl 2,3,3',4,4',5,5' Heptachlorobiphenyl	December 7, 1990 March 4, 2005*** March 4, 2005***	** March 4, 2005*** March 4, 2005***	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE	EFFECTIVE DATE	EFFECTIVE DATE
		CANCER	CHRONIC	ACUTE
	polycyclic aromatic hydrocarbons (PAHs)			
56-55-3	benz[a]anthracene	December 7, 1990		
50-32-8	benzo[a]pyrene	December 7, 1990		
205-99-2	benzo[b]fluoranthene	December 7, 1990		
205-82-3	benzo[j]fluoranthene	January 8, 1999		
207-08-9	benzo[k]fluoranthene	December 7, 1990		
218-01-9	chrysene	December 7, 1990		
226-36-8	dibenz[a,h]acridine	January 8, 1999		
224-42-0	dibenz[a,j]acridine	January 8, 1999		
53-70-3	dibenz[a,h]anthracene	December 7, 1990		
192-65-4	dibenzo[a,e]pyrene	January 8, 1999		
189-64-0	dibenzo[a,h]pyrene	January 8, 1999		
189-55-9	dibenzo[a,i]pyrene	January 8, 1999		
191-30-0	dibenzo[a,l]pyrene	January 8, 1999		
194-59-2	dibenzo[c,g]carbazole, 7h-	January 8, 1999		
57-97-6	dimethylbenz[a]anthracene, 7,12-	January 8, 1999		
42397-64-8	dinitropyrene, 1,6-	January 8, 1999		

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE	EFFECTIVE DATE	EFFECTIVE DATE
		CANCER	CHRONIC	ACUTE
42397-65-9	dinitropyrene, 1,8-	January 8, 1999	August 18, 2000	
193-39-5	indeno[1,2,3-cd]pyrene	December 7, 1990		
56-49-5	methylcholanthrene, 3-	January 8, 1999		
3697-24-3	methylchrysene, 5-	January 8, 1999		
91-20-3	naphthalene	March 4, 2005***		
602-87-9	nitroacenaphthene, 5-	January 8, 1999		
7496-02-8	nitrochrysene, 6-	January 8, 1999		
607-57-8	nitrofluorene, 2-	January 8, 1999		
5522-43-0	nitropyrene, 1-	January 8, 1999		
57835-92-4	nitropyrene, 4-	January 8, 1999		
	polycyclic aromatic hydrocarbons (PAHs), total	September 8, 1998		
7758-01-2	potassium bromate	January 8, 1999		
1120-71-4	propane sultone, 1,3-	January 8, 1999		
115-07-1	propylene		August 18, 2000	
107-98-2	propylene glycol methyl ether		August 18, 2000	
75-56-9	propylene oxide (or 1,2-epoxy propane)	September 8, 1998	February 23, 2000	August 13, 1999
7782-49-2	selenium and selenium compounds other than hydrogen selenide		May 3, 2002	

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
1310-73-2	sodium hydroxide		*	August 13, 1999
100-42-5	styrene (or vinyl benzene)		August 18, 2000	August 13, 1999
7664-93-9	sulfuric acid (and oleum)		May 3, 2002	August 13, 1999
79-34-5	tetrachloroethane, 1,1,2,2-	January 8, 1999		
62-55-5	thioacetamide	January 8, 1999		
108-88-3	toluene (or methyl benzene)		August 18, 2000	August 13, 1999
	toluene diisocyanates			
584-84-9	toluene-2,4-diisocyanate	September 8, 1998	June 15, 2001	
91-08-7	toluene-2,6-diisocyanate	September 8, 1998	June 15, 2001	
79-00-5	trichloroethane, 1,1,2-	January 8, 1999		
79-01-6	trichloroethylene	December 7, 1990	August 18, 2000	
121-44-8	triethylamine		February 7, 2003	August 13, 1999
51-79-6	urethane (or ethyl carbamate)	September 8, 1998		
1314-62-1	vanadium pentoxide			August 13, 1999
108-05-4	vinyl acetate		May 3, 2002	
75-01-4	vinyl chloride (or chloroethylene)	December 7, 1990	**	August 13, 1999
75-35-4	vinylidene chloride		*	
1330-20-7	xylenes (isomers and mixture)		August 18, 2000	August 13, 1999

TABLE I				
TOXIC AIR CONTAMINANTS				
CAS #	SUBSTANCE	EFFECTIVE DATE CANCER	EFFECTIVE DATE CHRONIC	EFFECTIVE DATE ACUTE
108-38-3	xylene, m-		August 18, 2000	August 13, 1999
95-47-6	xylene, o-		August 18, 2000	August 13, 1999
106-42-3	xylene, p-		August 18, 2000	August 13, 1999
7440-66-6	zinc and zinc compounds		*	
	including, but not limited to:			
1314-13-2	zinc oxide		*	

* Compounds not classified as carcinogenic, but have chronic risk values proposed by OEHHA that have not yet been finalized. The effective date is the date the Scientific Review Panel approves the chronic risk value, unless paragraph (e)(3) applies. Paragraph (e)(3) applies when the finalized chronic risk value differs from the value in the latest version of the Risk Assessment Procedures published pursuant to paragraph (e)(1).

** Compounds are classified as carcinogenic, but have chronic risk values proposed by OEHHA that have not yet been finalized. The effective date for use of chronic risk values is the date the Scientific Review Panel approves the chronic risk value, unless paragraph (e)(3) applies.

*** Effective date for these risk values will be March 4, 2005 or date of implementation of the applicable Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0), whichever is later.

TABLE II	
TOXIC AIR CONTAMINANTS WITH PROPOSED RISK VALUES	
CAS #	SUBSTANCE
79-10-7	acrylic acid
107-05-1	allyl chloride
7783-20-2	ammonium sulfate
62-53-3	Aniline
1309-64-4	antimony trioxide
	arsenic compounds (other than inorganic)
532-27-4	chloroacetophenone, 2-
75-45-6	chlorodifluoromethane (HCFC-22)
7440-48-4	cobalt and cobalt compounds
74-85-1	Ethylene
96-45-7	ethylene thiourea
	fluorides and fluoride compounds
87-68-3	hexachlorobutadiene
67-72-1	hexachloroethane
822-06-0	hexamethylene-1,6-diisocyanate
78-93-3	methyl ethyl ketone (or 2-butanone)
7697-37-2	nitric acid
156-10-5	nitrosodiphenylamine, p-
7440-22-4	silver and silver compounds
96-09-3	styrene oxide
79-00-5	trichloroethane, 1,1,2-
593-60-2	vinyl bromide