

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Environmental Assessment for

Proposed Amended Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

September 2007

SCAQMD No. 070808JK

Executive Officer

Barry R. Wallerstein, D. Env.

Deputy Executive Officer

Planning, Rule Development, and Area Sources

Elaine Chang, DrPH

Assistant Deputy Executive Officer

Planning, Rule Development, and Area Sources

Laki Tisopulos, Ph.D., P.E.

Planning and Rules Manager

Planning, Rules Development and Area Sources

Susan Nakamura

Author:

James Koizumi, Air Quality Specialist

Technical Assistance:

Tracy A. Goss, P.E. – Program Supervisor
Pamela Perryman, Air Quality Specialist
David Jones – Air Quality Analysis and Compliance Supervisor
Sam Vergara – Supervising AQ Inspector
Bryan Theis – Senior Deputy District Counsel

Reviewed By:

Steve Smith, Ph.D. – Program Supervisor
Lee Lockie, M.S. – Director of Area Sources
William Wong – Senior Deputy District Counsel
Mike Harris – Senior Deputy District Counsel

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD**

CHAIRMAN: WILLIAM A. BURKE, Ed.D.
Speaker of the Assembly Appointee

VICE CHAIRMAN: S. ROY WILSON, Ed.D.
Supervisor, Fourth District
Riverside County Representative

MEMBERS:

MICHAEL D. ANTONOVICH
Supervisor, Fifth District
Los Angeles County Representative

BILL CAMPBELL
Supervisor, Third District
County of Orange

JANE W. CARNEY
Senate Rules Committee Appointee

RONALD O. LOVERIDGE
Mayor, City of Riverside
Cities Representative, Riverside County

JOSEPH K. LYOU, Ph.D.
Governor's Appointee

GARY OVITT
Supervisor, Fourth District
San Bernardino County Representative

JAN PERRY
Councilmember, Ninth District
Cities Representative, Los Angeles County, Western Region

MIGUEL A. PULIDO
Mayor, City of Santa Ana
Cities Representative, Orange County

TONIA REYES URANGA
Councilmember, City of Long Beach
Cities Representative, Los Angeles County, Eastern Region

DENNIS YATES
Mayor, Chino
Cities Representative, San Bernardino County

EXECUTIVE OFFICER:

BARRY R. WALLERSTEIN, D.Env.

PREFACE

This document constitutes the Final Environmental Assessment (EA) for the Proposed Amended Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. The Draft EA was released for a 30-day public review and comment period from August 14, 2007 to September 12, 2007. Two comment letters were received from the public and are included with response to comments in Appendix B.

To ease in identification, modifications to the document are included as underlined text and text removed from the document is indicated by strikethrough. Two changes were made to PAR 1403, subsequent to the release of the Draft EA for public review, based on comments received by the public on the proposed project. First, language was added that allows reporting of sample results relative to a change in quantity of affected asbestos of 20 percent or more pursuant to an approved Procedure 5. This change was made, because a project may be complete, but the test results of multiple samples may not yet be known. Second, the proposed quarterly notification requirement for on-going renovation was removed and returned to the annual notification requirement as in the existing rule. Both of these changes affect administrative notification, which would not cause significant adverse impacts nor were added to lessen potential significant adverse impacts. None of the modifications alter any conclusions reached in the Draft EA, nor provide new information of substantial importance relative to the Draft document. The new information was added to the negative declaration that merely clarifies, amplifies or makes insignificant modifications to the negative declaration. As a result, these minor revisions do not require recirculation of the document pursuant to CEQA Guidelines §15073.5. This document constitutes the Final EA for the Proposed Amended Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities.

TABLE OF CONTENTS

CHAPTER 1 - PROJECT DESCRIPTION

Introduction.....	1-1
Legislative Authority	1-1
California Environmental Quality Act.....	1-1
Project Objective.....	1-2
Project Location	1-2
Health Effects.....	1-3
Regulatory Background	1-4

CHAPTER 2 - ENVIRONMENTAL CHECKLIST

Introduction.....	2-1
General Information.....	2-1
Environmental Factors Potentially Affected.....	2-1
Determination	2-2
General Effects of the Proposed Project	2-3
Environmental Checklist and Discussion	2-5

FIGURES

Figure 1-1 – South Coast Air Quality Management District	1-3
--	-----

APPENDIX A –PROPOSED AMENDED RULE 1403

APPENDIX B –COMMENT LETTERS AND RESPONSE TO COMMENTS

CHAPTER 1 - PROJECT DESCRIPTION

Introduction

Legislative Authority

California Environmental Quality Act

Project Objective

Project Location

Health Effects

Regulatory Background

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA), the South Coast Air Quality Management District (SCAQMD), as the Lead Agency, has prepared this ~~Draft~~ Final Environmental Assessment for Proposed Amended Rule (PAR) 1403 – Asbestos Emissions from Demolition/Renovation Activities. Rule 1403 limits asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials, as well as the storage and disposal of asbestos-containing waste material (ACWM) generated or handled by these activities. Rule 1403 was originally developed to implement the National Emission Standards for Hazardous Air Pollutants (NESHAPS) requirements for asbestos (40 Code of Federal Regulation (CFR), Part 61, Subpart M).

Throughout this document, references to the proposed project or PAR 1403 are used interchangeably. PAR 1403 does not require any new work practice requirements for building demolition and renovation activities, but clarifies existing practices and improves recordkeeping used to comply with the existing PAR 1403 and the asbestos NESHAP.

LEGISLATIVE AUTHORITY

The California Legislature created the SCAQMD in 1977¹ as the agency responsible for developing and enforcing air pollution control rules and regulations in the South Coast Air Basin (Basin) and in portions of the Salton Sea Air Basin and Mojave Desert Air Basin.

In addition to the extensive control program to reduce criteria pollutants contained in the 2007 Air Quality Management Plan (AQMP), the SCAQMD also regulates toxic air contaminants (TAC). A substance is considered toxic if it has the potential to cause adverse health effects. TACs are identified on a list by state and federal agencies based on a review of available scientific evidence. Exposure to TACs can increase the risk of contracting cancer or produce other adverse health effects such as birth defects and other reproductive damage, neurological and respiratory health effects. 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. The SCAQMD's AQMP does not contain any control measures to further reduce asbestos emissions from demolition or renovation activities.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

PAR 1403 is a “project” as defined by CEQA Guidelines §15378 and California Public Resources Code §21065. SCAQMD is the lead agency for this project and has prepared this ~~draft~~ Final EA with no significant adverse environmental impacts pursuant to its certified regulatory program. California Public Resources Code §21080.5 allows public agencies with certified regulatory programs to prepare a plan or other written document in lieu of an environmental impact report or negative declaration once the Secretary of the Resources Agency has certified its regulatory program. The SCAQMD's regulatory program was certified on March 1, 1989, and is codified as SCAQMD Rule 110.

An environmental impact is defined as an impact to the physical conditions that exist within the area which would be affected by a proposed project, including land, air, water, minerals, flora,

¹ The Lewis-Presley Air Quality Management Act, Health & Safety Code §§40400-40540.

fauna, noise, or objects of historic significance. CEQA and Rule 110 both require that potential significant adverse environmental impacts of proposed projects be evaluated, and that feasible methods to reduce or avoid these significant adverse environmental impacts be implemented. To fulfill the purpose and intent of CEQA, the SCAQMD has prepared this ~~draft~~ Final EA to address the potential significant adverse environmental impacts associated with implementing PAR 1403. The ~~draft~~ Final EA is a public disclosure document intended to: (a) provide the lead agency, responsible agencies, decision makers and the general public with information on the environmental effects of the proposed project; and (b) be used as a tool by decision makers to facilitate decision making on the proposed project.

SCAQMD's review of the proposed project shows that the project would not have significant adverse effects on the environment. Therefore, no alternatives or mitigation measures are required to be included in this ~~draft~~ Final EA to avoid or reduce any significant effects on the environment (CEQA Guidelines §15252(b)(2)). The environmental checklist and discussion in Chapter 2 supports the conclusion of no significant adverse environmental impacts.

All comments received during the public comment period on the analysis presented in this ~~draft~~ Final EA ~~will be~~ are responded to and included in ~~the Final EA Appendix B~~. Prior to making a decision on the proposed project, the SCAQMD Governing Board must review and certify the Final EA as providing adequate information on the potential adverse environmental impacts of PAR 1403.

PROJECT OBJECTIVE

The objective of PAR 1403 – Asbestos Emissions from Demolition/Renovation Activities, is to further clarify language and update the rule to assist with implementation of the rule and improve enforceability.

PROJECT LOCATION

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) (Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties) and the Riverside County portions of the Salton Sea Air Basin (SSAB) and the Mojave Desert Air Basin (MDAB). The Basin, which is a subregion 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 Los Angeles County portion of the MDAB (known as North County or Antelope Valley) is bounded by the San Gabriel Mountains to the south and west, the Los Angeles/Kern County border to the north, and the Los Angeles/San Bernardino County border to the east. The Riverside County portion of the SSAB is bounded by the San Jacinto Mountains to 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 Riverside County and the SSAB that is bounded by the San Jacinto Mountains to the west and the eastern boundary of the Coachella Valley to the east (Figure 1-1).

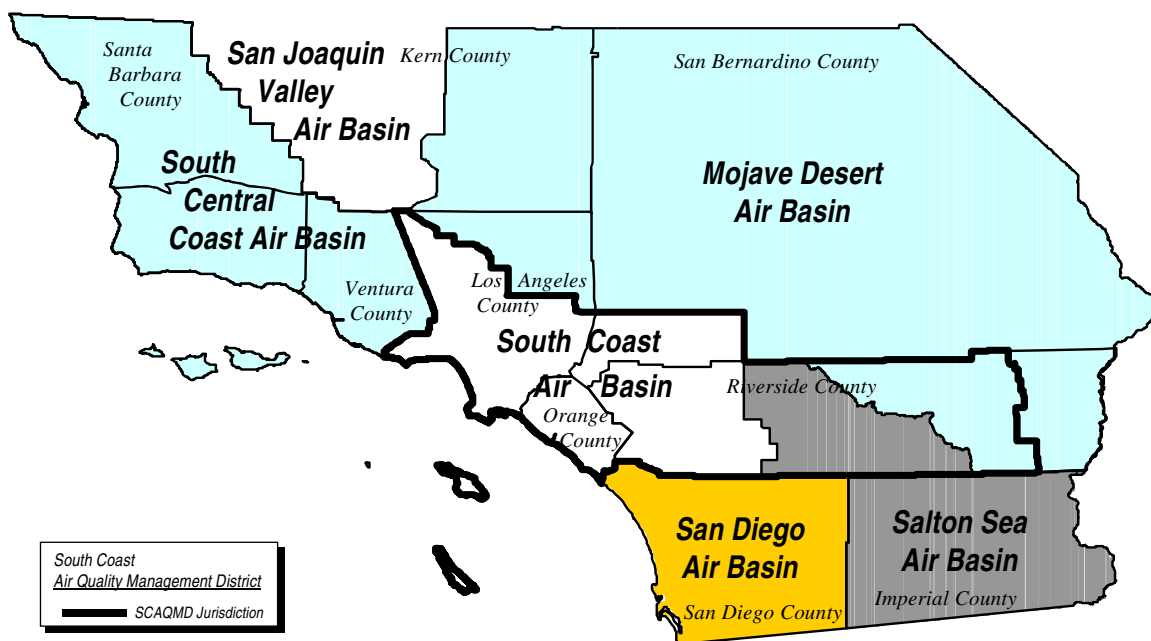


Figure 1-1
South Coast Air Quality Management District

HEALTH EFFECTS

Asbestos has been identified as a toxic air contaminant. It is a known human carcinogen for which there is no known level of exposure whereby adverse health effects are not anticipated. A fibrous material, asbestos has the propensity to form tiny fibers that remain airborne for long periods of time. These airborne fibers can subsequently break into shorter pieces, forming fibers smaller than the naked eye can see. Because smaller fibers can be more deeply inhaled into the lungs, they create a health hazard and it has been shown that there is a greater incidence of respiratory diseases for those exposed.

There are many diseases associated with asbestos exposure. Asbestosis is a serious, chronic, non-cancerous respiratory disease resulting from prolonged exposure to relatively high levels of asbestos fibers. Contracting lung cancer is the principal health hazard associated with exposures to asbestos, and is especially significant among smokers. Other cancers have been associated with asbestos exposure, including cancers in the esophagus, larynx, oral cavity, stomach, colon and kidney. Finally, mesothelioma, a rare form of cancer occurring in the thin membrane lining of the lungs, chest, abdomen, and (rarely) heart, is principally linked to asbestos exposure.

REGULATORY BACKGROUND

The following subsections briefly describes existing asbestos regulations:

National Emission Standards for Hazardous Air Pollutants (NESHAP)

The Environmental Protection Agency (EPA) promulgated emission control requirements for asbestos April 5, 1984 (49 CFR 13661) as part of the National Emission Standards for Hazardous Air Pollutants (NESHAP) program (40 Code of Federal Regulation (CFR), Part 61, Subpart M) under section 112 of the Clean Air Act (CAA). The revised National Emission Standards for Hazardous Air Pollutants (NESHAP), for Asbestos were proposed on January 10, 1989 and promulgated on November 20, 1990. The standards apply to the following facilities: demolition and renovation of facilities; the disposal of asbestos waste; asbestos milling, manufacturing and fabricating; the use of asbestos on roadways; asbestos waste conversion facilities; and the use of asbestos insulation and sprayed-on materials. EPA revised the NESHAP for asbestos on November 20, 1990, incorporating many of the provisions of Rule 1403, plus additional requirements for notification updates, training and recordkeeping.

Rule 1403 - Asbestos Emissions from Demolition/Renovation Activities

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities was adopted by the SCAQMD’s Governing Board on October 6, 1989, to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM), as well as the storage and disposal of asbestos-containing waste material (ACWM) generated or handled by these activities. The SCAQMD was delegated authority by the EPA to implement Part 61 which is accomplished through the adoption of and periodic amendments to Regulation X – National Emission Standards for Hazardous Air Pollutants. Agencies with delegated authority to implement and enforce NESHAPs have the option of adopting and enforcing a stricter regulation than the NESHAP. Rule 1403 provided stricter requirements at the time to cover non-NESHAP areas, such as residential renovation/demolition and amount of asbestos containing material less than the amounts triggering NESHAP renovation/containing material requirements. A negative declaration equivalent was prepared for the original adoption of Rule 1403.

Rule 1403 was revised on April 8, 1994, to improve rule enforceability and effectiveness, and to make it consistent with the provisions of Regulation X at that time. Regulation X had been amended on October 4, 1991 by the Governing Board to incorporate EPA’s November 1990 amendments to the NESHAP for asbestos. The revision required asbestos surveys prior to demolition/renovation; on-site trained supervisory person during demolition and renovation activities involving asbestos; notification updates; and additional recordkeeping of waste shipping records, surveys to detect asbestos and freezing weather conditions preventing water usage. An exemption was added for certain “non-friable” asbestos-containing material from some of the handling requirements of the rule where there is no potential for asbestos fiber release. The Governing Board certified a notice of exemption (NOE) for the April 8, 1994 revisions.

Rule 1403 was revised on November 3, 2006, with administrative changes designed to clarify rule intent, as well as improve enforcement and the overall effectiveness of the rule. Definitions were added. Facility survey requirements were more clearly specified as to the thoroughness of

the survey. Requirements were clarified to include a sketch of where the samples were collected. The rule was clarified to state that unreasonable financial burden is not a stand alone justification for emergency renovation activities. Other changes removed a past compliance date and clarified registration and/or certification requirements for contractors. The Governing Board certified a NOE for the November 3, 2006 revisions.

PROJECT DESCRIPTION

PAR 1403 – Asbestos Emissions from Demolition/Renovation Activities, would further clarify language and update the rule to assist with implementation of the rule and improve enforceability. A complete copy of PAR 1403 is included in Appendix A of this document.

Proposed Amended Rule 1403

(a) Purpose

No change.

(b) Applicability

No change.

(c) Definitions

A definition for associated disturbance of ACM or Class II nonfriable ACM was added. Clarifications to the definitions for “emergency demolition,” “facility,” “facility component” are proposed. Clarifying language is proposed for the definition of “Emergency Demolition” to explain who and for what reasons a demolition may be deemed an emergency. The definition of “Facility” is proposed to be changed to clarify that a structure is covered under the rule even after it is damaged or demolished by an explosion, fire or natural disaster. This clarification to the definition of “facility” is needed because asbestos may still be present in the debris and the ACM should be handled as any structure previously subject to the rule provisions would be in the matters pertaining to removal of ACM and Class II nonfriable ACM. The definition of “Facility Component” is proposed for change to include examples of affected components such as utility/commodity pipelines which are owned or utilized by a facility.

(d)(1)(B) Notification

Clarifications of notification requirements are provided. Notification of the intent to conduct any demolition or renovation is currently required to be submitted on SCAQMD-approved forms. PAR 1403 adds that the format may include, but is not limited to U.S. mail, telephone, facsimile, digital, internet and e-mail. Telephone, facsimile, digital and e-mail notifications would need to be confirmed with follow-up written notifications to the SCAQMD postmarked or delivered to the SCAQMD within 48 hours of writing of the telephone, facsimile, digital or e-mail notification. The notification must be accompanied by the required fee pursuant to Rule 301 to meet the notification requirements of PAR 1403. Additional clarifications are made throughout the subsections of (d)(1)(B).

Language was added to subclause (d)(1)(B)(v)(I) subsequent to the public comment period of the Draft EA, that allows reporting of sample results relative to a change of quantity of affected asbestos of 20 percent or more, as soon as the information becomes available, but not later than the project end date; unless otherwise specified in an approved Procedure 5. This change was

made, because of a comment that a project maybe complete, but the test results of multiple samplings are not yet known. In addition, the proposed requirement to update notifications for on-going renovation operations every three months in subsection (d)(1)(B)(v)(V) was removed and returned to the annual update required in the existing Rule 1403. This change was also made in response to comments received during the public comment period. The addition of the phrase “for Scheduled Operations” was also removed from the title of subsection (d)(1)(B)(v)(V) Planned Renovation Progress Report. Language is added to subclause (d)(1)(B)(v)(V) to indicate that planned renovations that have been scheduled are to be updated every three months, because projects that extend longer than three months in duration are difficult to track without updated information. The information on nonscheduled activities is submitted annually pursuant to subclause (d)(1)(B)(i)(II). For emergency renovation, a letter from the person impacted by the emergency, such as the property owner or property manager, is required (subclause (d)(1)(B)(iv)(V)). In subclause (d)(1)(B)(v)(IV), notification updates language has been amended to clarify that all renovation completion date changes must be reported, not just planned renovations. Also, the language has been clarified to require that the SCAQMD be notified of the status for all renovations/demolitions that are not completed or are abandoned.

(d)(1)(C)(i) Asbestos Removal Schedule – Burning Demolitions

Language in clause (d)(1)(C)(i) – Asbestos Removal Schedule, Burning Demolitions, is added to clarify that the demolitions by intentional burning must comply with the relevant provisions of Rule 444 – Open Burning.

(d)(1)(C)(ii) Asbestos Removal Schedule - Renovation and Non-Burning Demolitions

Language is proposed for addition under the subparagraph (d)(1)(C)(ii), “Asbestos Removal Schedule – Renovations and Non-Burning Demolitions”. The phrase “renovation or” was added before demolition in each subclause to clarify that each subsection applied to both renovation and demolition as stated in the heading of subparagraph (d)(1)(C)(ii).

Language was added to subclause (d)(1)(C)(ii)(II) to clarify that the appropriate procedure in subparagraph (d)(1)(D) should be used.

Language was added to subclause (d)(1)(C)(ii)(V) that clarifies that actions resulting in any associated disturbance of ACM shall result in a cessation of operations and prior to continuing, the operator must secure, stabilize and survey the affected areas and submit and obtain approval for a Procedure 5 – Approved Alternative.

(d)(1)(D) Removal Procedures

The provisions covering the removal procedures under subparagraph (d)(1)(D) have been restructured to more clearly define which removal procedure should be used under what circumstances. Procedure 3 – Adequate Wetting, subclause (d)(1)(D)(i)(III), is only to be conducted with non-power tools used for removing nonfriable asbestos-containing materials.

Procedure 5 – Approved Alternative is the method required when ACM has been damaged as from a fire, explosion, or natural disaster (subclause (d)(1)(D)(ii)(I)). Language is also proposed which gives industry more flexibility via pre-approved Procedure 5 – Approved Alternative, under phrase (d)(1)(D)(i)(V)(2).

Finally, language is proposed to clarify that when operating under Procedure 5, one must comply with all conditions and limitations set forth in the document. This could include demonstrating air, water, and soil clearance levels.

Subclause (d)(1)(D)(ii) clarifies that Procedure 5 is the appropriate procedure for removing or stripping ACM or Class II nonfriable ACM that has suffered damage from fire, explosion, or natural disaster.

(d)(1)(H) On-Site Proof

Language is proposed for the on-site proof subparagraph (d)(1)(H) to require the retention of copies of notifications and surveys at the job site.

(j)(8) Exemptions

Other changes have been proposed for paragraph (j)(8), under exemptions, to correspond to the renumbering in subparagraph (d)(1)(D).

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.

GENERAL INFORMATION

Name of Proponent: South Coast Air Quality Management District

Address of Proponent: 21865 Copley Drive
Diamond Bar, CA 91765

Lead Agency Name: South Coast Air Quality Management District

CEQA Contact Person: James Koizumi (909) 369-3234

Rule Contact Person: Pamela Perryman (909) 396-3103

Name of Project : Proposed Amended Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The following environmental impact areas have been assessed to determine their potential to be affected by the proposed project. Any checked items represent areas that may 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 and 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 Quality | <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/Traffic |
| <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: August 8, 2007

Signature: _____

Steve Smith

Steve Smith, Ph.D.
Program Supervisor – CEQA
Planning, Rule Development, and Area
Sources

GENERAL EFFECTS OF THE PROPOSED PROJECT

PAR 1403 would further clarify language and update the rule to codify existing practices and procedures and assist with implementation of the rule and improve enforceability. In addition, the proposed amendments would not require any renovation or demolition activities. The proposed amendments do not change the applicability but provides additional clarification to those sources that are applicable to Rule 1403. In addition, PAR 1403 as discussed below incorporates specific requirements to ensure that implementation of the rule is consistent with current SCQMD staff practice.

PAR 1403 does not include any new asbestos control requirements. Instead, the proposed amendments would clarify what is already performed in practice for the removal of asbestos in the (d)(1)(C) Asbestos Removal Schedule and (d)(1)(D) Removal Procedures. Most of these changes are administrative in nature and thus, will not have any environmental impacts as discussed further.

All demolition by intentional burning is currently required to be performed pursuant to Rule 444. Therefore, this language was added to PAR 1403 in (d)(1)(C)(i).

The subclauses under (d)(1)(D)(ii) apply to both renovation and demolition. Currently, it is the practice of SCAQMD staff to require that any renovation or demolition that results in an associated disturbance of ACM or Class II nonfriable ACM outside of the containment or work area needs to be handled appropriately before continuing with any renovation or demolition activity. SCAQMD staff require that the associated disturbance be secured, stabilized, surveyed and an approved Procedure 5 plan be submitted and obtained prior to any cleanup. To ensure consistency and clarity, this language was added to PAR 1403 as (d)(1)(C)(ii)(V) to codify current practice and improve enforceability of the rule.

Procedure 3 allows the removal of ACM when adequately wet during cutting or dismantling procedures and prior to removal. Since the use of power tools may release asbestos from even wet ACM, SCAQMD staff currently only allows Procedure 3 to be used when non-power tools are used. This clarification was added to PAR 1403 as clarified by (d)(1)(D)(i)(III).

Currently, owners/operators are required to submit a project-specific Procedure 5 plan. However, in many cases the Procedure 5 plans are similar for certain types of demolition and restoration projects. To reduce the burden on owner/operators, PAR 1403 would allow the use of Executive Officer pre-approved specific combinations of techniques and/or engineering controls in writing as a Procedure 5 Approved Alternative, subject to conditions and limitations as required by the Executive Officer. The Executive Officer pre-approved Procedure 5 Approved Alternatives are expected to be identical to what would be required by an existing project-specific Procedure 5 Approved Alternative. The pre-approved Procedure 5 Approved Alternatives would reduce the effort currently required by owner/operators to develop a project-specific Procedure 5 Approved Alternatives for sites that involve standard clean-ups. Since the actual notification, removal and handling procedures would be the same, the proposed change would not have any adverse effects on any environmental topic.

The addition of a definition for associated disturbance adds clarification to an existing term used in the purpose and applicability sections in the existing Rule 1403, as well as in (d)(1)(C)(V) of PAR 1403. The clarification is consistent with the existing understanding of associated disturbance by SCAQMD staff; therefore, this proposed modification would not have any new effects on any environmental topic.

The definition of emergency demolition has been expanded to add collapse, fire, crime, disease or toxic contamination or other hazard as otherwise determined by the Executive Officer. The previous definition stated that such an order is generally issued for a structurally unsound facility in danger of imminent collapse, but did not preclude any of the reasons clarified in the new definition. The clarification is consistent with the existing understanding of emergency demolition by SCAQMD staff; therefore, would not have any new effect on any environmental topic.

The definition of facility was clarified to add that a facility is subject to Rule 1403 regardless of its current use or function and includes the example of a facility destroyed by fire, explosion, or natural disaster, including any debris. This clarification is consistent with EPA interpretations of the NESHAP and current SCAQMD approval practices. EPA determination Control Number 99, dated July 17, 1991², states “The backfilling and burial of crushed A/C pipe in place would cause these locations to be considered active disposal sites and subject to section 61.154.” The asbestos NESHAP (40 CFR § 61.141 Definitions) defines facility as,

“Facility means any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.”

Since facilities include any active or inactive waste disposal site, backfilling and burial of facility components such as crushed A/C pipe is also considered a waste disposal site. SCAQMD staff has interpreted a facility to be subject to Rule 1403 regardless of its current use or function, even destroyed facilities, including any debris, remain subject to this rule’s provisions. Therefore, this language was added to PAR 1403. Since this is consistent with current SCAQMD enforcement practices, PAR 1403 would not capture any new types of asbestos demolition or renovation activities.

The definition of facility component was clarified to be closer to the language in the EPA NESHAP for asbestos. This clarification is consistent EPA determinations and with current SCAQMD enforcement practices. EPA determination Control Number 99, dated July 17, 1991, states “EPA considers asbestos cement pipe to be a "facility component" (as defined in 40 CFR S 61.141) of the facility which owns or utilizes the pipe. In addition, EPA considers asbestos cement pipe to be Category II nonfriable asbestos-containing material.” SCAQMD staff has included

² EPA, Asbestos Cement Pipe Disposal, Control Number 99., from John B. Resnic to Joseph Parez, July 17, 1991.

foundations and or utility/commodity pipelines and equipment as facility components under Rule 1403. Therefore, this language was added to PAR 1403. Since this is consistent with current SCAQMD enforcement practices, PAR 1403 would not capture any new types of asbestos demolition or renovation activities.

The notification requirements of PAR 1403 have been modified to allow owner/operators to contact SCAQMD staff with additional methods and media (facsimile, digital, internet and e-mail) prior to written postmarked notifications. An emergency demolition/renovation would now require a signed letter from the person directly affected by the emergency attesting to the circumstance of the emergency. ~~The notification for scheduled planned renovation operations has been reduced from one per year to once every three months.~~ The notification requirements modifications are administrative in nature and, therefore, would not generate any effects on any environmental topics.

ENVIRONMENTAL CHECKLIST AND DISCUSSION

	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 would 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) through d) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on aesthetics including trees, rock outcroppings, historical buildings, scenic highways, etc. PAR 1403 would not require change to asbestos removal procedures, no additional lighting or glare generating equipment is required to comply with PAR 1403. Since no significant adverse impacts are anticipated, 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 would 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

a) through c) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on agricultural resources including converting prime farmland, etc., to non-agricultural uses; conflicting with existing agricultural zoning, including Williams Act contracts, etc. Since no significant adverse impacts are anticipated, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Diminish an existing air quality rule or future compliance requirement resulting in a significant increase in air pollutant(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

DISCUSSION

PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed and the applicability is the same.

a) PAR 1403 is a toxic rule designed to control the release of asbestos from demolition and renovation projects. PAR 1403 would not conflict or obstruct with an AQMP, because AQMPs primarily regulates criteria pollutants. Control of asbestos is consistent with TAC control policies in the NESHAPs.

b) PAR 1403 is not expected to cause violation of air quality standards expose sensitive receptors to substantial pollution concentrations because PAR 1403 continues to control asbestos. No new control requirements requiring installing control equipment or additional procedures that would generate primary or secondary emissions were identified.

Although not quantified, the modifications help strengthen implementation and compliance with Rule 1403, thereby providing greater assurance of asbestos emissions reductions.

c) and d) PAR 1403 is not expect to result in a cumulatively considerable net increase of any non-attainment criteria pollutant, toxic air contaminate, or greenhouse gas since the proposed amendment would not change existing practices. PAR 1403 would ensure that sensitive receptors are not exposed to asbestos from demolition/renovation. No additional primary or secondary sources of emission were identified from PAR 1403.

e) PAR 1403 is not expected to create objectionable odors affecting a substantial number of people. No additional primary or secondary sources of emission were identified from PAR 1403.

f) PAR 1403 is not expected to diminish an existing air quality rule or future compliance requirement resulting in a significant increase in air pollutants. No additional primary or secondary sources of emission were identified from PAR 1403.

For these reasons, the proposed project is not expected to have a significant adverse impact on air quality. Since no significant adverse impacts are anticipated, 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"/> |
|--|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant Impact	No Impact
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 would 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

a) through f) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. All demolition and renovation involving asbestos would occur at existing facilities to existing structures or debris. These areas are expected to be previously adversely impacted by the original construction and devoid of plant communities or animal habitat. For these reasons, the proposed project is not expected to have a significant adverse impact on biological resources including resulting in a loss of plant communities or animal habitat considered to be rare, threatened or endangered by federal, state or local agencies; interfering substantially with movement of any resident or migratory wildlife species; or adversely affecting aquatic communities through construction or operation of the project. Since no significant adverse impacts are anticipated, 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 pursuant to §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 formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SIGNIFICANCE CRITERIA

Impacts to cultural resources would 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

a) through d) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. PAR 1403 would not generate more demolition or renovation nor change the handling of asbestos, but would clarify rule language and codify current enforcement practices. For these reasons, the proposed project is not expected to have a significant adverse impact on cultural resources including resulting in the disturbance of a significant prehistoric or historic archaeological site or a property of historic or cultural significance; disturbing unique paleontological resources by construction, or disturb human, etc. Since no significant adverse impacts are anticipated, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SIGNIFICANCE CRITERIA

The impacts to energy and mineral resources would 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

a) through e) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not

expected to have a significant adverse impact on energy including conflicting with an adopted energy conservation plan or standard; result in substantial depletion of existing energy resource supplies; increase the demand for utilities impacts on the current capacities of electric and natural gas utilities, or use non-renewable resources in a wasteful and/or inefficient manner, etc. Since no significant adverse impacts are anticipated, 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 would be considered significant if any of the following criteria apply:

- Topographic alterations would result in significant changes, disruptions, displacement, excavation, and 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

a) through e) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on geology and soils including topographical alterations that would include large amounts of soil; disturbing unique geological resources; exposing people or structures to major geologic hazards; exposing people or structures to secondary seismic effects; or expose people or structures to other geological hazards; etc. Since no significant adverse impacts are anticipated, 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"/> |

	Potentially Significant Impact	Less Than Significant Impact	No Impact
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 working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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

The impacts associated with hazards would 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

PAR 1403 reduces hazards because it reduces or limits exposure to asbestos emission during demolition and renovation activities. PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. PAR 1403 reduces exposure to all receptors from exposure to asbestos, a TAC. PAR 1403 only further assures that exposure will be reduced or eliminated. For these reasons, the proposed project is not expected to have a significant adverse impact on hazards or hazardous material including non-compliance with any applicable design code or regulation; non-conformance to National Fire Protection Association standards; non-compliance to regulations or general accepted industry practices related to operating policy concerning the design, construction, security, leak detection, spill containment or fire protection; or expose people or structures to hazardous chemicals in concentration equal to or greater than the ERPG2 levels, etc. Since no significant adverse impacts are anticipated, 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 checked="" type="checkbox"/> | <input 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"/> |

	Potentially Significant Impact	Less Than Significant Impact	No Impact
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"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

	Potentially Significant Impact	Less Than Significant Impact	No Impact
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 would 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 would 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

There are potential water resource impacts that may be generated by misting systems expected to be used for odor control at transfer station and MRF operations throughout the district. The project-specific impacts are divided into two major impact categories - water quality and water demand.

a) through o) PAR 1403 would clarify rule language to conform with current practices. Although wetting demolition debris is an acceptable means of controlling asbestos emissions, PAR does not impose additional requirement that increase the amount of water used at demolition or renovation sites. Subclause (d)(1)(D)(i)(III) has been clarified to require non-power tools when removing ACMs that have been wetted. This is currently required by SCAQMD enforcement personnel. No

additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on water quality including causing degradation or depletion of ground water resources; degradation of surface water; result in a violation of a NPDES permit requirement; affect the capacities of existing or proposed wastewater treatment facilities or sanitary sewer system; result in substantial increases in the area of impervious surfaces that interfere with groundwater; or result in alterations to the course or flow of floodwaters. PAR 1403 would not affect water demand including the capacity of the existing water supply; use substantial amounts of potable water; or increase water demand by more than five million gallons per day. Since no significant adverse impacts are anticipated, 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

a) through c) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on land use and planning by physically dividing an established community; conflict with any applicable land use plan, policy or regulation; or conflict with any applicable habitat conservation or natural community conservation plan, etc. Since no significant adverse impacts are anticipated, 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 would 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

a) and b) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on mineral resources including loss of the availability of a known mineral resource or loss of the availability of a locally-important mineral resource recovery site, etc. Since no significant adverse impacts are anticipated, 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 would be considered significant if:

- Construction noise levels exceed 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

a) through f) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on noise including construction or operational noise levels exceeding local noise ordinances, or increase ambient noise levels to more than three decibels at the sight boundary if the noise threshold is currently exceeded, etc. Since no significant adverse impacts are anticipated, 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

The impacts of the proposed project on population and housing would 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

a) through c) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on population and housing including inducing

substantial growth in an area; displacing substantial numbers of existing housing; or displacing substantial numbers of people, etc. Since no significant adverse impacts are anticipated, 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 would 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

a) through e) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on public services including substantial adverse physical impacts to governmental facilities or need for new or altered governmental facilities; or significant adverse impacts to acceptable service ratios, response times or other performance objectives to fire protection, police protection, schools, parks, other public facilities, etc. Since no significant adverse impacts are anticipated, 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

The impacts to recreation would be considered significant if:

- The project results in an increased demand for neighborhood or regional parks or other recreational facilities.
- The project adversely affects existing recreational opportunities.

DISCUSSION

a) and b) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on recreation including increasing the demand for neighborhood or regional parks or other recreational facilities; or adversely affecting existing recreational opportunities, etc. Since no significant adverse impacts are anticipated, 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 would be considered significant if the following occur:

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

DISCUSSION

a) and b) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. Rule 1403 affects the handling and disposal of asbestos, which is a hazardous waste. However, PAR 1403 does not alter the handling or disposal of asbestos; but clarifies existing handling and disposal practices. Further, PAR 1403 would not result in an increase in the amount of asbestos disposed of. For these reasons, the proposed project is not expected to have a significant adverse impact on solid/hazardous waste including generation or disposal of hazardous and non-hazardous waste exceeding the capacity of designed landfills. Finally, contractors who remove asbestos as part of demolition or renovation projects would still be required to comply with federal, state and local statutes related to hazardous wastes. Since no significant adverse impacts are anticipated, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
--	--------------------------------	------------------------------	-----------

XVII. TRANSPORTATION/TRAFFIC. 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

The impacts on transportation/traffic would 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 (e.g., 350 heavy-duty truck round-trips per day) 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.

DISCUSSION

a) through g) PAR 1403 would clarify rule language to conform with current practices. No additional facilities or activities would be captured or altered by PAR 1403, because no new asbestos control requirements are being proposed. For these reasons, the proposed project is not expected to have a significant adverse impact on transportation and traffic including substantial increases to traffic; exceed level of service standards; result in changes to air traffic patterns because planes are not typically used to dispose of ACMs, substantially increase hazards due to a design feature because PAR 1403 does not involve constructing roadways, result in inadequate emergency access, result in inadequate parking capacity, or conflict with adopted polices, plans or programs supporting alternative transportation.. Since no significant adverse impacts are anticipated, no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant Impact	No Impact
--	--------------------------------	------------------------------	-----------

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>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)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant Impact	No Impact
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

(a) PAR 1403 would clarify rule language and codify existing enforcement practices. No additional facilities or activities would be captured or altered by PAR 1403; therefore, the project would have no affect on fish, wildlife species or plantlife communities.

(b) Based on the preceding analysis of environmental impacts, the proposed project is not expected to generate significant adverse project-specific impacts. As a result, the effects of the proposed amended rule on the environment are considered to be less than cumulatively considerable. Therefore, the proposed project is not expected to generate significant adverse cumulative environmental impacts when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(c) The proposed amended rule does not have the potential to cause environmental effects that would generate substantial adverse effects on human beings, either directly or indirectly. All adverse impacts were determined to be less than significant.

APPENDIX A

PROPOSED AMENDED RULE 1410

In order to save space and avoid repetition, please refer to the latest version of proposed amended Rule 1403 located elsewhere in the rule amendment package. The June 28, 2007 version of the proposed amended rule was circulated with the Draft Environmental Assessment that was released on August 14, 2007 for a 30-day public review and comment period ending September 12, 2007.

Original hard copies of the Draft Environmental Assessment, which include the June 28, 2007 version of the proposed amended rule, can be obtained through the SCAQMD Public Information Center at the Diamond Bar headquarters or by calling (909) 396-2039.

APPENDIX B

COMMENT LETTERS AND RESPONSE TO COMMENTS

From: Henry, Richard [mailto:richard.henry@lausd.net]
Sent: Thursday, August 23, 2007 11:52 AM
To: James Koizumi
Subject: Draft Environmental Response - PAR 1403

James,

Please accept this as my written comments regarding the Draft Environmental Assessment.

I have had the privilege and opportunity of providing comment before the committee working on the PAR-1403 twice now and have been, for the most part, satisfied with the receptiveness of my comments. There remains only one point that I believe is an unnecessary burden that is being imposed on the regulated community that is more a convenience to SCAQMD staff than a necessity for enforcement purposes. This relates to updating information for planned renovation work schedules.

In the draft report on page 1-5, under (d)(1)(B) Notification, 2nd paragraph, it states language is added to subclause (d)(1)(B)(v)(V) to require updating every three months. This is a change from the current Rule requirement to send an update every 12 months. The justification for this change states it is difficult to track without updated information. I object to this reasoning. Once a notification is submitted with a schedule SCAQMD staff can calendar this information and refer to the calendar for work pending start in a future date. As long as the schedule does not change the calendar remains accurate. Sending in an updated schedule that does not change any dates has no purpose other than the convenience to remind SCAQMD staff that this contractor is still working with the original schedule. If the schedule does change there are already provisions in the current Rule to require notification to be made at the time of the change and not wait 12 or 3 months. I did not see a modification in the proposed rule change that would relieve a contractor from notify SCAQMD of any schedule changes immediately as they occur in place of the three month update. Therefore, any change in schedule would have to be submitted at the time of the change and resubmitted again at the three month intervals for projects that last longer than three months.

While I do not argue the point that proper notifications should be made so enforcement inspections can be scheduled on dates actual work is scheduled to be performed, I don't see the justification of adding this unnecessary burden on the regulated community of providing shorter intervals for updates. If the problem is that enforcement is visiting projects that are not being worked when they arrive even though the reported schedule stated work would be conducted at the time then the problem is enforcement, not the Rule itself.

Please give consideration to my concern. After a careful review I believe you will see the wisdom of my comments.

Rick Henry
Area Facilities Services Director
Asbestos Technical Unit
213-745-1450

1-1

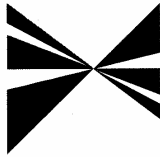
COMMENT LETTER NO. 1
Los Angeles Unified School District

August 13, 2007

Response 1-1

SCAQMD staff has removed the requirement to update notification every three months in subsection (d)(1)(B)(v)(V), and restored the requirement to update notification every year as is in the existing Rule 1403 as requested by the commenter.

SOUTHERN CALIFORNIA



ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800
f (213) 236-1825

www.scag.ca.gov

Officers: President: Gary Ovitt, San Bernardino County - First Vice President: Richard Dixon, Lake Forest - Second Vice President: Harry Baldwin, San Gabriel - Immediate Past President: Yvonne B. Burke, Los Angeles County

Imperial County: Victor Carrillo, Imperial County - Jon Edey, El Centro

Los Angeles County: Yvonne B. Burke, Los Angeles County - Zev Yaroslavsky, Los Angeles County - Richard Alarcon, Los Angeles - Jim Aldinger, Manhattan Beach - Harry Baldwin, San Gabriel - Tony Cardenas, Los Angeles - Stan Carroll, La Habra Heights - Margaret Clark, Rosemead - Gene Daniels, Paramount - Judy Danta, Inglewood - Rae Gabellch, Long Beach - David Gaffin, Downey - Eric Carretti, Los Angeles - Wendy Greuel, Los Angeles - Frank Gurulé, Cudahy - Janice Hahn, Los Angeles - Isadore Hall, Compton - Keith W. Horro, Azusa - José Huarac, Los Angeles - Jim Jeffrey, Lancaster - Tom LaBonge, Los Angeles - Paula Lantz, Pomona - Barbara Messina, Alhambra - Larry Nelson, Artesia - Paul Nowatka, Torrance - Pam O'Connor, Santa Monica - Bernard Parks, Los Angeles - Jan Peiry, Los Angeles - Ed Reyes, Los Angeles - Bill Rosenblatt, Los Angeles - Greig Smith, Los Angeles - Tom Sykes, Walnut - Mike Ten, South Pasadena - Tonia Reyes Urruga, Long Beach - Antonio Villaragosa, Los Angeles - Dennis Washburn, Culbrazas - Jack Weiss, Los Angeles - Herb J. Wesson, Jr., Los Angeles - Dennis Zine, Los Angeles

Orange County: Chris Norby, Orange County - Christine Barnes, La Palma - John Beauman, Brea - Lou Bone, Tustin - Debbie Cook, Huntington Beach - Leslie Daigle, Newport Beach - Richard Dixon, Lake Forest - Troy Edgar, Los Alamitos - Paul Glabo, Laguna Niguel - Robert Hernandez, Anaheim - Sharon Quirk, Fullerton

Riverside County: Jeff Stone, Riverside County - Thomas Buckley, Lake Elsinore - Bonnie Flickinger, Moreno Valley - Ron Lovesidge, Riverside - Greg Pettis, Cathedral City - Ron Roberts, Temecula

San Bernardino County: Gary Ovitt, San Bernardino County - Lawrence Dale, Barstow - Paul Eaton, Montclair - Lee Ann Garcia, Grand Terrace - Tim Jasper, Town of Apple Valley - Larry McCallon, Highland - Deborah Robertson, Rialto - Alan Wapner, Ontario

Tribal Government Representative: Andrew Masiel Sr., Pechanga Band of Luiseño Indians

Ventura County: Linda Parks, Ventura County - Glen Becerra, Simi Valley - Carl Morehouse, San Buenaventura - Tom Young, Port Huerneme

Orange County Transportation Authority: Art Brown, Buena Park

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

6/21/07

August 24, 2007

Mr. James Koizumi
SCAQMD
21865 Copley Drive
Diamond, CA 91765-4178

RE: SCAG Clearinghouse No. I 20070495 Proposed Amended Rule 1403

Dear Mr. Koizumi:

Thank you for submitting the **Proposed Amended Rule 1403** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **Proposed Amended Rule 1403**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's **August 1-15, 2007 Intergovernmental Review Clearinghouse Report** for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1856. Thank you.

Sincerely,

SHERYLL DEL ROSARIO
Associate Planner
Intergovernmental Review

Doc #139268

2-1

COMMENT LETTER NO. 2
Southern California of Governments

August 24, 2007

Response 2-1

SCAQMD would like to thank SCAG for their review and comments. The SCAQMD understands that SCAG has no comments on the PAR 1403 – Asbestos Emissions from Demolition/Renovation Activities.