

SUBJECT:NOTICE OF EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED REGULATIONS IX – STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES, AND X – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

The proposed project is amending Regulations IX – Standards of Performance for New Stationary Sources (NSPS), and X - National Emission Standards for Hazardous Air Pollutants (NESHAPs), to conform with federal requirements. Pursuant to CEQA, the SCAQMD is the Lead Agency and has reviewed the proposed project mentioned above pursuant to CEQA Guidelines §\$15002 (k)(1) and 15061. Because the SCAQMD is required to incorporate federal NSPS and NESHAPs requirements into its applicable regulations and has exercised no discretion with regard to the proposed project, it is considered to be ministerially exempt and, thus, the proposed amendments are exempt from CEQA pursuant to CEQA Guidelines \$15268 – Ministerial Projects. Furthermore, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines \$15308 – Class 8 Categorical Exemption. A Notice of Exemption has been prepared pursuant to CEQA Guidelines \$15062 - Notice of Exemption. The Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following the adoption of the proposed project.

Any questions regarding this Notice of Exemption should be sent to Michael Krause (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Krause can also be reached at (909) 396-2706.

Date: April 4, 2008

Signature:

Steve Smith

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

Reference: California Code of Regulations, Title 14

NOTICE OF EXEMPTION

To:	County Clerks of	From:	South Coast Air Quality Management District
	Los Angeles, Orange,		21865 Copley Drive
	Riverside, San Bernardino		Diamond Bar, CA 91765

Project Title:

Proposed Amended Regulations IX – Standards of Performance for New Stationary Sources (NSPS), and X – National Emission Standards for Hazardous Air Pollutants (NESHAPs)

Project Location:

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

The purpose of proposed amendments is to incorporate federal NSPS and NESHAPs requirements, which extend the compliance deadlines for sources conducting performance tests, provide compliance alternatives, and revise recordkeeping/reporting requirements for certain steam-generating units. Amendments also include modification to standards for equipment leaks of volatile organic compounds (VOCs) in the synthetic organic chemical manufacturing industry and petroleum refineries.

Public Agency Approving Project:	Agency Carrying Out Project:
South Coast Air Quality Management District	South Coast Air Quality Management District

Exempt Status:

General Concepts [CEQA Guidelines §15002 (k)(1)]; Statute Exemption [CEQA Guidelines §15061 (b)(1)]; Ministerial Projects [CEQA Guidelines §15268]; and Actions by Regulatory Agencies for Protection of the Environment [CEQA Guidelines §15308]

Reasons why project is exempt:

The SCAQMD has reviewed the proposed amendments to Regulations IX and X, pursuant to CEQA Guidelines §15002(k)(1) – Three Step Process, and CEQA Guidelines §15061 – Review for Exemption and has determined that the proposed amendments are exempt from CEQA pursuant to CEQA Guidelines §15268 – Ministerial Projects. SCAQMD proposes to incorporate by reference federal NSPS requirements into Regulation IX, and federal NESHAP requirements into Regulation X. Because SCAQMD exercises no discretion with regard to the proposed project, it is considered to be ministerially exempt. Furthermore, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Class 8 Categorical Exemption.

Certification Date:

SCAQMD Governing Board Hearing: April 4, 2008, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:	Phone Number:	Fax Number:	Email:
Mr. Michael Krause	(909) 396-2706	(909) 396-3324	<mkrause@aqmd.gov></mkrause@aqmd.gov>
Rule Contact Person:	Phone Number:	Fax Number:	Email:
Ms. Pamela Perryman	(909) 396-3103	(909) 396-3324	<pperryman@aqmd.gov></pperryman@aqmd.gov>
Date Received for Filing		Signature <u>Signed upon certification</u> Steve Smith, Ph.D. Program Supervisor Planning, Rule Development	

and Area Sources