

## SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD) is the Lead Agency and has prepared a Notice of Exemption for the project identified above. The proposed project is comprised of amendments to Regulation IX – Standards of Performance for New Stationary Sources, and Regulation X – National Emission Standards for Hazardous Air Pollutants. Proposed Amended Regulation IX, consists of amendments to the existing regulation by incorporating Standards of Performance for New Stationary Sources (NSPS) by reference to reflect final actions by the United States Environmental Protection Agency (U.S. EPA) in the Federal Register relative to 40 Code of Federal Regulations (CFR) Part 60. Proposed Amended Regulation X, consists of amendments to the existing regulation by incorporating National Emission Standards for Hazardous Air Pollutants (NESHAP) by reference to reflect final actions by the U.S. EPA in the Federal Register relative to 40 CFR Part 61. South Coast AQMD staff has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA.

Since the proposed project is comprised of amendments that strictly incorporate federal NSPS and NESHAP requirements by reference, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Thus, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed amendments to Regulations IX and X are also categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. Further, South Coast AQMD staff has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions. Therefore, the proposed project is exempt from CEQA. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption. If the project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

Any questions regarding this Notice of Exemption should be directed to Ryan Bañuelos (c/o Planning, Rule Development and Area Sources) at the above address. Mr. Bañuelos can also be reached at (909) 396-3479. Ms. Pham is also available at (909) 396-3299 to answer any questions regarding Proposed Amended Regulations IX and X.

**Date:** May 17, 2019

Signature: Sula Ray

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

Reference: California Code of Regulations, Title 14

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

To: County Clerks			ast Air Quality Management District
Counties of Los A			opley Drive
Riverside and Sar			Bar, CA 91765
Project Title: Propose	d Amended Regulation IX	X - Standards of $C$	Performance for New Stationary Sources, an
Proposed Amended Reg	gulation X – National Emis	sion Standards for	Hazardous Air Pollutants
Project Location: The S	South Coast AQMD has jur	isdiction over the f	Cour-county South Coast Air Basin (all of Orang
County and the non-dese	ert portions of Los Angeles	, Riverside and San	Bernardino counties), and the Riverside Count
			Air Basin (MDAB). The South Coast AQMD <sup>*</sup> oachella Valley Planning Area, which is a sub
region of Riverside Cou			
		ies of Project: The	e proposed project is comprised of amendment
			sts of amendments to the existing regulation b
			(NSPS) by reference to reflect final actions b
		•	e Federal Register relative to 40 Code of Federa
	-		sts of amendments to the existing regulation b
	<b>A</b>	0	utants (NESHAP) by reference to reflect fina
	in the Federal Register re		· · · · · · · · · · · · · · · · · · ·
Public Agency Approv			arrying Out Project:
South Coast Air Quality		0.	st Air Quality Management District
Exempt Status:	<u> </u>		
-	on 15061(b)(3) – Common	Sense Exemption	
CEQA Guidelines Section	ion 15308 – Actions By R	legulatory Agencie	es For Protection Of The Environment (Class
Categorical Exemption)			
Reasons why project is	exempt: South Coast AQ	MD staff has revie	wed the proposed project pursuant to: 1) CEQA
~	02(k) – General Concepts.	the three-step proc	cess for deciding which document to prepare for
			061 - Review for Exemption, procedures for
a project subject to CI	EQA; and 2) CEQA Guid	delines Section 15	061 – Review for Exemption, procedures for project is comprised of amendments that strictly
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Date Received for Filing:

Signature: (Signed Upon Board Approval)

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