

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

## NOTICE OF DECISION

**To:** Office of the Secretary of the California Natural Resources Agency  
General Counsel's Office  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

**From:** South Coast Air Quality Management District  
(South Coast AQMD)  
21865 Copley Drive  
Diamond Bar, CA 91765

**Subject:** Filing of Notice of Decision in compliance with Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Section 15252(b), and South Coast AQMD Rule 110(f)

**Project Title:** Final Subsequent Environmental Assessment (SEA) for Proposed Amended Rule (PAR) 1168 – Adhesive and Sealant Applications

**State Clearinghouse No:** 2017081031      **South Coast AQMD No:** 20220902ST/  
08162017DT

**Lead Agency:** South Coast AQMD  
21865 Copley Drive  
Diamond Bar, CA 91765

**Lead Agency Contact:** Sina Taghvaei,  
(909) 396-2192

**Date of Certification / Project Approval:** November 4, 2022

**Project Location:** The project applies to adhesives and sealants that maybe used at facilities and other locations within the South Coast AQMD's Jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.


**Project Description:** PAR 1168 proposes to: 1) prohibit the use of parachlorobenzotrifluoride (pCBtF) and tertiary-Butyl Acetate (t-BAC) in adhesives and sealants due to toxicity concerns; 2) delay the effective dates of volatile organic compound (VOC) emission limits or maintain the existing VOC emission limits for certain categories of adhesives and sealants; 3) create additional subcategories of regulated products to better characterize and refine VOC emission limits; 4) allow Opteon 1100 (cis-1,1,1,4,4,4-hexafluoro-2-butene/HFO-1336mzz-Z) as a VOC exempt compound for Two-Component Foam Sealants used in an industrial or professional setting contingent upon an OEHHA evaluation; and 5) remove definitions, and update, clarify, and streamline rule language. Implementation of the proposed project is expected to cause delayed and permanent foregone VOC emission reductions of 0.42 ton per day (tpd) and 0.28 tpd, respectively, due to extending the effective dates and maintaining the existing VOC limits for certain categories of adhesives and sealants. However, it will result in reducing the potential for toxic chemicals to be used in Rule 1168 Regulated Products.

This is to advise that the South Coast AQMD has certified the Final SEA, approved the above described project, and has made the following determinations:

1. The South Coast AQMD, as lead agency, has evaluated the potential environmental effects of the project pursuant to the California Environmental Quality Act (CEQA).
2. When examining the potential environmental impacts pursuant to CEQA Guidelines Section 15187 which requires South Coast AQMD to perform an environmental analysis when proposing to adopt a new rule or regulation requiring the installation of air pollution control equipment, or establishing a performance standard, the analysis revealed that the project contains new information of substantial importance which was not known and could not have been known at the time of certification of the October 2017 Final EA for Rule 1168. [CEQA Guidelines Section 15162(a)(3)].
3. The requirements for a Subsequent EIR were triggered pursuant to CEQA Guidelines Section 15162 and a Final SEA, a substitute document in lieu of a Subsequent EIR with significant impacts as allowed pursuant to CEQA Guidelines Section 15252 and South Coast AQMD's Certified Regulatory Program [Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l); codified in South Coast AQMD Rule 110], was prepared.
4. The Final SEA contains the environmental analysis required by CEQA Guidelines Section 15187 and tiers off of the October 2017 Final EA for Rule 1168 as allowed by CEQA Guidelines Sections 15152, 15162, and 15385. The Final SEA is a subsequent document to the October 2017 Final EA for Rule 1168.
5. The October 2017 Final EA for Rule 1168 (State Clearinghouse No. 2017081031), upon which the Final SEA relies, was incorporated by reference pursuant to CEQA Guidelines Section 15150.
6. The project analyzed in the Final SEA contains new information of substantial importance which was not known and could not have been known at the time the October 2017 Final EA for Rule 1168 was certified and the project will have significant effects that were not previously discussed. [CEQA Guidelines Section 15162(a)(3)(A)].
7. The Final SEA concluded that the project will have the potential to generate significant and unavoidable adverse air quality impacts during operation because the delayed and permanent forgone VOC emission reductions would exceed the South Coast AQMD's daily VOC operational significance threshold of 55 pounds per day.
8. Because the Final SEA concluded that the project will have significant and unavoidable adverse impacts on the environment, pursuant to CEQA Guidelines 15252(a)(2)(A), the Final SEA included an alternatives analysis. However, no feasible mitigation measures were identified that would reduce or eliminate the significant adverse impacts for the air quality during operation. Thus, mitigation measures were not made a condition of project approval and were not adopted. Further, since mitigation measures were not adopted for the project, a Mitigation, Monitoring, and Reporting Plan, pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines 15097 was neither required nor adopted.
9. Because the Final SEA concluded that the project will have potentially significant and unavoidable adverse impacts on the environment, Findings were made pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091 and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 was adopted.

10. Pursuant to CEQA Guidelines Section 15092(b)(2)(B), the South Coast AQMD has determined that the remaining significant effects on the environment found to be unavoidable in accordance with the Findings made pursuant to CEQA Guidelines Section 15091 are acceptable due to overriding concerns described in the Statement of Overriding Considerations prepared pursuant to CEQA Guidelines Section 15093.
11. The South Coast AQMD Governing Board has reviewed and considered the Final SEA, the Findings, Statement of Overriding Considerations and supporting documentation prior to making a decision on the project.

The Final SEA, the Findings, Statement of Overriding Considerations, supporting documentation, and record of project approval may also be examined at: South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

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|                          | Signature: |  November 4, 2022 |
| Date Received for Filing |            | Barbara Radlein<br>Program Supervisor, CEQA<br>Planning, Rule Development, and<br>Implementation    |