



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • <http://www.aqmd.gov>

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 2005 – NEW SOURCE REVIEW FOR RECLAIM

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

The SCAQMD has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. The SCAQMD has determined that that it can be seen with certainty that there is no possibility that the proposed project may have any new significant effects on the environment, and is therefore, exempt pursuant to CEQA Guidelines §15061(b)(3) - Review for Exemption (General Rule Exemption). 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. If 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 sent to Barbara Radlein (c/o Planning, Rule Development and Area Sources) at the above address. Ms. Radlein can also be reached at (909) 396-2716. Mr. Kevin Orellana is also available at (909) 396-3492 to answer any questions regarding the proposed amended rule.

Date: April 8, 2011

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
Counties of Los Angeles, Orange,
Riverside and San Bernardino

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

Project Title:

Proposed Amended Rule 2005 – New Source Review For RECLAIM

Project Location:

South Coast Air Quality Management District: 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 portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed amendments to Rule 2005 – New Source Review For RECLAIM, will change the RECLAIM Trading Credit (RTC) hold requirement for an existing RECLAIM facility, provided its emission level stays below the level of its starting Allocations plus non-tradable credits. The proposed amendment, if adopted, will require an existing RECLAIM facility to hold adequate RTCs for the first year of operation prior to commencement of operation of a new or modified source, but will not require the facility to hold RTCs at the commencement of subsequent compliance years, provided that the facility emission level remains below its starting Allocations plus non-tradable credits. The offset requirements for new RECLAIM facilities will remain unchanged.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

Three-Step Process: CEQA Guidelines §15002(k)(1)

General Rule Exemption: CEQA Guidelines §15061(b)(3)

Class 8 Categorical Exemption: CEQA Guidelines §15308

Reasons why project is exempt:

The project was reviewed and staff has determined that it can be seen with certainty that there is no possibility that the proposed project may have any new significant effects on the environment, and is therefore, exempt pursuant to CEQA Guidelines §15061(b)(3) - Review for Exemption (General Rule Exemption). 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: June 3, 2011, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person: Ms. Barbara Radlein

Phone Number: (909) 396-2716

Rule Contact Person: Mr. Kevin Orellana

Phone Number: (909) 396-3492

Date Received for Filing: _____

Signature: _____ *(Signed Upon Certification)*

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