



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

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

**PROJECT TITLE: PROPOSED AMENDED RULE 1146 – EMISSIONS OF OXIDES OF NITROGEN FROM INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS; AND, PROPOSED AMENDED RULE 1146.1 – EMISSIONS OF OXIDES OF NITROGEN FROM SMALL INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS**

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 - Review for Exemption, paragraph (b)(3) – “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 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 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. Gary Quinn is also available at (909) 396-3121 to answer any questions regarding the proposed project.

**Date:** November 1, 2013

**Signature:**   
Michael Krause  
Program Supervisor, CEQA Section  
Planning, Rules, and Area Sources

## 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

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**Project Title:**

Proposed Amended Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; and, Proposed Amended Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

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**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.

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**Description of Nature, Purpose, and Beneficiaries of Project:**

Amendments to Rules 1146 and 1146.1 are proposed to primarily address a State Implementation Plan (SIP) approvability issue that was raised by the United States Environmental Protection Agency (EPA) regarding the use of source test data and portable analyzers test results to prove a violation of the emission standard. Also included in the proposed amendments are the following minor changes: 1) clarification that Rules 1146 and 1146.1 do not apply to NOx sources subject to the SCAQMD's Regulation XX – Regional Clean Air Incentives Market (RECLAIM); 2) identification of certain equipment that are not included under boiler or steam generator category; 3) enhanced description pertaining to the types of operations that would be subject to Rules 1146 and 1146.1; 4) clarification that low fuel usage equipment are only subject to periodic tune-up requirements; and, 5) prohibition from derating equipment to a level at or below two million British Thermal Units per hour (BTU/hr).

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**Public Agency Approving Project:**

South Coast Air Quality Management District

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**Agency Carrying Out Project:**

South Coast Air Quality Management District

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**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

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**Reasons why project is exempt:**

SCAQMD staff 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. 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 - Review for Exemption, paragraph (b)(3) – “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.

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**Project Approval Date:**

SCAQMD Governing Board Hearing: November 1, 2013, 9:00 a.m.; SCAQMD Headquarters

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**CEQA Contact Person:**

Ms. Barbara Radlein

**Phone Number:**

(909) 396-2716

**Fax Number:**

(909) 396-3324

**Email:**

bradlein@aqmd.gov

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**Rules Contact Person:**

Mr. Gary Quinn

**Phone Number:**

(909) 396-3121

**Fax Number:**

(909) 396-3324

**Email:**

gquinn@aqmd.gov

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**Date Received for Filing:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

*(Signed Upon Project Approval)*

Michael Krause, Program Supervisor, CEQA Section  
Planning, Rule Development & Area Sources