

ATTACHMENT E



**South Coast  
Air Quality Management District**

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

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

**PROJECT TITLE: PROPOSED AMENDED BEST AVAILABLE CONTROL TECHNOLOGY GUIDELINES**

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.

SCAQMD staff has reviewed the proposed project to amend the Best Available Control Technology (BACT) Guidelines 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 updates to the existing requirements and new Lowest Achievable Emission Rate (LAER)/BACT determinations in the BACT Guidelines to reflect the most current achieved-in-practice air pollution control equipment and/or processes, SCAQMD staff has determined that it can be seen with certainty that there is no possibility that the proposed amendments to the BACT Guidelines may have a significant adverse effect on the environment. In addition, SCAQMD staff has conducted an analysis to demonstrate compliance with California Health and Safety Code Section 40440.11, which shows that the achieved in practice controls are both economically and technically feasible for minor sources. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule. A Notice of Exemption has been 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 sent 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. Mr. Alfonso Baez (909) 396-2516 should be contacted to answer any questions regarding the proposed amended guidelines.

**Date:** December 7, 2017

**Signature:**   
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Barbara Radlein  
Program Supervisor, CEQA Section  
Planning, Rules, and Area Sources

Reference: California Code of Regulations, Title 14

## NOTICE OF EXEMPTION

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**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 Best Available Control Technology (BACT) Guidelines

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**Project Location:** The SCAQMD has jurisdiction over 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 portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin (MDAB). The SCAQMD's jurisdiction includes the federal nonattainment area known as the Coachella Valley Planning Area, which is a sub-region of Riverside County and the SSAB.

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**Description of Nature, Purpose, and Beneficiaries of Project:** SCAQMD staff is proposing several amendments to the BACT Guidelines to reflect the most current achieved-in-practice air pollution control equipment and/or processes. The following new major source categories are proposed to be added to Part B, Section 1 – SCAQMD Lowest Achievable Emissions Rate (LAER): 1) Food Ovens (Bakery with Catalytic Oxidizer add-on control, Tortilla Chip, and Snack Food); 2) Furnace, Heat Treating Aluminum ( $\leq 900$  degrees Fahrenheit); and 3) Flares (Biogas rated at 12 million British Thermal Units per hour (MMBTU/hr) and 39.3 MMBTU/hr, and Landfill Gas rated at 120 MMBTU/hr). Updates to the following major source categories are proposed to Part B, Section 1 – SCAQMD LAER: 1) Boiler rated at 39.9 MMBTU/hr with selective catalytic reduction (SCR); and 2) Internal Combustion (I.C.) Engine - Digester Gas-Fired rated at 3,471 brake horsepower (hp) and 2,500 kilowatts with digester gas cleanup, oxidation catalyst, and SCR. Updates to Part B, Section III – Other Technologies, are proposed for the following categories of emerging technologies in operation with an air quality permit that are not yet qualified as LAER: 1) I.C. Engine, Stationary, Emergency, Electrical Generator rated at 1 megawatt with a particulate matter trap and SCR; and 2) Fuel Cell Electricity Generator – Digester Gas fueled, electrical power generation with digester gas cleanup rated at 1.4 megawatts. Updates to Part D – Minor Source BACT are proposed for the following categories: 1) Printing, Graphic Arts (Flexographic, Lithographic or Offset, Heatset, and Screen Printing and Drying); 2) Dryer or Oven; 3) I.C. Engine, Stationary, Non-Emergency, Non-Electrical Generators; 4) I.C. Engine, Portable (Tier 4 Final, rated between 75 hp and 175 hp). In addition, the following new minor source categories are proposed to be added to Part D: 1) Food Oven – Ribbon, Direct-fired and Infrared Burners, Other Burners and Add-on control for bakery oven; and 2) I.C. Engine, Stationary, Non-Emergency, Electrical Generators. The category of I.C. Engine, Stationary, Non-Emergency is proposed for deletion from Part D. Lastly, an equipment category search web link is proposed to make the BACT Guidelines user friendly.

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**Public Agency Approving Project:** South Coast Air Quality Management District

**Agency Carrying Out Project:** South Coast Air Quality Management District

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**Exempt Status:** CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule

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**Reasons why project is exempt:** SCAQMD staff has reviewed the proposed amendments to the BACT Guidelines 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. The proposed amendments are comprised of updates to the BACT Guidelines with achieved-in-practice air pollution control equipment for major and minor sources. In addition, SCAQMD staff has conducted an analysis to demonstrate compliance with California Health and Safety Code Section 40440.11, which shows that the achieved in practice controls are both economically and technically feasible for minor sources. SCAQMD staff has also determined that it can be seen with certainty that there is no possibility that the proposed amendments to the BACT Guidelines may have a significant adverse effect on the environment. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule.

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**Date When Project Will Be Considered for Approval (subject to change):**  
SCAQMD Governing Board Hearing: February 2, 2018; SCAQMD Headquarters

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<b>CEQA Contact Person:</b> Mr. Ryan Bañuelos	<b>Phone Number:</b> (909) 396-3479	<b>Email:</b> <a href="mailto:rbaneuelos@aqmd.gov">rbaneuelos@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
<b>Rule Contact Person:</b> Mr. Alfonso Baez	<b>Phone Number:</b> (909) 396-2516	<b>Email:</b> <a href="mailto:abaez@aqmd.gov">abaez@aqmd.gov</a>	<b>Fax:</b> (909) 396-3252

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**Date Received for Filing:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ *(Signed Upon Board Approval)*  
Barbara Radlein  
Program Supervisor, CEQA Section  
Planning, Rule Development & Area Sources