

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

To: County Clerks for the Counties of Los Angeles, Orange, Riverside and San Bernardino; and Governor's Office of Planning and Research – State Clearinghouse

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

Project Title: Proposed Amendments to the Best Available Control Technology (BACT) Guidelines

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) 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.

Description of Nature, Purpose, and Beneficiaries of Project: Amendments to the BACT Guidelines are proposed to the following sections to maintain consistency with recent changes to South Coast AQMD rules and state requirements and to include equipment and processes which have been achieved in practice: Overview: 1) Update the actual and potential emission threshold levels of volatile organic compounds (VOC) and nitrogen oxides (NOx) for major polluting facilities; and 2) update Footnote 7 to add a reference to Engineering Policy and Procedures.

Part B – Lowest Achievable Emission Rate (LAER) Determinations for Major Polluting Facilities: 1) Add four new listings to Section I – South Coast AQMD LAER/BACT Determinations: a) Heater, Natural Draft Operation, b) Linear Generator, Non-Emergency Electrical Generator, Natural Gas Fired, c) Sulfur Recovery (Claus) Unit, and d) Tank Truck Loading Racks; 2) Update the Fugitive Emission Sources at Petroleum Refineries in Section I – South Coast AQMD LAER/BACT Determinations; 3) add two new listings to Section II – Other LAER/BACT Determinations: a) Boiler, Natural Gas > 20 MMBtu/hr, and b) Heater, Natural Draft Operation; and 4) update the Gas Turbine-Simple Cycle, Natural Gas listing in Section II – Other LAER/BACT Determinations to reflect an achieved-in-practice case at a simple cycle power plant which was permitted in 2015 by the Bay Area Air Quality Management District.

Part C – Policy and Procedures for Non-Major Polluting Facilities: Update the Maximum Cost-Effectiveness Values in Table 5 for consistency with the third quarter 2023 Marshall and Swift equipment index in accordance with the BACT Guidelines policy.

Part D – BACT Determinations for Non-Major Polluting Facilities: Add one new listing for Crumb Rubber/Asphalt Oil Blending.

Finally, the following administrative changes to the BACT Guidelines are proposed: 1) Update all references to the United States Environmental Protection Agency or USEPA to refer to “U.S. EPA.”; 2) Update all references to “Engineering and Permitting” to refer to “Engineering and Compliance”; and 3) Update the footers.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment

NOTICE OF EXEMPTION FROM CEQA (concluded)

Reasons why project is exempt: South Coast AQMD, as Lead Agency, 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 new information and updates that reflect current practices of LAER/BACT determinations in the BACT Guidelines and the most current achieved-in-practice equipment and/or processes, and makes administrative amendments without requiring physical modifications, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because the BACT Guidelines are designed to further protect or enhance the environment. Further, there is no substantial evidence indicating that any of the exceptions to the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project.

Date of Project Approval: South Coast AQMD Governing Board Public Hearing: February 2, 2024

CEQA Contact Person: Jivar Afshar	Phone Number: (909) 396-2040	Email: jafshar@aqmd.gov	Fax: (909) 396-3982
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BACT Contact Person: Bahareh Farahani	Phone Number: (909) 396-2353	Email: bfarahani@aqmd.gov	Fax: (909) 396-3341
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Date Received for Filing: _____

Signature:



February 2, 2024

Kevin Ni
Acting Program Supervisor, CEQA
Planning, Rule Development, and
Implementation
