



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
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November 29, 2007

Office of the Secretary for Resources
Attn: General Counsel's Office
1416 9th Street, Suite 1311
Sacramento, CA 95814

To Whom It May Concern:

Enclosed please find two copies of the Notice of Decision (NOD) for the Addendum to the Final Environmental Assessment (EA) prepared for proposed amended Rule (PAR) 1118 – Control of Emissions from Refinery Flares (Tesoro Rule 1118 Compliance Project) [SCAQMD No. 10265MK; November 4, 2005]. The Addendum to the Final EA for PAR 1118 was prepared pursuant to California Environmental Quality Act (CEQA) and the South Coast Air Quality Management District's (SCAQMD) certified regulatory program. The CEQA document for the currently proposed project was certified on November 29, 2007. Please record and post the Notice of Decision (NOD) according to the provisions of CEQA.

SCAQMD Rule 110 requires that written responses to public comments on a SCAQMD CEQA document be filed with the Secretary of Resources along with the Notice of Decision. However, an addendum need not be circulated for public review in accordance with CEQA Guidelines §15164 (c). Therefore, no comment letters were received on the Addendum to the Final EA for PAR 1118, and as such, no responses to public comments are enclosed.

The proposed project is an Addendum to the Control of Emissions from Refinery Flares Project which was determined in November 2005 to be exempt from the Department of Fish and Game filing fee pursuant to §753.5 (a)(3), Title 14, California Code of Regulations (CCR) due to a *de minimus* impact on wildlife and the habitat upon which the wildlife depends. For your reference, a copy of the stamped NOD dated November 9, 2005 by the Resources Agency of California, the cover letter, and the Certificate of Fee Exemption form is also included. The change to the project for which this Addendum was prepared will have no effect on biological resources as the project simply modifies the flare system specific to the Tesoro Refinery to improve system reliability and expand capacity to recover vent gases during emergencies, process upsets, and some unit shut downs and start ups. Based on the proposed modifications, only minor additions or changes are necessary to make the November 2005 Final EA adequate for the proposed project. Therefore, when considering the effects of the proposed project, the SCAQMD has concluded that an Addendum to the November 2005 Final EA is the appropriate document to be

prepared in accordance with CEQA (CEQA Guidelines §15164) in order to evaluate potential environmental impacts associated with the proposed project.

Please confirm receipt of one copy of the NOD and return it to the undersigned in the self-addressed stamped envelope enclosed. If you have any questions, please feel free to contact me at (909) 396-3054. If you have any questions, please don't hesitate to call me at (909) 396-3054 or Barbara Radlein at (909) 396-2716.

Sincerely,

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

Enclosures

NOTICE OF DECISION

To: Office of the Secretary for Resources
Attn: General Counsel's Office
1416 9th Street, Suite 1311
Sacramento, CA 95814

From: SCAQMD
Planning, Rules and Area Sources
21865 Copley Drive
Diamond Bar, CA 91765

Subject: FILING OF NOTICE OF DECISION IN COMPLIANCE WITH §21080.5 OF THE PUBLIC RESOURCES CODE

Project Title: Addendum to the Final Environmental Assessment for Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares (Tesoro Rule 1118 Compliance Project)

SCAQMD Number: 10265MK

Date Certified: November 29, 2007

Contact Person: Barbara Radlein

Telephone Number: (909) 396-2716

Project Location: Rule 1118 covers the entire South Coast Air Quality Management District area of jurisdiction: South Coast Air Basin (all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin. The Tesoro Refinery is located at 2101 East Pacific Coast Highway, Wilmington, CA 90744 (within Los Angeles County).

Project Description: Operators of the Tesoro Refinery are proposing modifications to the flare system to comply with Rule 1118. The proposed modifications will recover flare gas during emergencies, process upsets, and some unit shut downs and start ups. The Tesoro Rule 1118 Compliance Project will include the installation of a new flare gas recovery system that will be primarily used to recover the refinery vent gas baseload in the Main Flare Header to improve system reliability and expand capacity to recover vent gases during emergencies, process upsets, and some unit shut downs and start ups. The proposed project, evaluated in the Addendum to the Final EA, does not create any significant adverse environmental impacts. An Addendum was prepared because the construction scenario analyzed in the Final EA was slightly different than the actual construction scenario anticipated for the Tesoro Rule 1118 Compliance Project. Therefore, only minor changes are necessary to make the Final EA apply to the Tesoro Project.

This is to advise that the South Coast Air Quality Management District has approved the above described project and has made the following determinations regarding the above described project:

1. The proposed modifications to the original project described in the November 2005 Final Environmental Assessment (EA) will not have a significant adverse impact on the environment.
2. An Addendum to the November 2005 Final EA was prepared and certified for this project by the SCAQMD pursuant to the provisions of CEQA
3. Mitigation measures were not made a condition of the approval of this project.
4. A mitigation monitoring program under PRC § 21081.6 was not adopted for this project.
5. Findings were not adopted for this project.
6. A Statement of Overriding Considerations was not required for this project since no adverse significant impacts were identified.

The Addendum to the November 2005 Final EA, supporting documentation, and record of project approval may be examined at: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Date Received for Filing

Signature: _____

Barry R. Wallerstein, D.Env.
Executive Officer