



South Coast Air Quality Management District

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

September 10, 2010

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 Final Environmental Assessment (EA) prepared for proposed amended Rule (PAR) 1401– New Source Review of Toxic Air Contaminants; and Impact Assessment for Facilities Subject to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources. The Final EA for PAR 1401 was prepared pursuant to CEQA and the South Coast Air Quality Management District's (SCAQMD) certified regulatory program. The CEQA document was certified by SCAQMD's Governing Board at its September 10, 2010, Public Hearing. Please record and post the Notice of Decision 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. No comment letters were received on the Draft EA for PAR 1401 during the public comment period.

Also enclosed is the original signed CEQA Filing Fee No Effect Determination Form from the Department of Fish and Game pursuant to §711.4 of the California Fish and Game Code.

Please confirm receipt of one copy of the NOD and return it to the undersigned. Two return envelopes have been provided for your convenience (one for the confirmed copies upon receipt, and one for the original NOD to be returned after the posting period). If you have any questions, please call me at (909) 396-3054 or Jeff Inabinet at (909) 396-2453.

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 1211
Sacramento, CA 95814

From: SCAQMD
Office of Planning and Policy
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: Final Environmental Assessment (EA) prepared for proposed amended Rule (PAR) 1401 – New Source Review of Toxic Air Contaminants; and Impact Assessment for Facilities Subject to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources

SCAQMD Number: 100728JI

Date Certified: September 10, 2010

SCH Number: 2009031097

Contact Person: Jeffrey J. Inabinet

Telephone Number: (909) 396-2453

Project Location: 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

Project Description: The proposed project consists of adding new or revising existing non-cancer chronic and acute reference exposure levels (RELs) for acetaldehyde, acrolein, arsenic, fluorides, formaldehyde, manganese and mercury to the Rule 1401 list of toxic air contaminants (TACs), which would affect new, modified or relocated facilities. Rule 1402 regulates the same TACs that are listed in Table I in Rule 1401 at existing facilities. Because adding new or revising existing non-cancer chronic and acute RELs in Table I in Rule 1401 affects facilities subject to Rule 1402, it is necessary to perform an impact assessment for facilities subject to Rule 1402. The Draft EA concluded that no facilities would be required to install additional control equipment that could generate secondary environmental impacts as a result of the proposed project. Therefore, no adverse environmental impacts are expected from the implementation of Proposed Amended Rule 1401.

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 project will not have a significant impact on the environment.
2. Mitigation measures were not made a condition of the approval of this project.
3. A mitigation monitoring program under PRC § 21081.6 was not adopted for this project.
4. A Statement of Findings was not adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.

The Final Environmental Assessment, supporting documentation, and record of project approval may be examined at: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Date Received for Filing

Signature: _____

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rules, and Area Sources