

California Environmental Quality Act (CEQA)

NOTICE OF EXEMPTION

**TO: Contra Costa County
Clerk-Recorder's Office
555 Escobar Street
Martinez, CA 94553**

**FROM: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105**

SUBJECT: NOTICE OF EXEMPTION PURSUANT TO CEQA (Pub. Res. Code, § 21152; Cal. Code Regs., tit. 14, § 15062).

Project Title: CHEVRON RICHMOND REFINERY – Issuance of Permit to Operate to replace older drift eliminators with new drift eliminators with a maximum drift rate of 0.0005% at Source 4329 Richmond Lube Oil Project (RLOP) Cooling Water Tower (Application 31844).

Public Agency Approving Project (Lead Agency): Bay Area Air Quality Management District (Air District) 375 Beale Street, Suite 600, San Francisco, CA 94105. Contact: Nimrat Sandhu, Supervising Air Quality Engineer, Telephone (415) 749-8604, Email: NSandhu@baaqmd.gov.

Project Applicant and Entity Carrying Out Project: Chevron Products Company (Chevron).

Project Applicant Address: 841 Chevron Way, Richmond, CA 94801.

Project Applicant Contact Person: Laurie Mintzer, Senior Permit Specialist, Chevron Richmond Refinery, 841 Chevron Way, Richmond, CA 94801, Telephone (510) 242-4466, Email: Lmintzer@chevron.com.

Project Location: 841 Chevron Way, Richmond, Contra Costa County, CA 94801, Nearest Cross Street: Marine Street.

Project Description:

The Air District's issuance of a Permit to Operate for an alteration to make the following physical change to the S-4329 RLOP Cooling Water Tower: Replacement of the existing drift eliminators at S-4329 with newer drift eliminators that have a vendor-guaranteed maximum drift rate of 0.0005%.

Finding of Exemption:

The Air District has found that the issuance of the Permit to Operate is exempt from CEQA because the Air District's action was "ministerial" and therefore exempt from CEQA under Public resources Code section 21080, subdivision (b)(1) and California Code of Regulations, title 14, section 15268, subdivision (a). The Air District further found that its permit action is also categorically exempt from CEQA because it permits a minor alteration of existing private equipment involving negligible or no expansion of existing use. (Pub. Res. Code, § 21084; Cal. Code Regs., tit. 14, § 15301). In addition, the Air District found that its action is also exempt under the "common sense" exemption. (Cal. Code Regs., tit. 14, § 15061, subd. (b)(3)).

Basis for Exemption:

The Air District's approval of the Permit to Operate for the replacement of drift eliminators of S-4329 involved objective numerical standards outlined in the Permit Handbook Chapter 11.4, which did not allow for or require any subjective judgment or discretion. The project complied with such standards; accordingly, the Air District had no discretion to refuse to issue the permit. Accordingly, the approval is ministerial, and so is exempt from CEQA. The Air District's permit action is also categorically exempt because it permits a minor alteration of existing equipment involving negligible or no expansion of existing use. The proposed replacement is expected to reduce emissions of particulate matter, and permit conditions will be imposed

to ensure there will be no increase in particulate matter emissions. Further, the project does not entail any expansion of the S-4329's existing use or footprint; S-4329 will be equipped with a continuous flow monitor to ensure that the throughput of recirculation water does not exceed 19,500 gallons per minute, which is the maximum design capacity of the existing S-4329. Finally, the Air District's approval of the permit is exempt under the commonsense exemption because there is no possibility that the activity in question may have a significant effect on the environment, primarily because it will not increase emissions.



Pamela Leong
Director of Engineering
Bay Area Air Quality Management District



Date