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California Environmental Quality Act

NOTICE OF EXEMPTION

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

From: **Bay Area Air Quality Management**
375 Beale St, Suite 600
San Francisco, CA 94105

SUBJECT: **NOTICE OF EXEMPTION PURSUANT TO CEQA (PUB. RES. CODE, §§ 21080, SUBD. (B)(1), 21152, SUBDS. (B)-(D); CODE REGS., TIT. 14, §§ 15268, SUBDIVISION (A), 15301).**

PROJECT TITLE: **CHEVRON RICHMOND REFINERY – ISSUANCE OF ACCELERATED PERMIT TO OPERATE FOR S-9334 COOLING WATER TOWER WHILE S-4187 IS BEING SERVICED. (Air District Application Number 31895).**

Public Agency Approving Project (Lead Agency): Bay Area Air Quality Management District (Air District), 375 Beale Street, Suite 600, San Francisco, CA 94105. Attn: 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, Contra Costa County, CA 94801.

Project Applicant Contact Person: Laurie Mintzer, Senior Permit Specialist, Chevron, 841 Chevron Way, Richmond, CA 94801. Telephone: (510) 680-0539. Email: Lmintzer@chevron.com.

Project Location: 841 Chevron Way Richmond, **Contra Costa County**, CA, 94802. Nearest Cross Street: Marine Street.

Project Description:
The Air District's issuance of a Permit to Operate (PTO) under the Accelerated Permitting Program (APP) for S-9334, which is a cooling water tower with a maximum circulation rate of 138,000 gallons per hour. S-9334 will be permitted as a new source per Regulation 2-1-232.1. It will be used in place of S-4187 (FCC Polymer Cooling Water Tower) while the tower section of S-4187 is being replaced at the existing cooling tower location. The original material of the tower portion of S-4187 was constructed of redwood, which is falling apart and needs to be replaced. The new tower portion of S-4187 will be constructed of a fiberglass reinforced polymer material. The proposed permit conditions will ensure only one cooling tower (either S-4187 or S-9334) will be operated at any given time after the proposed tower portion repairs are completed. The circulation rate (i.e., throughput) of the temporary tower is limited by the capacity of the cooling water tower's circulation pumps. The temporary tower will be using one of the existing (permanent) circulation pumps, P-781 (primary) or P-781A (spare), until S-4187 resumes operation after the proposed repairs to it are completed. S-9334 will tie into the current process via underground piping and will process the same

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process water as S-4187 did. Since the proposed repairs to S-4187 can take longer than 90 days, this application is being processed as a new source under the APP.

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's permit action is also categorically exempt from CEQA because it permits a minor alteration of an existing use and does not authorize any expansion of that existing use (Guidelines § 15301).

Basis for Exemption:
The Air District's regulatory requirements that governed the approval of the accelerated Permit to Operate for the temporary use of S-9334 involved objective numerical standards outlined in the Permit Handbook Chapter 11.4, which did not allow for or require any subjective judgment or discretion to interpret or apply. Also, this project did not trigger Best Available Control Technology (BACT) or BACT for toxics. The project complied with such standards; accordingly, the Air District must approve it as ministerial. Because the approval is ministerial, the temporary project involving S-9334 cooling tower is exempt from CEQA. The Air District's permit action is also exempt because it permits only a minor alteration of an existing use. The project does not entail any expansion of the S-4187 cooling tower's existing use. S-9334 will be removed from the site and S-4187 cooling tower will continue to be operated per its permit once the tower section is repaired. S-9334 will be equipped with a continuous flow monitor to ensure that no greater than 138,000 gallons per hour of water is circulated through S-9334. In addition, the applicant has included in its permit application CEQA-related information (CEQA Appendix H) that demonstrates with certainty that the project has no potential for resulting in any significant environmental impacts.

Fred Yanuka for

Pamela J. Leong
Director of Engineering
Bay Area Air Quality Management District

March 11, 2024
Date