

Notice of Exemptions

TO: Office of Planning and Research
1400 Tenth Street, Room 212
Sacramento, California 95814

FROM: California Energy Commission
715 P Street
Sacramento, California 95814

Project Title: California Refinery Maintenance Reporting Guidelines

Project Location: Statewide

Description of Nature, Purpose, and Beneficiaries of Project: Adoption of California Refinery Maintenance Reporting Guidelines (Reporting Guidelines) pursuant to section 25354(n)(2) of the Public Resources Code to prescribe the manner in which refiners report maintenance activities as required under section 25354(n). On March 28, 2023, Governor Newsom signed Senate Bill (SB) X1-2 (Stats. 2023, 1st Ex. Sess. 2023, ch. 1), which took effect June 28, 2023, and requires, among other things, refineries to notify any planned maintenance and turnaround activities (Public Resources Code section 25354(m).) Section 25354(n)(2) authorizes the CEC to adopt guidelines prescribing the manner in which the CEC shall implement the collection of the maintenance and turnaround information under 25354(m). The CEC developed these guidelines to implement and approved their adoption.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: California Energy Commission

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption: State type and section number: Class 6 Information Collection, Section 15306 of title 14, chapter 3 of the California Code of Regulations (CEQA Regulations);
- Statutory Exemption: State code number: _____
- Other: Adoption of the amendments not a “project” for CEQA purposes, and is otherwise exempt from CEQA requirements pursuant to the “common sense” exemption (CEQA Regulations, Section 15061, subd. (b)(3)).

Reasons why project is exempt: The above-described Reporting Guidelines are not a project under section 15378(a) of the CEQA Regulations because adoption will not result in a physical change to the environment or in reasonably foreseeable indirect physical change to the environment. Rather, the Guidelines merely set forth the manner and form in which refineries shall submit information and clarify existing reporting requirements. Therefore, the activity is merely procedural in nature, as set forth in 15378(b)(2) of the CEQA Regulations. Relatedly, the Reporting Guidelines are exempt from CEQA pursuant to the Class 6 categorical exemption set forth in section 15306 of the CEQA Regulations because they merely outline procedures for “data collection.” Additionally, the activity is exempt under Section 15061(b)(3) of the CEQA Regulations because there is no possibility that the activity may have a significant effect on the environment.

Lead Agency Contact Person:

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Date: 5/10/2024

Title: Acting Chief Counsel

Signed by the Lead Agency

Date received for filing by OPJ

Authority cited: Section 21083, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.