

California Environmental Quality Act (CEQA)

NOTICE OF EXEMPTION

TO: Solano County
Clerk of the Board's Office
675 Texas Street, Suite 6500
Fairfield, CA 94533

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

SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO CEQA § 21152(b) AND CEQA GUIDELINES § 15062.

PROJECT TITLE: Valero Refining Company – Issuance of Permit to Operate for a temporary Soda Ash Injection System to abate the Flue Gas Scrubber (A-1047) (Application 700395).

Public Agency Approving Project (Lead Agency): Bay Area Air Quality Management District (Air District), 375 Beale Street, Suite 600, San Francisco, CA 94105. Contact Person: Eric Grulke, Senior Air Quality Engineer, Telephone: (415) 749-8672; Email EGrulke@baaqmd.gov

Project Applicant and Entity carrying out Project: Valero Refining Company (Valero).

Project Applicant Mailing Address: 3400 E Second Street, Benicia, CA 94510.

Project Applicant Contact Person: Taryn Goodwin, Manager, Environmental Engineering, Valero Refining Company, 3400 E Second Street, Benicia, CA 94510. Telephone: (707) 745-7475; Email: taryn.goodwin@valero.com

Project Location: 3400 E Second Street, Benicia, Solano County, CA 94510. Nearest Cross Street: Rose Drive, Benicia, CA 94510.

Project Description:

Valero submitted this application for a demonstration testing of dry sorbent injection to the Flue Gas Scrubber (FGS) (A-1047), abating the Fluidized Catalytic Cracking Unit and Coker Unit. The objective of the test is to determine whether the system would provide a greater margin of compliance with particulate matter (PM) emission control for compliance with BAAQMD Regulation 6, Rule 5 that becomes effective on July 21, 2026. The temporary demonstration testing will occur as 2 trials, operating for less than one week each, with another week for setting up S-32139 Trona silo, A-1063 bin vent filters, A-1062 Temporary Soda Ash Injection System and removing them. This project was considered eligible for a Permit to Operate for Temporary Operation per Air District Regulation 2-1-302.3 and usage of the temporary permit after 90 days from issuance will not be allowed.

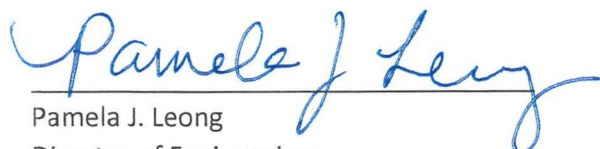
Finding of Exemption:

The Air District has determined that this approval is exempt from the California Environmental Quality Act (CEQA) per the following:

1. This project is categorically exempt per the Class 1 Alteration (also known as “No or Negligible Expansion of Existing Use” or “Minor Alterations to existing facilities”) per CEQA Guidelines Section 15301
2. This project is ministerially exempt per CEQA, California Public Resources Code § 21080; State CEQA Guidelines, 14 Calif. Code of Regulations § 15300.1.

Basis for Exemption:

The Air District has determined that this permit action is categorically exempt from CEQA because the action permits only a minor modification of an existing use and does not authorize any expansion of that existing use (CEQA, California Public Resources Code § 21084; State CEQA Guidelines, 14 Calif. Code of Regulations § 15301 and Air District Regulation 2-1-312.6). Additionally, the permit actions in Application 700395 fit within the Air District’s fixed and objective numerical standards, which did not allow for or require any subjective judgment or discretion to interpret or apply. Therefore, the Air District does not have the discretion to deny the requested changes. Because the Air District does not have discretion to deny the application, the project qualifies as ministerial and is consequently also exempt from CEQA on that basis (CEQA, California Public Resources Code § 21080; State CEQA Guidelines, 14 Calif. Code of Regulations § 15300.1). Accordingly, approval of Application 700395 is not subject to CEQA review.



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

8/27/2024
Date