

**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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**To:** Governor's Office of Planning and Research –  
State Clearinghouse  
1400 Tenth St, Suite 222  
Sacramento, CA 95814-5502

**From:** South Coast Air Quality Management  
District  
21865 Copley Drive  
Diamond Bar, CA 91765

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**Project Title:** Proposed Rule 1165 – Control of Emissions from Municipal Solid Waste Incinerators

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**Project Location:** The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

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**Description of Nature, Purpose, and Beneficiaries of Project:** Proposed Rule 1165 (PR 1165) establishes Best Available Retrofit Control Technology emission limits for oxides of nitrogen (NOx) and particulate matter (PM) from municipal solid waste incinerators that combust 35 tons or more per day of municipal solid waste. PR 1165 contains: 1) NOx concentration emission limits; 2) continuous emission monitoring and periodic source testing requirements; 3) cleaning methods requirements; and 4) recordkeeping requirements. Only one facility, the Southeast Resource Recovery Facility located in the Port of Long Beach, is currently subject to PR 1165; however, this facility is currently not operational as it is being decommissioned for reasons other than PR 1165. If the facility is fully decommissioned, PR 1165 would not result in emission reductions, but PR 1165 would remain in force and apply to any future municipal solid waste incinerators that combust 35 tons or more per day. However, should operators seek to restore the facility to operational status, the existing air pollution control equipment (e.g., one selective non-catalytic reduction system) would need to be replaced in order to achieve the emission limits set forth in PR 1165. For this scenario, emission reductions of 0.22 ton per day of NOx and 0.035 ton per day of PM are expected, which would benefit public health.

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**Public Agency Approving Project:** South Coast Air Quality Management District

**Agency Carrying Out Project:** South Coast Air Quality Management District

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**Exempt Status:** CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

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**Reasons why project is exempt:** South Coast AQMD, as Lead Agency, has reviewed the proposed project (PR 1165) pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. If the one affected facility continues with the ongoing decommissioning process which is occurring for reasons other than PR 1165, no physical changes are expected to occur as a result of implementing PR 1165. However, if the one affected facility seeks to return to operational status, the anticipated construction activities needed to implement PR 1165 are expected to be minimal. For either scenario, it can be seen with certainty that PR 1165 would not cause a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

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**Date of Project Approval:** South Coast AQMD Governing Board Public Hearing: September 6, 2024

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**Date Received for Filing:** \_\_\_\_\_

**Signature:**  \_\_\_\_\_  
September 6, 2024

Kevin Ni  
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Planning, Rule Development, and Implementation