

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

Project Title: RICHMOND PRODUCTS TERMINAL – Issuance of Permit to Operate for the Storage and Dispensing of Transmix for Alteration to Source (S-1) Loading Rack 1 and Source (S-26) Internal Floating Roof Tank (Application Number 31964); and Issuance of revised Synthetic Minor Operating Permit (Application Number 710879).

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

Project Applicant and Entity Carrying Out Project: Kinder Morgan Liquids Terminals, LLC (KMLT) - Richmond Products Terminal.

Project Applicant Mailing Address: 1001 Louisiana Street, Houston TX 77002.

Project Applicant Contact Person: Donny Homer, Senior Specialist – Permitting Compliance, KMLT, 1306 Canal Boulevard, Richmond, CA 94804; Telephone: (415) 307-1374, Email: donny_homer@kindermorgan.com

Project Location: 1306 Canal Boulevard, Richmond, Contra Costa County, CA 94804; Nearest Cross Street: Seacliff Drive.

Project Description:

The Richmond Products Terminal is a terminal that stores and distributes petroleum products. It consists of a tank farm with pipelines for accessibility to and from rail, barges, and road tankers. The Air District has issued a Permit to Operate to KMLT for the following alterations to the Richmond Products Terminal (Permit Application Number 31964):

1. Increase the permitted Transmix throughput for Tank 26 (S-26) from 624,000 to 3,000,000 gallons per year (increase of 2,376,000 gallons/year); and decrease the permitted gasoline at other tanks (S-4, S-6, S-10, S-13, S-14, S-11, S-27 to S-30 & S-51) from 1,785,355,721 to 1,782,979,721 gallons per year; and
2. Increase the permitted Transmix throughput of the Loading Rack (S-1) from 624,000 gallons to 3,000,000 gallons per year; and decrease the permitted gasoline at S-1 loading rack from 247,000,000 to 244,624,000 gallons per year.

The Air District has also issued a revised Synthetic Minor Operating Permit (SMOP) to update the permit condition for these alterations (Permit Application Number 710879).

Finding of Exemption:

The Air District has determined that the issuance of this Permit to Operate and revised SMOP are exempt from CEQA because the Air District's approval is "ministerial." (Public Resources Code § 21080(b)(1) and CEQA Guidelines § 15268(a).)

Basis for Exemption:

These permit decisions are not subject to CEQA because the Air District's evaluation is a ministerial action (Public Resources Code § 21080(b)(1) and CEQA Guidelines § 15268(a)) conducted using the fixed standards and objective measurements outlined in standard air permitting/engineering reference materials including, but not limited to: permitting handbooks, permitting manuals, permitting guidance documents, source test/lab sampling results, and emissions factor clearinghouses. In addition, because S-1 and S-26 are altered and not new or modified, neither a Best Available Control Technology (BACT) determination nor a BACT for toxics (TBACT) determination is required. The Air District was legally compelled to approve these applications given the relevant requirements were objectively met based on the information available to the Air District. Thus, the Air District's approval is ministerial and not subject to CEQA.



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



Date