

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

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 1159.1 – Control of NOx Emissions from Nitric Acid Tanks

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.

Description of Nature, Purpose, and Beneficiaries of Project: Proposed Rule (PR) 1159.1 applies to facilities with one or more nitric acid units where nitric acid either reacts with a metal or decomposes at high temperatures forming oxides of nitrogen (NOx). PR 1159.1 will establish: 1) NOx emission limits for nitric acid units at facilities currently and formerly regulated by Regulation XX – REgional CLean Air Incentives Market (RECLAIM) as well as non-RECLAIM facilities; 2) implementation schedules to control NOx emissions or demonstrate NOx emissions are less than certain thresholds established in PR 1159.1; and 3) requirements to conduct parametric monitoring, source testing, and recordkeeping. Initial projections indicate that PR 1159.1 is expected to require some physical modifications involving minimal construction activities associated with: 1) installing control devices at seven affected facilities; and 2) conducting source tests at 21 affected facilities. Implementation of PR 1159.1 is expected to result in NOx emission reductions of 0.11 ton per day by January 1, 2029, which would benefit public health.

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

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project (PR 1159.1) 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. The analysis of PR 1159.1 indicates that a relatively small number of facilities are expected to undergo minimal construction activities occurring over an extended compliance timeline and conduct intermittent source tests; thus, it can be seen with certainty that implementing the proposed project 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.

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

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PR 1159.1 Contact Person: Min Sue	Phone Number: (909) 396-3241	Email: msue@aqmd.gov
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Date Received for Filing: _____ **Signature:**  December 6, 2024
Kevin Ni
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Planning, Rule Development, and Implementation