

Notice of Exemption

To: Office of Planning and Research
P.O Box 3044, Room 212
Sacramento, CA 95812-0344
(916) 445-0613

 County Clerk/Recorder
County of Stanislaus
1021 "I" Street, Suite 101
Modesto, CA 95354

FILED
2019 DEC 27 PM 1:49
STANISLAUS CO. CLERK-RECORDER

Jocelyn Rodriguez

From (Public Agency):
San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Eric McLaughlin
(559) 230-6000

(For County Use Only)

Project Title: San Joaquin Valley Unified Air Pollution Control District (District): District Rule 4460 (Petroleum Refinery Fenceline Air Monitoring) and District Rule 3200 (Petroleum Refinery Community Air Monitoring Fees).

Project Location (Specific): Not Applicable

Project Location (City): All cities within the San Joaquin Valley Air Basin (SJVAB)

Project Location (County): All counties in the San Joaquin Valley Air Basin (SJVAB): Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare.

Description of Nature, Purpose and Beneficiaries of Project: The District is proposing two (2) new rules. District Rule 4460 (Petroleum Refinery Fenceline Air Monitoring) requires real-time fence-line air monitoring systems. The systems will provide air quality information to the public regarding levels of various air pollutants, which could include criteria air pollutants, volatile organic compounds, metals, and other compounds, at or near property boundaries of petroleum refineries. Additionally, the District is proposing District Rule 3200 (Petroleum Refinery Community Air Monitoring Fees) which is to recover the District's costs of developing and maintaining a refinery-related community air monitoring system (Project).

Name of Public Agency Approving Project: San Joaquin Valley Air Pollution Control District

Name of Person or Agency Carrying Out Project: San Joaquin Valley Air Pollution Control District

Applicant Name, Address, & Phone Number: San Joaquin Valley Air Pollution Control District, 1990 E Gettysburg Avenue, Fresno, CA 93726, (559) 230-6000

Exempt Status: (Check one)

- Ministerial: §21080(b)(1); 15268
- Declared Emergency: §21080(b)(3); 15269(a)
- Emergency Project: §21080(b)(4); 15269(b)(c)
- Categorical Exemption: Section 15308
- Statutory Exemptions:
- Common Sense Exemption: Section 15061(b)(3)

Reasons Why Project is Exempt: District Rule 4460 requires real-time fence-line air monitoring systems. The systems will provide air quality information to the public regarding levels of various air pollutants, which could include criteria air pollutants, volatile organic compounds, metals, and other compounds, at or near property boundaries of petroleum refineries. Additionally, District Rule 3200 (Petroleum Refinery Community Air Monitoring Fees) is to recover the District's costs of developing and maintaining a refinery-related community air monitoring system. As such, District staff concludes that there is substantial evidence in the whole record before the District that the proposed project would not cause any adverse impacts on the environment. The District finds that the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guideline §15308 (Actions by Regulatory Agencies for Protection of the Environment), and finds that the project is exempt per the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CCR §15061(b)(3)).

Lead Agency Contact Person: Eric McLaughlin **Area Code/Telephone/Extension:** (559) 230-6000

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature *Arnaud Marjollet* Date DEC 19 2019 Title: Director of Permit Services
Arnaud Marjollet

Signed by Lead Agency Signed by Applicant **Date Received for filing at OPR:** _____

Date removed from posting 2/04/2020