



South Coast Air Quality Management District

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Draft Notice of Exemption (NOE) for the David H. Fell and Company Class 2 Permit Modification Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned Notice of Exemption (NOE). The following comments are meant as guidance for the Lead Agency and should be incorporated into the final environmental document.

The SCAQMD staff is concerned that the aforementioned NOE does not adequately demonstrate the project is exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines. Specifically, it does not appear that the proposed project is explicitly categorized under Section 15301 of the CEQA Guidelines nor did the Lead Agency quantify the project's air quality impacts (i.e. criteria pollutants and/or toxic air contaminants) to confirm that the operational activities from the project are negligible.

Further, in a comment letter submitted to the Lead Agency on September 20, 2013 regarding the Draft NOE the SCAQMD staff expressed concern that the equipment identified for the proposed project may require a SCAQMD permit and appropriate emissions calculations. However, in the recent Draft NOE the Lead Agency did not analyze the potential significant air quality impacts from the project nor discuss how the equipment required for the project complies with SCAQMD rules and regulations (e.g. Rule 219). As a result, the SCAQMD staff recommends that the Lead Agency include a quantitative regional and localized air quality analysis in the final CEQA document that evaluates any potential emissions impacts from the proposed project and compares them to the SCAQMD's adopted CEQA Significance Thresholds.¹ In the event that the revised air quality analysis demonstrates that the project will result in significant air quality impacts the SCAQMD staff recommends that the Lead Agency include air quality mitigation measures in the final CEQA document pursuant to Section 15126.4 of the CEQA Guidelines. Also, the Lead Agency should discuss how the project and associated equipment will comply with SCAQMD rules and regulations.

¹ <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>

The SCAQMD staff is available to work with the Lead Agency to address these concerns and any other air quality questions that may arise. Please contact Dan Garcia, Air Quality Specialist at (909) 396-3304 if you have any questions regarding these comments.

Sincerely,

A handwritten signature in cursive script that reads "Ed Eckerle".

Ed Eckerle
Program Supervisor
Planning, Rule Development & Area Sources

EE:DG

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