



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
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July 9, 2010

Office of the Secretary for Resources  
Attn: General Counsel's Office  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

To Whom It May Concern:

Enclosed please find two copies of the Notice of Decision (NOD) for the Final Supplemental Environmental Assessment (EA) prepared for proposed amended Rule (PAR) 1143 – Consumer Paint Thinners and Multi-Purpose Solvents. The Final Supplemental EA for PAR 1143 was prepared pursuant to CEQA and the South Coast Air Quality Management District's (SCAQMD) certified regulatory program. The CEQA document was certified by SCAQMD's Governing Board at its July 9, 2010, Public Hearing. Please record and post the Notice of Decision according to the provisions of CEQA.

SCAQMD Rule 110 requires that written responses to public comments on a SCAQMD CEQA document be filed with the Secretary of Resources along with the Notice of Decision. Three comment letters were received on the Draft Supplemental EA for PAR 1143 by the close of the comment period (e.g., June 4, 2010). The comment letters and responses to the public comments can be found in Appendix D of the enclosed Final Supplemental EA for PAR 1143. In addition, two late comment letters were received from the public relative to both the proposed amended rule and the Draft Supplemental EA on June 23, 2010 and June 29, 2010, respectively. These late comment letters and the responses to comments are included in Appendix G of the enclosed Final Supplemental EA for PAR 1143.

Also enclosed is the original signed CEQA Filing Fee No Effect Determination Form from the Department of Fish and Game pursuant to §711.4 of the California Fish and Game Code.

Please confirm receipt of one copy of the NOD and return it to the undersigned. Two return envelopes have been provided for your convenience (one for the confirmed copies upon receipt, and one for the original NOD to be returned after the posting period). If you have any questions, please call me at (909) 396-3054 or Barbara Radlein at (909) 396-2716.

Sincerely,

Steve Smith, Ph.D.  
CEQA Program Supervisor  
Planning, Rule Development and Area Sources

Enclosures

## NOTICE OF DECISION

**To:** Office of the Secretary for Resources  
Attn: General Counsel's Office  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

**From:** SCAQMD  
Office of Planning and Rules  
21865 Copley Drive  
Diamond Bar, CA 91765

**Subject:** FILING OF NOTICE OF DECISION IN COMPLIANCE WITH §21080.5 OF THE PUBLIC RESOURCES CODE

**Project Title:** Final Supplemental Environmental Assessment (EA) prepared for proposed amended Rule (PAR) 1143 – Consumer Paint Thinners and Multi-Purpose Solvents

**SCAQMD Number:** 11112008BAR

**Date Certified:** July 9, 2010

**SCH Number:** 2008111052

**Contact Person:** Barbara A. Radlein

**Telephone Number:** (909) 396-2716

**Project Location:** South Coast Air Quality Management District area of jurisdiction: South Coast Air Basin (all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin

**Project Description:** SCAQMD staff PAR 1143 to: 1) re-establish the final VOC content limit for consumer paint thinners and multi-purpose solvents at 25 grams per liter (g/L), which is achievable using currently available low- and zero- VOC technologies from manufacturers; 2) add consumer warning requirements for all flammable and extremely flammable products; 3) add requirements to conduct a public education and outreach program in joint cooperation with local fire departments regarding flammable and extremely flammable products; and 4) clarify the intent of the exemption for thinners for industrial maintenance (IM) coatings, zinc-rich IM primers, and high-temperature IM coatings as well as clean-up solvents for polyaspartic and polyurea coatings. Other minor changes are proposed for clarity and consistency throughout the rule. Of these proposed changes, only the re-establishment of the 25 g/L VOC limit would result in physical changes that would require an additional CEQA analysis relative to fire hazards. To comply with a court order to make the previously prepared CEQA document for Rule 1143 adequate with respect to the fire hazard issue in accordance with CEQA Guidelines §15163(b), SCAQMD has prepared a Final Supplemental EA to specifically analyze the effects of the proposed amendments with respect to fire hazards from replacing formulations that contain combustible solvents like mineral spirits with formulations that may contain flammable and extremely flammable solvents, such as acetone. Because the remainder of the Final EA that was prepared at the time of adoption of Rule 1143 (March 2009) was either not challenged or was upheld by the court, no other environmental topics were considered in the Final Supplemental EA. The environmental analysis in the Final Supplemental EA concluded that PAR 1143 would not generate any significant adverse fire hazard impacts.

This is to advise that the South Coast Air Quality Management District has approved the above described project and has made the following determinations regarding the above described project:

1. The project will not have a significant impact on the environment.
2. Mitigation measures were not made a condition of the approval of this project.
3. A mitigation monitoring program under PRC §21081.6 was not adopted for this project
4. A Statement of Findings was not adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.

The Final Supplemental EA, supporting documentation, and record of project approval may be examined at: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

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Date Received for Filing

Signature: \_\_\_\_\_

Steve Smith, Ph.D.  
Program Supervisor, CEQA Section  
Planning, Rules, and Area Sources