

CEQA

NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT REPORT

Notice is hereby given pursuant to California Public Resources Code §21091, 21092, 21092.2, and 21092.3 and CEQA Guidelines Section 15085 and 15087 that the BAAQMD, as lead agency, has prepared a Draft Environmental Impact Report (EIR) in connection with the project described in this notice.

Project Title: BAAQMD Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants.

Project Location: The rule applies within the BAAQMD, which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

Project Description: The District is proposing to codify the policies and procedures that make up the existing Air Toxics New Source Review (NSR) Program by adopting a new District rule, Regulation 2: Permits, Rule 5: New Source Review of Toxic Air Contaminants, and a new part to its Manual of Procedures. Amendments to several other District rules are also proposed in order to maintain consistency with Regulation 2, Rule 5. The goal of the District Air Toxics NSR Program is to prevent significant increases in health risks resulting from new and modified sources of toxic air contaminants (TACs) based on preconstruction permit review. The program is also intended to reduce existing health risks by requiring updated control requirements when older, more highly polluting sources are modified or replaced. District staff completes a site-specific health risk screening analysis (HRSA) as part of the permit evaluation process for any proposed project with TAC emissions that exceed specified de minimis toxic trigger levels. Depending on the results of an HRSA, new and modified sources may be required to control emissions of TACs using the Best Available Control Technology for Toxics, or TBACT. The residual emissions remaining after the use of TBACT are also evaluated to make sure that the health risks for any exposed individual in the surrounding community will not be significantly increased by the proposed project. The existing program also allows the District's Air Pollution Control Officer discretion to consider the degree of uncertainty in the HRSA, along with a number of other factors, in making a risk management decision to issue or deny a permit.

The most significant changes in the Air Toxics NSR Program included in the proposed rule are: (1) adding the consideration of acute health risks in HRSAs, (2) requiring TBACT for chronic non-cancer health risks, (3) using updated toxicity values and exposure assessment procedures, (4) eliminating discretionary risk authority for the APCO, and (5) removing "special" project risk limits for dry cleaners. The Draft EIR concludes that significant adverse air quality impacts may occur due to the conversion of dry cleaners from using perchloroethylene to other less toxic alternatives. The increase in air emissions associated with alternative dry cleaning solvents is compensated by the health benefits associated with decreased exposure to perchloroethylene.

DRAFT EIR AND ALL SUPPORTING DOCUMENTATION ARE AVAILABLE AT:

BAAQMD Headquarters
939 Ellis Street
San Francisco, CA 94109

Or by Calling:
(415) 749-4676

Or by Accessing:

http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.asp

PUBLIC REVIEW AND COMMENT PERIOD: Comments focusing on the environmental analysis should be addressed to Mr. Scott Lutz, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109. Comments also can be sent by fax to (415) 749-4949 or by e-mail to slutz@baaqmd.gov. Comments will be received during the period from April 21, 2005 until 5:00 p.m on **Monday, May 23, 2005.**

DATE: April 18, 2005