

# Notice of Determination

Form C

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, CA 94109

County Clerk  
County of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Subject:

**Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

Alternative Compliance Plan to Use Interchangeable Emission Reduction Credits to comply with the NOx emission limits of BAAQMD Rule 9-10

### Project Title

_____	<u>BAAQMD; Barry Young</u>	<u>415-749-4721</u>
<b>State Clearinghouse Number (If submitted to Clearinghouse)</b>	<b>Lead Agency Contact Person</b>	<b>Area Code/Telephone/Extension</b>

Benicia, California (Solano County)

### Project Location (include county)

**Project Description:** Valero Refining Company-California (Valero) proposes to use an Alternative Compliance Plan (ACP) at its refinery located in Benicia, California, to comply with a limit on emissions of nitrogen oxides (NOx) in BAAQMD Regulation 9, Rule 10. Under Valero's proposed ACP, Valero will comply with Rule 9-10 by using IERCs created pursuant to BAAQMD Rule 2-9 by over-controlling NOx emissions from two carbon monoxide boilers at the refinery. The District has reviewed this proposal under Permit Application No. 3915.

This is to advise that the Bay Area Air Quality Management District has approved the above-described project on  Lead Agency  Responsible Agency  
2/14/03 and has made the following determinations regarding the above described project:  
(Date)

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [was was not] adopted for this project.
5. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:  
BAAQMD Headquarters, 939 Ellis Street, San Francisco, CA 94109

\_\_\_\_\_  
*Signature*(Public Agency)

2/19/03  
*Date*

Principal Air Quality Engineer  
*Title*

Date received for filing at OPR:

*Revised May 1999*

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