



PUBLIC HEARING NOTICE

October 26, 2016

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC HEARING: PROPOSED AMENDMENTS TO
REGULATION 2, RULE 5: NEW SOURCE REVIEW
OF TOXIC AIR CONTAMINANTS**

On **Wednesday, December 7, 2016**, the Board of Directors of the Bay Area Air Quality Management District (Air District) will conduct a public hearing to consider adoption of amendments to an Air District rule: Regulation 2, Permits, Rule 5: New Source Review of Toxic Air Contaminants, and the adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA). The hearing will be held in the Board Hearing Room at Air District Headquarters, 375 Beale Street, San Francisco, California. Air District Board meetings commence at 9:45 a.m.

Regulation 2, Rule 5 implements the Air District's new source review (NSR) program for stationary sources of toxic air contaminant (TAC) emissions. The rule prevents significant increases in health risks resulting from new and modified sources of toxic air contaminants based on preconstruction permit review. The rule requires health risk assessments (HRAs) for new and modified sources if the toxic air contaminant emissions from a proposed project will exceed the Air District's acute or chronic trigger levels in Table 2-5-1. This rule mitigates potential increases in public health risks by requiring best available control technology for toxics (TBACT) and by limiting project health risks. The rule also prescribes procedures for calculating TAC emissions and for evaluating health impacts that may result from proposed projects. The NSR program also reduces existing health risks by requiring updated control requirements when older, more highly polluting sources are modified or replaced.

The proposed rule revisions would: (1) implement OEHHA's February 2015 Guidance Manual for Preparation of Health Risk Assessments and CARB/CAPCOA's July 2015 Risk Management Guidance for Stationary Sources of Air Toxics; (2) incorporate new and revised toxic air contaminant emission rate trigger levels for health risk assessment requirements; (3) revise TAC emission calculation procedures for older modified sources and add net project health risk limits for projects including these older modified sources; (4) extend the related application period from two years to three years; (5) add exemptions from health risk assessment for sources with no increases in toxicity weighted emissions and for engines smaller than 50 brake-horsepower; and (6) update regulatory language for consistency with State guidelines. Overall, these proposed rule revisions will increase the stringency of the Air District's Toxic NSR Program.

Pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et seq.), an initial study for the proposed amendments has been conducted, concluding that the proposed amendments would not have significant adverse environmental impacts. Notice is hereby given that the District intends to adopt a negative declaration for the amendments pursuant to Public Resources Code section 21080(c) and CEQA Guidelines (section 15070 et seq.).

Proposed amendments to Regulation 2, Rule 5; updated Air District Health Risk Assessment Guidelines; a staff report; socioeconomic analysis; CEQA environmental analysis and draft Negative Declaration are available on the Air District's website at: <http://www.baaqmd.gov/rules-and-compliance/rule-development/public-hearings>, or at the Air District office at 375 Beale Street, San Francisco, or by calling Carol Allen at (415) 749-4702.

The public may submit comments relating to the proposed amendments or environmental analysis to Carol Allen, Supervising Air Quality Engineer, Bay Area Air Quality Management District, by mail to the Air District at its Headquarters, at 375 Beale Street, Suite 600, San Francisco, CA 94105, by fax to (415) 749-5030, or by e-mail to callen@baaqmd.gov. The Air District will accept written comments on the regulatory proposal and Negative Declaration from Friday, October 28 until 5:00 pm on **Monday, November 28, 2016**.

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Attendees are encouraged to ride public transit, rideshare, bicycle or walk to and from the workshop.