



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## California Environmental Quality Act

### NOTICE OF DETERMINATION

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**TO:** Interested Parties

**FROM:** Bay Area Air Quality  
Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
Contact: Mark Tang, 415-749-4778

**SUBJECT:** FILING OF NOTICE OF DETERMINATION PURSUANT TO SECTION  
21152 OF THE PUBLIC RESOURCES CODE AND CEQA  
GUIDELINES SECTION 15075

**Project Title:** Amendments to Air District Regulation 2, Rule 1 (Permits – General Requirements) and Regulation 2, Rule 5 (Permits – New Source Review of Toxic Air Contaminants).

**Lead Agency and Agency Approving Project:** Bay Area Air Quality Management District (Air District).

**Project Location:** The amended Regulation 2, Rule 1 and Regulation 2, Rule 5 apply within the Air District's jurisdiction, 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 Air District has regulatory authority over stationary sources of air pollution in the San Francisco Bay Area. Regulation 2, Rule 1 and Regulation 2, Rule 5 address how the Air District issues permits for regulated sources of air pollution. The Air District has adopted amendments to these permitting rules to increase public health protection and transparency in communities overburdened by pollution and health vulnerabilities by (i) reducing the allowable increase in carcinogenic risk associated with any new or modified source of toxic air contaminants in specified overburdened communities to six additional cancers per one million exposed population, and (ii) requiring public notification of permit applications for certain projects proposed for overburdened communities. The amendments also update the Air District's health risk evaluation procedures to incorporate the most accurate and up-to-date information, and update and clarify the District's internal permit application processing procedures. The amendments are described in detail in the Staff Report prepared for this project, which is available for public review as indicated below.

**Agency Determination and Adoption of Negative Declaration:** On December 15, 2021, the Air District's Board of Directors approved the rule amendment project described above and determined that the project will not have a significant effect on the environment. A Negative Declaration was prepared and adopted for this project pursuant to the provisions of CEQA. Mitigation measures were not made a condition of the approval of this project, and no mitigation monitoring plan or program has been adopted.

**Location of Negative Declaration and Supporting Documentation:** Copies of the Negative Declaration, amended rules, Staff Report, and certain other relevant documents are available on the Air District's website at [www.baaqmd.gov/ruledev](http://www.baaqmd.gov/ruledev). Physical copies of the Negative Declaration and all supporting documentation for this project are available for public review at Air District headquarters at 375 Beale Street, Suite 600, San Francisco, CA 94105.