



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

Notice of Determination

To: Office of Planning & Research

Office of Planning and Research

County:

Address: 1400 Tenth Street
Sacramento, CA 95814

P.O. Box 3044
Sacramento, CA 95812-3044

Phone: (916) 322-2318

(916) 445-0613

From: **San Joaquin Valley Unified
Air Pollution Control District**

Lead Agency (if different from sender)

Address: 1990 E. Gettysburg Ave.
Fresno, CA 93726-0244

Contact: Mark Montelongo

Phone: (559) 230-6000

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

State Clearinghouse Number: (if submitted to State Clearinghouse):

Project Title: Amendments to Rule 4308 (Boilers, Water Heaters and Steam Generators 0.075-less than 2.0MMBtu/hr)

Project Location: This rule applies to any person/business who supplies, sells offers for sale, installs or solicits the installation of a boiler, process heater, steam generator, or water heater greater than or equal to 0.075 MMBtu/hr but small then 2.0 MMBtu/hr within the boundaries of the San Joaquin Valley Air Pollution Control District.

Project Description: Proposed amendments to Rule 4308 would control emissions of oxides of nitrogen (NOx) and carbon monoxide (CO) from boilers, steam generators, and process heaters with a rated heat input of 0.075 MMBtu/hr up to 2.0 MMBtu/hr. Rule 4308 is one of several control measures identified by the District's 2007 Ozone Plan and PM2.5 Plan. In relation, amendments to Rule 4308 are intended to satisfy federal Clean Air Act (FCAA) requirement for nonattainment areas such as the District to implement Best Available Control Technology (BACM) and Reasonably Available Control Measure (RACM). In addition to FCAA, state Clean Air Act requires nonattainment areas to implement Best Available Retrofit Control Technology (BARCT) and All Feasible Control Measures.

This is to advise that the San Joaquin Valley Unified Air Pollution Control District, acting as a Lead Agency approved the above described project and has made the following determinations regarding the above described project:

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 mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the District's Findings, Final EIR, or Negative Declaration, and record of project approval, is available to the General Public at: San Joaquin Valley APCD, 1990 E. Gettysburg Street, Fresno, CA

Signature (Public Agency):

David Warner

Title:

Director of Permit Services

DEC 21 2009

Date: _____