

# NOTICE OF PUBLIC HEARING

PROPOSED ADOPTION OF, OR AMENDMENT TO, THE RULES AND REGULATIONS  
OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

**RE: Proposed Amended Rule 1405 – Control of Ethylene Oxide Emissions from  
Sterilization and Related Operations**

**\*\*\*THIS NOTICE SUPERSEDES THE  
NOTICE OF PUBLIC HEARING FOR  
THIS RULEMAKING ORGINALLY  
SCHEDULED FOR AN OCTOBER 6, 2023  
BOARD MEETING\*\*\***

**NOTICE IS HEREBY GIVEN** that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (South Coast AQMD), or the amendments thereto, will be held **at 9:00 a.m. on Friday, December 1, 2023 in Dr. William A. Burke Auditorium at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765**, at which time evidence will be taken and all interested persons will be heard by the South Coast AQMD Governing Board. The meeting will be conducted through a hybrid format of in-person and/or virtual attendance via videoconferencing and telephone with opportunities for public comment. Please refer to the South Coast AQMD's website for information regarding the format of the Public Hearing, updates if the meeting is changed to a full remote via webcast format, and details on how to participate: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD is considering the adoption of Proposed Amended Rule 1405 – Control of Ethylene Oxide Emissions from Sterilization and Related Operations (PAR 1405). The objectives of PAR 1405 are to reduce ethylene oxide emissions from sterilization and related operations and to assess potential ethylene oxide emissions from warehouses receiving products sterilized by ethylene oxide. PAR 1405 includes new and enhanced control and monitoring requirements to further reduce both stack and fugitive ethylene oxide emissions from sterilization operations, as well as other provisions such as reporting, recordkeeping, source testing, interim fence line monitoring, and curtailment of operations upon exceedance of certain thresholds. PAR 1405 also includes requirements such as inventory tracking and fence line air monitoring for certain large warehouses receiving products sterilized with ethylene oxide.

**NOTICE IS FURTHER GIVEN** that PAR 1405 will not be submitted for inclusion into the State Implementation Plan.

**NOTICE IS FURTHER GIVEN** that PAR 1405 will implement a regulation that is not less stringent than any requirements applicable to sterilization and related operations implementing Section 112 of the Clean Air Act.

**NOTICE IS FURTHER GIVEN** that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing state and federal air pollution control requirements, all South Coast AQMD existing and proposed rules and regulations, and all pollution control requirements that apply to the same equipment or source type as PAR 1405.

**NOTICE IS FURTHER GIVEN** that pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3). A Notice of Exemption will be prepared

pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed for posting with the State Clearinghouse of the Governor's Office of Planning and Research, and with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD staff will prepare the following documents on or before November 1, 2023, for consideration by the South Coast AQMD Governing Board, including:

- Draft PAR 1405
- Draft Staff Report for PAR 1405
- Draft Socioeconomic Impact Assessment for PAR 1405

**NOTICE IS FURTHER GIVEN** that the above documents and currently available preliminary documents may be obtained from the South Coast AQMD website at <http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-1405>, or by calling the Public Information Center at (909) 396-2001, or from: Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [PublicAdvisor@aqmd.gov](mailto:PublicAdvisor@aqmd.gov).

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, consistent with Health and Safety Code Section 40726, the South Coast AQMD Governing Board may make other modifications to PAR 1405, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendments.

Please direct questions, comments, or requests for clarification regarding PAR 1405 to Areio Soltani, [asoltani@aqmd.gov](mailto:asoltani@aqmd.gov), (909) 396-3318. Please direct CEQA inquiries to Farzaneh Khalaj, Ph.D., [fkhalaj@aqmd.gov](mailto:fkhalaj@aqmd.gov), (909) 396-3022, and Socioeconomic Impact Assessment inquiries to Xian-Liang (Tony) Tian, Ph.D., [ttian@aqmd.gov](mailto:ttian@aqmd.gov), (909) 396-2323. Comments and inquiries can also be submitted to the attention of the above person(s) to Planning, Rule Development, and Implementation, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Interested persons may provide oral or written statements at the Public Hearing. Ten (10) copies of all hard copy written materials must be submitted to the Clerk of the Boards. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Boards, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov), on or before 5:00 p.m. on Tuesday, November 28, 2023.

#### **Americans with Disabilities Act and Language Accessibility**

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact the Clerk of the Boards Office, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, at (909) 396-2500 (for TTY, 909-396-3560) from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [cob@aqmd.gov](mailto:cob@aqmd.gov).

DATED: September 6, 2023

FAYE THOMAS  
Clerk of the Boards