

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 1401.1 – Requirements for New and Relocated Facilities Near Schools

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 on Friday, **March 3, 2023**, in the Dr. William A. Burke Auditorium at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., 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 by telephone with opportunities for public comment. Given the health and safety concerns regarding the coronavirus (COVID-19), auditorium seating availability may be limited, and meeting format may be changed to full remote via webcast. 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 1401.1 – Requirements for New and Relocated Facilities Near Schools (PAR 1401.1). The objective of PAR 1401.1 is to extend health protection established by Rule 1401.1 to pre-kindergarten children by expanding the scope of the definition of school to include early learning and development programs. PAR 1401.1 also removes the exclusion of unimproved school property from the school definition, to ensure consistency with other air toxics rules.

NOTICE IS FURTHER GIVEN that PAR 1401.1 will not be submitted for inclusion into the State Implementation Plan.

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 air pollution control requirements that apply to the same equipment or source type as PAR 1401.1.

NOTICE IS FURTHER GIVEN that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 1401.1) is exempt from CEQA pursuant to CEQA Guidelines Section 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 has prepared documents, for consideration by the South Coast AQMD Governing Board, including:

- Draft PAR 1401.1
- Draft Staff Report for PAR 1401.1

- Socioeconomic Impact Assessment for PAR 1401.1, included in the Draft Staff Report

NOTICE IS FURTHER GIVEN that the above 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-1401-1>, or by calling the Public Information Center at (909) 396-2001, or from: Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, 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 1401.1, which are justified by the evidence presented, or may decline to adopt some or all of the proposed provisions.

Please direct questions, comments, or requests for clarification regarding PAR 1401.1 to Danielle Collado, dcollado@aqmd.gov, (909) 396-2776. Please direct CEQA inquiries to Sina Taghvaei, Ph.D., staghvaei@aqmd.gov, (909) 396-2192, and Socioeconomic Impact Assessment inquiries to Brian Vlasich, bvlasich@aqmd.gov, (909) 396-2167. 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, on or before 5:00 p.m. on Tuesday, February 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.

DATED: January 19, 2023

FAYE THOMAS
Clerk of the Boards