

# 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 Regulation III – Fees and Proposed Amended Rule 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants**

**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, May 6, 2022 in the Dr. William A. Burke Auditorium at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., or later, at which time evidence will be taken and all interested persons will be heard by the South Coast AQMD 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 Regulation III and Proposed Amended Rule 1480. Amendments to Proposed Amended Regulation III include: 1) an increase of most fees by 6.5 percent consistent with the Consumer Price Index and Rule 320; 2) new or increased fees which are necessary to provide more specific cost recovery for other regulatory actions taken by the agency; and 3) administrative changes in Regulation III and Rule 1480 that include clarification, deletions, insertions, or corrections of existing rule language, which have no fee impact.

**NOTICE IS FURTHER GIVEN** that the proposed amendments to Regulation III and Rule 1480 will not be submitted for inclusion into the State Implementation Plan.

**NOTICE IS FURTHER GIVEN** that the proposed amendments to Regulation III and Rule 1480 do not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore, a comparative analysis pursuant to Health and Safety Code Section 40727.2 is not required.

**NOTICE IS FURTHER GIVEN** that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed amendments to Regulation III which involve charges by public agencies for the purpose of meeting operating expenses and financial reserve needs and requirements are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273. In addition, the proposed amendments to Regulation III and 1480 which have no fee impact and are strictly administrative in nature are 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 South Coast AQMD staff has prepared documents, for consideration by the South Coast AQMD Board, including:

- Proposed Amended Regulation III - Fees and Proposed Amended Rule 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants
- Draft Staff Report for Proposed Amended Regulation III and Proposed Amended Rule 1480
- Socioeconomic Impact Assessment for Rule 320 – Automatic Adjustment Based on Consumer Price Index for Regulation III
- Socioeconomic Impact Assessment for Proposed Amended Regulation III - Fees and Proposed Amended Rule 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants, included in the Draft Staff Report

**NOTICE IS FURTHER GIVEN** that the above documents may be obtained from the South Coast AQMD's Public Information Center located on the South Coast AQMD website at <http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/regulation-iii>, or by contacting the Public Information Center at (909) 396-2001 or from: Derrick Alatorre – 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, the South Coast AQMD Board may make other modifications to Proposed Amended Regulation III and Proposed Amended Rule 1480, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendments.

Questions, comments or requests for clarification regarding Proposed Amended Regulation III and Proposed Amended Rule 1480 can be directed to Ryan Finseth, [rfinseth@aqmd.gov](mailto:rfinseth@aqmd.gov), (909) 396-3575. CEQA inquiries can be directed to Kevin Ni, [kni@aqmd.gov](mailto:kni@aqmd.gov), (909) 396-2462. Inquiries regarding the Socioeconomic Impact Assessment can be directed to Brian Vlasich, [bvlasich@aqmd.gov](mailto: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 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, 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. Tuesday, May 3, 2022.

#### **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. Requests can be sent to the Clerk of the Boards, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, at (909) 396-2500 (for TTY, 909-396-3560) or send the request to [cob@aqmd.gov](mailto:cob@aqmd.gov).

DATED: March 24, 2022

FAYE THOMAS  
Clerk of the Boards