

SCAQMD Permit Streamlining

Task Force Meeting

Thursday, December 14, 2006

2:00 p.m.

Conference Room CC-2

Guidelines for

Implementing Rule 212 Public

Noticing Requirements for

Permits

AQMD General Permitting

- AQMD processes > 10,000 Applications for Permits to Construct, Permits to Operate, Plans, and ERCs' each year
- AQMD rules require a public notice prior to issuing permits under certain circumstances
- Two types of public notices required for permits
 - Title V (for Title V facilities only)
 - Rule 212 (for all facilities)

Title V Public Notices

- Title V Facility: major source of criteria air contaminants or hazardous air pollutants (approximately 750 facilities)
- Title V Public Notice Applicability Criteria
 - All initial Title V permits
 - All Title V permit renewals (every 5 years)
 - All significant Title V permit modifications

Rule 212 Public Notice Applicability

Criteria

- Public notices apply to all facilities which meet one of the following criteria:
 - Any emission increase if school located within 1,000 feet (also state law)
 - Emission increase in any criteria air contaminant exceeding specific thresholds (i.e. 30 lbs/day of VOCs)
 - Increase in risk from toxic air contaminants exceeding specific thresholds (i.e. one-in-a-million cancer risk)

Types of Permit Applications Where Rule 212 Public Notice Maybe

Required

- Permit to construct (P/C) for new or relocated facility or new equipment
- Permit to operate when no P/C was obtained
- Modifications / change of condition for existing equipment
- Permits for equipment normally exempt under Rule 219 but required due to state/federal applicable rules, toxics, or non-compliance
- Permits which have expired due to non-payment of annual permit renewal fees when located near a school

Permit Applications Not Subject to Public Notice

- Rule 212 public notices are not required for permits for:
 - Change of ownership
 - Administrative changes
 - Emission and toxic risk increases below the thresholds and re-issuance of expired permits if not located near a school
- Title V public notices are not required for:
 - Minor permit revisions
 - Administrative permit revisions

Rule 212 Requirements for Distribution of Public Notices

- Projects near a school
 - Addresses within 1000 feet of property line
 - Parents of all children attending nearby schools
- Criteria emissions greater than thresholds
 - Addresses within $\frac{1}{4}$ mile radius of the project
 - Newspaper of general circulation in the area
 - Local, state and federal agencies
- Toxic risks greater than specified limits
 - Addresses within $\frac{1}{4}$ mile radius of the project

Standardized Public Notice

Contents

- Facility and project description (name, type, location)
- Project impacts
 - Emissions of criteria pollutants
 - Toxic risks (cancer and non-cancer)
- Draft permit availability (AQMD headquarters & web site, public library, etc.)
- Contact person & comment due date
- Information on zoning decisions and AQMD complaint line (800-cut-smog)

Rule 212 Public Notice Costs

- AQMD charge \$646
 - Notice preparation
 - Responses to comments
 - Community meeting
- Newspaper publication fees \$840 – \$1620
- Cost to obtain mailing list \$200 – \$500
- Copying costs (1k – 5k copies) \$50 - \$250
- Mailing costs (1k – 5k notices) \$390 - \$1950
- Distribution service company charge \$500 - \$1000
- Total estimated costs \$1,800 - \$6,000

Conclusions

- Public noticing is an important element of AQMD Rules & Regulations, state law, community right to know and AQMD's environmental justice initiatives
- AQMD rules and state law require public notice for specific projects
- Rule 212 guidelines ensure consistent implementation of public notice requirements of this rule
- Guidelines will be issued to staff shortly and will be made available to public on AQMD website