

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: Governor's Office of Land Use and Climate
Innovation – State Clearinghouse
1400 Tenth St, Suite 222
Sacramento, CA 95814-5502

From: South Coast Air Quality Management
District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 1138 – Control of Emissions from Restaurant Operations

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Rule 1138 contains requirements to reduce emissions of particulate matter (PM), which includes PM with particle size of 2.5 micrometers or less (PM_{2.5}), and volatile organic compounds (VOC) from chain-driven charbroilers used in commercial cooking operations. Proposed Amended Rule 1138 (PAR 1138) partially implements Control Measure BCM-12: Further Emission Reductions from Commercial Cooking, of the South Coast Air Basin Attainment Plan for the 2012 Annual PM_{2.5} Standard, by establishing more stringent thresholds regarding the amount of meat cooked that would qualify an owner or operator of a chain-driven charbroiler for an exemption from certain requirements in the rule by: 1) changing the existing threshold of less than 875 pounds per week to less than 400 pounds per week; and 2) adding a new alternative threshold of less than 10,800 pounds in any continuous 12-month period while maintaining a weekly rate of less than 875 pounds. PAR 1138 also removes outdated provisions. Implementation of PAR 1138 is expected to reduce PM emissions from existing chain-driven charbroilers that would no longer qualify for the exemption by approximately 0.05 ton per day (tpd); a co-benefit of 0.02 tpd of VOC emission reductions is also expected. By contributing to the region's attainment of state and federal PM_{2.5} emission standards, implementation of PAR 1138 will benefit the public and nearby communities through improved air quality and reduced exposure to harmful air pollutants from chain-driven charbroilers.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since PAR 1138 is expected to affect a limited number of facilities which have existing chain-driven charbroilers that are already equipped or can be retrofitted with commercially available air pollution control devices via the use of hand tools, it can be seen with certainty that implementation of the proposed project will not cause a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because PAR 1138 is intended to further protect or enhance the environment by improving public health and air quality through reduced exposure to harmful air pollutants from chain-driven charbroilers. Further, there is no substantial evidence indicating that any of the exceptions to the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project.

Date of Project Approval: South Coast AQMD Governing Board Public Hearing: September 5, 2025

NOTICE OF EXEMPTION FROM CEQA (concluded)

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Date Received for Filing: _____

Signature:



September 5, 2025

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