



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

California Environmental Quality Act

NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

LEAD AGENCY: Bay Area Air Quality Management District

Contact: Virginia Lau

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SUBJECT: NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION PURSUANT TO SECTION 21092 AND 21092.3 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15072

Project Title: Regulation 6, Rule 2: Commercial Cooking Equipment.

Project Location: The rules and proposed amendments apply within the Bay Area Air Quality Management District ("District"), which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

Project Description: The District has regulatory authority over stationary sources of air pollution in the San Francisco Bay Area. Regulation 6, Rule 2 is a proposed rule that would regulate PM₁₀ (particulate matter of 10 microns in diameter or less) and organic compound emissions from some equipment used in commercial restaurant operations. The proposed rule will fulfill the District's commitment to control restaurant emissions under its SB 656 Implementation Schedule and implement further study measure FS-3 from the Bay Area 2005 Ozone Strategy. The proposed rule will:

- Require catalytic oxidizers or alternative controls to be installed on chain-driven (conveyorized) charbroilers in restaurants that purchase at least 500 lbs. of beef per week and cook at least 400 lbs. of beef per week on the charbroiler,
- Require all new installations of under-fired charbroilers with an aggregate grill surface area of ten square feet or more at restaurants that purchase at least 1000 lbs. of beef per week and cook at least 800 lbs. of beef per week on the charbroiler to install control equipment that is certified by the manufacturer to emit no more than 1.0 lbs of PM10 per 1000 lbs of meat cooked,
- Require existing under-fired charbroilers of 10 square feet or more at restaurants that purchase at least 1000 lbs. of beef per week and cook at least 800 lbs. of beef per week on the charbroiler to meet the same emission standard, and
- Require owners of chain-driven and under-fired charbroilers that are subject to the control requirements of the rule to register with the District.

The requirements for chain-driven charbroilers would go into effect on January 1, 2009, the requirements for new under-fired charbroilers on January 1, 2010, and the requirements for existing under-fired charbroilers on January 1, 2013. In addition, District Regulation 3: Fees, Schedule R: Equipment Registration Fees would be amended to reduce proposed fees for affected equipment and Regulation 6: Particulate Matter and Visible Emissions would be renamed and renumbered to Regulation 6: Particulate Matter, Rule 1: General Requirements.

Negative Declaration: A copy of the Negative Declaration is available for review on the District's website at http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm and at the District office at 939 Ellis Street, San Francisco.

Written comments on the Negative Declaration must be addressed to Virginia Lau, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, California, 94109 or to vlau@baaqmd.gov. The review period for the Negative Declaration is from November 5, 2007 until Monday, November 26, 2007. All comments must be received by 5:00 p.m. on Monday, November 26, 2007.

Public Hearing: On Wednesday, December 5, 2007 at 9:45 a.m., the Board of Directors of the Bay Area Air Quality Management District (BAAQMD) will conduct a public hearing to consider adoption of proposed Regulation 6, Rule 2: Commercial Cooking Equipment, proposed amendments to Regulation 3, Schedule R: Equipment Registration Fees and

Regulation 6: Particulate Matter and Visible Emissions and to consider adoption of the Negative Declaration. The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco.