Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812-4025

Project Title: Adoption of Revised Regulations on Waste Tire Storage, Permit and Penalty Criteria
Project Applicant: Department of Resources Recycling and Recovery
Project Location: Statewide Regulations

Description of Nature, Purpose and Beneficiaries of the Project: The proposed regulations make minor revisions and clarifications to the state minimum standards for waste tire (WT) facilities, establish definitions and operational requirements for exempt and excluded WT facilities, and streamline the permitting process for permitted WT facilities in a manner consistent with statute. The proposed regulations are needed to provide consistency with the California Fire Code and to provide clarity and consistency regarding Department's enforcement of the storage and hauling of WT. The proposed regulations will specify waste and used tire manifesting requirements for exempt common carrier or a registered tire hauler delivering waste tires to a port terminal and will authorize these persons to provide a waste tire generator with a copy of the completed Manifest Form and other load-specific documents.

These regulations are for the purpose of improving the protection of public health, safety and the environment. Businesses with WTs will have: more equitable WT business competition within California, reduced regulatory duplication, and reorganized WT facility penalty criteria. Permitted WT businesses will have a simplified permit renewal process. Registered WT haulers with ten or more vehicles will have the option to request more than one temporary registration certificate. Exempt common carriers and registered WT haulers delivering WTs to a port terminal will have manifest system requirements that are easier to follow.

Name of Public Agency Approving Project: Department of Resources Recycling and Recovery
Name of Person or Agency Carrying Out Project: Department of Resources Recycling and Recovery

Exempt Status (check one):
- ☐ Ministerial [Sec. 21080 (b) (1); 15268]
- ☐ Declared Emergency [Sec. 21080 (b) (3); 15269(a)]
- ☐ Emergency Project [Sec. 21080 (b) (4); 15269(b) (c)]
- ☐ Categorical Exemption. Type and section number: 14 CCR §15061(b)(3); 14 CCR § 15308 (Class 8)
- ☐ Statutory Exemptions. Code number: _____

Reasons why project is exempt: The revisions to these regulations are exempt from CEQA pursuant to the general exemption under CEQA Guidelines Section 15061(b)(3) because they are minor administrative, procedural, and clarifying changes that do not trigger or mandate any physical actions by the regulated community or others that may have a significant effect on the environment. For example, the inclusion of requirements for compliance with state minimum standards and the fire code reflect pre-existing legal requirements in statute and are for purposes of clarity and consistency. Moreover, this regulatory action is also exempt under Class 8 as it is being taken by a state regulatory agency for the purpose of ensuring the protection of the environment through clearer regulatory standards.

Lead Agency
Contact Person: Geralda Stryker Area Code/Telephone/Extension: (916) 341-6336

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Geralda Stryker Date: June 10, 2014 Title: Supervising IWMS

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

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JUN 10 2014
STATE CLEARINGHOUSE

Revised 2011