



Amanda Renteria, Principal
Woodville Elementary
16541 Road 168
Porterville, CA 93257

Re: Public Notification Requirement of California Health and Safety Code §42301.6
Project Number: S-1210075
Project Description: Installation of a gasoline dispensing operation

Dear Principal Renteria:

Prior to issuance of the Authority to Construct permit for the above-referenced project, the Air District requires public notification of hazardous air emissions associated with the project as mandated by §42301.6 of the California Health and Safety Code (copy enclosed).

Lower Tule Irrigation District is proposing to install a gasoline dispensing operation at 16595 Road 168 in Woodville, CA. The San Joaquin Valley Air Pollution Control District (Air District) has determined that, as proposed, the installation will comply with all Air District regulations. The Air District's analysis of the proposal has determined that the emissions from operation of this equipment will not pose a significant health risk to the school children or to the surrounding public.

As discussed with Joe Ramirez, the Air District is including notification letters in English and Spanish to be distributed to the students' parents/guardians electronically. We greatly appreciate your cooperation in distributing these notices. In order for the parents or guardians to have 30 days to make comments regarding the proposed project, these notices need to be distributed to the students within five (5) days of the date of this letter. In order to document that the notices have been distributed, please fill out and send back the attached form, or a similar document, to:

San Joaquin Valley Air Pollution Control District
Attn: Joe Aguayo
1990 E. Gettysburg Ave
Fresno, CA 93726-0244

In addition, the Health and Safety Code requires that the Air District receive and address any public comments. Comments may be submitted to the SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT at 1990 E. GETTYSBURG, FRESNO, CA 93726-0244, to the attention of Joe Aguayo, or by telephone at (559) 230-5929.

Samir Sheikh

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Principal Renteria
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Thank you for your cooperation. Should you have any questions, please contact Joe Aguayo of Compliance at (559) 230-5929.

Sincerely,

Jacob Whitson
Director of Compliance


Jason Lawler
Compliance Manager

JL:ja

Enclosures

DISTRIBUTION OF NOTICES PURSUANT TO SECTION 42301.6 OF THE CALIFORNIA HEALTH AND SAFETY CODE

This is to certify that the notices required by Section 42301.6 of the California Health and Safety Code regarding the proposed installation of a gasoline dispensing operation at 16595 Road 168 in Woodville, CA, have been sent to the parents or the guardians of the students at Woodville Elementary School.

Project: S-1210075

Date Notices distributed: ____/____/____

Name: _____

Title: _____

Signature: _____

Date: ____/____/____

CALIFORNIA HEALTH AND SAFETY CODE

CH&SC 42301.6 Permit Approval: Powers & Duties of APCO

42301.6 (a) Prior to approving an application for a permit to construct or modify a source which emits hazardous air emissions, which source is located within 1,000 feet from the outer boundary of a schoolsite, the air pollution control officer shall prepare a public notice in which the proposed project or modification for which the application for a permit is made is fully described. The notice may be prepared whether or not the material is or would be subject to subdivision (a) of Section 25536, if the air pollution control officer determines and the administering agency concurs that hazardous air emissions of the material may result from an air release, as defined by Section 44303. The notice may be combined with any other notice on the project or permit which is required by law.

(b) The air pollution control officer shall, at the permit applicant's expense, distribute or mail the public notice to the parents or guardians of children enrolled in any school that is located within one-quarter mile of the source and to each address within a radius of 1,000 feet of the proposed new or modified source at least 30 days prior to the date final action on the application is to be taken by the officer. The officer shall review and consider all comments received during the 30 days after the notice is distributed, and shall include written responses to the comments in the permit application file prior to taking final action on the application.

(1) Notwithstanding Section 49073 of the Education Code, or any other provision of law, the information necessary to mail notices required by this section shall be made available by the school district to the air pollution control officer.

(2) Nothing in this subdivision precludes, at the discretion of the air pollution control officer and with permission of the school, the distribution of the notices to the children to be given to their parents or guardians.

(c) Notwithstanding subdivision (b), an air pollution control officer may require the applicant to distribute the notice if the district had such a rule in effect prior to January 1, 1989.

(d) The requirements for public notice pursuant to subdivision (b) or a district rule in effect prior to January 1, 1989, are fulfilled if the air pollution control officer or applicant responsible for giving the notice makes a good faith effort to follow the procedures prescribed by law for giving the notice, and, in these circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the officer.

(e) Nothing in this section shall be deemed to limit any existing authority of any District.

(f) An applicant for a permit shall certify whether the proposed source or modification is located within 1,000 feet of a schoolsite. Misrepresentation of this fact may result in the denial of a permit.

(g) The notice requirements of this section shall not apply if the air pollution control officer determines that the application to construct or modify a source will result in a reduction or equivalent amount of air contaminants, as defined in Section 39013, of which are hazardous air emissions.

(h) As used in this section:

(1) "Hazardous air emissions" means emissions into the ambient air of air contaminants which have been identified as a toxic air contaminant by the state board or by the air pollution control officer for the jurisdiction in which the project is located. As determined by the air pollution control officer, hazardous air emissions also mean emissions into the ambient air from any substances identified in subdivisions (a) to (f), inclusive, of Section 44321 of the Health and Safety Code.

(i) "Acutely hazardous material" means any material defined pursuant to subdivision (a) of Section 25532.

(amended by Stats. 1991, Ch 1183, Sec. 14.)