

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, or 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.)



To: The Parents or Guardians of the Students Attending Kindergarten through 12th Grade Schools within ¼ mile of 4407 Giannecchini Lane, Stockton: Venture Academy

**Re: Public Notification Requirement of California Health and Safety Code §42301.6
Project Number: N-1151604
Project Description: Natural Gas Fired Emergency Standby Engine**

Dear Parents or Guardians:

The San Joaquin Valley Air Pollution Control District (Air District) has received an application from Shepard Bros, Inc. at 4407 Giannecchini Lane in Stockton, CA for the following project:

126 horsepower natural gas engine to provide emergency power in the event of an electrical outage.

Since this project is located within a 1,000 feet of the outer boundaries of a school site, the California Health & Safety Code §42301.6 requires that you be given this notification and an opportunity to comment on the project before permits are issued.

The 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.

Should you have any questions or comments about this project, please submit them in writing within 30 days of the date of this notice to the following:

**SAN JOAQUIN VALLEY APCD
ATTN: Kai Chan
4800 Enterprise Way
Modesto, CA 95356-8718**

You may also contact Kai Chan at (209) 557-6451

Seyed Sadredin

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

Para: Los padres o guardianes de los estudiantes asistiendo escuelas del kinder al grado 12 dentro de un cuarto de milla de 4407 Giannecchini Lane: Venture Academy

Residentes dentro de 1,000 pies de 4407 Giannecchini Lane

**ASUNTO: Aviso público requerido por el Código de la Salud y Seguridad de California (Sección 42301.6)
Número del proyecto: N-1151604
Descripción del proyecto: Motor de gas natural Para Uso Durante Emergencias**

Estimados Padres/Residentes:

El Distrito para el Control de la Contaminación del Aire del Valle de San Joaquín (Distrito del Aire) ha recibido una solicitud de Shepard Bros, Inc. ubicado en 4407 Giannecchini Lane en Stockton, CA para el siguiente proyecto:

Un motor de combustión interna de gas natural de 126 caballos de fuerza que es certificado Nivel 3 para apoderar un generador eléctrico durante apagones eléctricos

Como este proyecto está ubicado dentro de 1,000 pies del exterior de un sitio escolar, la sección §42301.6 del Código de la Salud y Seguridad de California requiere que se les de este aviso y la oportunidad para comentar sobre el proyecto antes de que los permisos sean otorgados.

El Distrito del Aire ha determinado que, como propuesto, la instalación cumplirá con todas las regulaciones del Distrito del Aire. El análisis por el Distrito del Aire sobre el propuesto proyecto, ha determinado que las emisiones del uso del equipo no resultara en un riesgo significativo a la salud de los estudiantes o del público alrededor.

Si usted tiene preguntas o comentarios sobre este proyecto, por favor sométalos por escrito dentro de 30 días de la fecha de este aviso a la siguiente dirección:

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ATTN: Kai Chan
4800 Enterprise Way
Modesto, CA 95356-8718**

También se puede comunicar con Kai Chan al (209) 557-6451.

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Txog rau: Tsoom Niam Txiv Ntawm Cov Tub-Ntxhais Kawm Ntawv Hauv Tsev Kawm Ntawv Venture Academy

Hais Txog: Qhov Yuav Tau Qhia Rau Pej Xeem Paub Txog Ntawm California Kev Noj Qab Haus Huv Thiab Kev Ruaj Ntseg Txoj Cai 42301.6
Nab Npawb Ntawm Teg Dej Num (Project): N-1151604
Qhia Meej Teg Dej Num: Teeb lub cav noj roj natural gas muaj zog 126 hp ua fais fab thaum muaj xwm txheej ceev

Txog rau Tsoom Niam Txiv:

San Joaquin Valley Air Pollution Control District xav tso cai rau Shepard Bros, Inc. teeb tsa muaj ib lub cav noj roj natural gas muaj zog 126 hp ua fais fab thaum muaj xwm txheej ceev. Lub cav no yuav teeb nyob rau ntawm 4407 Giannecchini Lane hauv Stockton, CA.

Tsab cai 42301.6 ntawm California Kev Noj Qab Haus Huv thiab Cai Kev Ruaj Ntseg hais tias yog thaum twg yuav muaj tej yam pauv tshiab, xws li yuav tshuab cua tawm muaj tshuaj ya nrog uas tsam tsis nyab xeeb ze tshaj 1,000 ruam (feet) rau thaj ciam chaw ntawm cov menyuam kawm ntawv nyob qib Kindergarten txog 12, San Joaquin Valley Air Pollution Control yuav tsum tau npaj thiab xa xov qhia rau tej pej xeem paub. Ntawv qhia paub yuav tsum xa rau txhua tus menyuam kawm ntawv uas rau npe kawm qib Kindergarten txog qib 12 rau cov tsev kawm ntawv nyob ze tsaj 1,320 ruam thiab txhua qhov chaw nyob uas nyob ze tshaj 1,000 ruam ntawm teg dej num no.

Yam khoom siv ua hauj lwm ntawm qhov chaw no nws yog xws li:

LUB CAV NOJ ROJ NATURAL GAS MUAJ ZOG 126 HP UA FAIS FAB THAUM MUAJ XWM TXHEEJ CEEV.

San Joaquin Valley Air Pollution Control District xav tias teg dej num ua no yuav tsis ua teeb meem loj luaj twg rau tsoom menyuam hauv tsev kawm ntawv thiab tej pej xeem nyob ib ze ncig ntawd.

Txuas ntxiv ntawd, txoj cai ntawm Kev Noj Qab Haus Hub thiab Kev Ruaj Ntseg tseev kom lub District yuav tsum txais thiab xyuas txog tej lus muaj hais los ntawm tej pej xeem. Yog li ntawd, yog tias koj muaj lus nug lossis tej yam dab tsi xav hais, thov ua tiag sau ntawv xa tuaj rau San Joaquin Valley Air Pollution Control District li hauv 30 hnub tom qab tau txais daim ntawv no. Chaw nyob yog 1990 E. GETTYSBURG AVE, FRESNO, CA 93726-0244. Sau tias rau Cai Thoj, lossis hu xov tooj rau nws ntawm (559) 230-5895.

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