

Notice of Exemption

Project Title:	Amendments to the Regulation for Small Containers of Automotive Refrigerant
Project Location:	Statewide
Public Meeting Date:	October 26, 2023; <i>Agenda Item #23-9-3</i>
Project Description:	The amendments to the regulation cover four main areas: (1) removal of the deposit and return program, (2) phase-in requirements for reclaimed refrigerant in new small containers, (3) modification and clarification of associated provisions related to both the sell-through and reporting requirements, and (4) refinement of procedures and parameters for spending unclaimed deposits. Overall, the amendments decrease costs to consumers, achieve greenhouse gas emissions reductions, and incentivize the reclamation of refrigerant.

This notice is to advise that the California Air Resources Board (CARB or Board), as the lead agency, approved the above action on October 26, 2023.

CARB has determined that this regulation is exempt from CEQA under the general rule or "common sense" exemption (14 CCR 15061(b)(3)). CEQA Guidelines states "the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA". This activity is also categorically exempt from CEQA under the "Class 8" exemption (14 CCR 15308) because it is an action taken by a regulatory agency for the protection of the environment. Based on CARB's review it can be seen with certainty that there is no possibility that the regulation would result in a significant adverse impact on the environment. Further, the action is designed to protect the environment and CARB found no substantial evidence indicating the proposal could adversely affect air quality or any other environmental resource area, or that any of the exceptions to the exemption apply (14 CCR 15300.2). Therefore, this activity is exempt from CEQA. A brief explanation of the basis for reaching this conclusion is included in Chapter VI of the Staff Report.

The Staff Report and all other related documents are available for public inspection on the CARB webpage at: [Small Containers of Automotive Refrigerant | California Air Resources Board](#).

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These documents may also be examined at:

California Air Resources Board

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CARB CEQA Unit

Date: 11/17/2023