April 17, 2002

SCAQMD
South Coast Air Quality Management District
21865 E. Copley Drive
Diamond Bar, California 91765
909-396-3439

Barry Wallerstein
Executive Officer

Ms. Kathy Stevens
Planning-CEQA

Reference: ULTRAMAR, INC., Wilmington Refinery
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4. The Draft SEIR fails to contain accurate and complete negative environmental impact information. 16-4

I request that a Public Hearing be held in Wilmington asap and the Public Response Time be extended another 45 days from the date of the hearing. 16-5

Cordially,

Gloria Montejano
21337 - Archibald ave
Carson Ca - 90745

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Cordially,

Julia Godoy
1100 N. Banning Blvd.
Wilmington, Ca. 90745
(310) 513-1470

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Cordially,

Guillermo Alcaraz
1130 Pioneer Ave
Wilmington, Ca. 90744

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Cordially,

946 1/2 LAKME ave
Wilm Ca
90744

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Cordially, Heron Lo Arias
611 GULF AVE
WILM, CA 90744
310) 549-7639

April 17, 2002

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Cordially, Neftali Rodriguez

611 N. Gulf Ave
Wilmington, CA 90744
(310) 367-7897

April 17, 2002

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Cordially,

Tony Rizzo

323 MAR VISTA AVE
WILMINGTON, CA 90744

April 17, 2002

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Cordially,

Anita Castro
1575 Bayport
Wilm Cal
90744

April 17, 2002

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Diamond Bar, California 91765
909-396-3439

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Cordially,

Elizabeth L Tredwell

April 17, 2002

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Cordially,

Janet A Vernon
6235 E. Golden Sands Dr
Long Beach, Ca 90803

April 17, 2002

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Cordially,

Sara L. Dickens
3638 Blair Way
Torrance, CA 90505

April 17, 2002

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Cordially,

Armida [illegible]
1606 Carlson Ln
Redondo Beach, Cal
90278

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Cordially,

Jose L Flores
1056 W. 5th 22574 St.
Torrance CA 90502

COMMENT LETTER NO. 16
LETTERS FROM LOCAL COMMUNITY

April 17, 2002

Thirteen letters from the public were submitted to the SCAQMD and are identical. The comments in each letter are numbered and bracketed. The letters are the same and the following is the response to each comment.

Response 16-1

CEQA does not require that a public hearing be held as part of the CEQA process for a proposed project. CEQA Guidelines §15202 states in part "CEQA does not require formal hearings at any stage of the environmental review process. Public comments may be restricted to written communication" (CEQA Guidelines §15202). At a meeting with Mr. Marquez on April 23, 2002 at the SCAQMD headquarters, the SCAQMD's Executive Officer agreed to hold a public meeting on the proposed project in the Wilmington community on June 20, 2002. The meeting focused on the Draft SEIR for the proposed project and SCAQMD responses to comments on the Draft SEIR. Further, a town hall meeting was held in Wilmington on July 31, 2002 to obtain additional input from the Wilmington community on air quality issues, including Ultramar's proposed project, and the proposed environmental justice enhancements.

Response 16-2

Public notice of the proposed project was provided per the requirements of the California Environmental Quality Act (CEQA). The Public Resources Code (PRC) §21092 requires that notice "shall be given to the last known name and address of all organizations and individuals who have previously requested notice and shall also be given by at least one of the following procedures:" (A) Publication in a newspaper of general circulation in the area affected by the proposed project. "If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas."; (B) posting of the notice on- and off-site in the area where the project is to be located; and (C) direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.

Public notice of the availability of the Draft SEIR was provided in several different ways. First, notice was given via direct mailing to the last known name and address of all organizations and individuals who have previously requested notice, including all individuals and agencies that previously provided comments on the previous Notice of Preparation and the previous Draft EIR (§21092(b)(3)). Second, notice was provided in the Los Angeles Times, the newspaper of largest circulation on March 8, 2002. These actions comply with the minimum CEQA requirements. In addition to these minimum requirements, additional noticing was provided as follows. Per PRC §21092(b)(3)(B), the notice was posted off-site at the Los Angeles County Clerk's Office (see also CEQA Guidelines §15187(d)). The notice was provided via electronic mail to a number of interested entities including environmental groups, public agencies and interested individuals that

have expressed interest in receiving SCAQMD environmental notices. Finally, the document itself was available online at the SCAQMD's website the first day of the public comment period and also hardcopies of the document were available the first day of the public comment period at the SCAQMD's headquarters located at 21865 E. Copley Drive, Diamond Bar, California.

Based on the above, public notice has been provided on the proposed project in a manner that meets and exceeds the CEQA requirements for public notice on the availability of an EIR.

Response 16-3

Public notice has been provided on the proposed project in a manner that meets and exceeds the CEQA requirements for public notice on the availability of an EIR. See Response 16-2 regarding public notice.

Response 16-4

The SEIR addressed the potential impacts of the proposed project (See Final SEIR, Chapter 4). The project impacts on a regional basis were considered significant for air quality because the project air emissions (primarily associated with transportation emissions) are expected to exceed threshold levels. Therefore, feasible mitigation measures were imposed.

The project impacts related to hazards (see Final SEIR, Chapter 4 – Section C – Hazards) were also determined to be potentially significant because the hazard zones could potentially extend further into industrial areas. The hazard zones would not extend into residential areas so that no significant impacts on residential areas are expected. Therefore, feasible mitigation measures were imposed.

It should also be noted that the proposed project is expected to result in environmental benefits. While the proposed project is expected to result in emission increases, the project also is expected to result in regional emission reductions (see Final SEIR, Table 5-3, page 5-20) associated with vehicles that use the reformulated fuels, including reductions in toxic air contaminants, thus providing an air quality benefit. The benefits of improved air quality were not included in the calculated emissions estimates because they occur over a wide area, not just in the vicinity of the proposed project. However, air quality benefits resulting from lower vehicle emissions will also accrue in the local area of the Refinery, tank farms and terminal. Also, the proposed project will eliminate the use of MTBE from gasoline, thus eliminating a potential source of ground water contamination.

Based on the above, the environmental impacts associated with the proposed project have been addressed as required by the CEQA Guidelines. Further, the commentator does not provide any specific comments or indicate where the Draft SEIR "fails to contain accurate and complete negative environmental impact information."

Response 16-5

The request for an extension of the public comment period was considered. Although Governor Davis has extended the date one-year for MTBE phase-out, the project has not changed since the Draft SEIR was released for public review, and it is still necessary to move forward with the proposed project as quickly as possible for a number of reasons. First, the currently proposed project is in response to unexpected contingencies faced by Ultramar that threatened to compromise its ability to meet the original phase-out deadline. Second, given the engineering complexities of the previously proposed project components of Ultramar's CARB Phase 3 project, as well as the currently proposed components, Ultramar must still proceed expeditiously to comply with the new CARB Phase 3 requirements and deadlines. Third, it is anticipated that the petroleum industry will move forward with the MTBE phase-out ahead of the revised compliance schedule because of the environmental problems associated with MTBE. Because Ultramar relies on third party distribution systems, it will be necessary for Ultramar to comply with the industry imposed phase-out date which may be different from the state imposed phase-out date.

The Ultramar Draft Supplemental EIR document has been available for immediate public review and download from the SCAQMD's web site since March 8, 2002 (www.aqmd.gove/ceqa/documents/2002/nonaqmd/ultramar/draft/ultDEIRhtml.

In light of the above information, extending the public review period for this document would not serve the public's interest to expeditiously provide cleaner-burning gasoline and phase-out the use of MTBE to eliminate the possibilities of future ground water contamination by this chemical. As a result, extending the public comment period will not be considered further. It should be noted that the SCAQMD responded to and considered all written comments on the Draft EIR, including those received after the close of the public comment period, and considered comments from the public made at the June 20, 2002 public meeting.

It should be noted, however, that if it can be determined that the SCAQMD has not complied with any substantive or procedural CEQA requirement during the public comment period for the proposed project that ended April 22, 2002, the problem will be corrected and the Draft SEIR will be recirculated for a second 45-day public comment period. To date, the SCAQMD has evaluated assertions of impropriety, but has not discovered any such problems and, therefore, will proceed with finalizing the CEQA document for the proposed project.