April 18, 2002

SCAQMD- South Coast
Air Quality Management District
21865 E. Copley Drive
Diamond Bar, California 91765
909-396-3439 Off
909-396-3324 Fax

Barry Wallerstein
Executive Officer

Ms. Kathy Stevens
Planning-CEQA

Ref: Ultramar, Inc. (SCH No. 2000061113)
Sub: Opposition To Draft Subsequent Environmental Impact Report
And Issuance Of Permit To Ultramar, Inc.

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3. SCAQMD and Ultramar did not hold a Public Hearing in Wilmington so that local residents could ask questions. 20-3

I request that a Public Hearing be held in Wilmington and the public comment time be extended another sixty days from the date of the Public Hearing.

Sincerely,

Marin Varela
1027 N McDonald AVE
Wilmington, CA 90744

April 18, 2002

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Sincerely,

[signature]

[illegible] 1215 S. WATSON AV
WILMINGTON

April 18, 2002

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Sincerely,

Alma Jamora
944½ Lakme Ave
Wilm Ca 90744

April 18, 2002

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Sincerely,

James D. Cuba Magdalena Cuba
1134 Pioneer Ave
Wilmington, Ca. 90744

April 18, 2002

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Sincerely,

Jennifer Marquez
1566 Wilmington Blvd.
Wilmington Ca. 90744

April 18, 2002

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Sincerely,

Joe M Jalome
1326 E. Robidoux st
Wilmington ca 90744

April 18, 2002

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Sincerely,

Mary Gonzalez
Peter Gonzalez
1100 E Mauretania St
Wilmington Ca 90744

April 18, 2002

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Sincerely,

Jose Rodriguez
1269 Burbank Ave
Wilmington CA 90744

April 18, 2002

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Sincerely,

Helen McKenna
125 E. Chandler
Wilmington Calif. 90744

April 18, 2002

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Sincerely,

Ben Castro
1575 Bayport
Wilm Cal
90744

April 18, 2002

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1140 Eubank Ave #A
Wilmington Ca. 90744

April 18, 2002

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Sincerely,

25 Portuguese Bend Rd.
Rolling Hills, CA 90274

April 18, 2002

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Sincerely,

Julian Quijada Sr.
1033 Lucas Ave.
Wilmington

April 18, 2002

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21865 E. Copley Drive
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Henry Ortiz
Rue De La Pierre
RPV CA 90275

April 18, 2002

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Barbara D. Karg
BARBARA D. KARG
2605 VIA RAMON
PALOS VERDES ESTS. CA 90274

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Sincerely,

N M Wells

3616 S EMILY ST

SAN PEDRO, CA

90731-6422

April 18, 2002

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Henry Loya
331 14th ST.
San Pedro CA. 90731

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Sincerely,

José Lopez

1011 KING - AV

Wilmto AV

COMMENT LETTER NO. 20
LETTERS FROM LOCAL COMMUNITY

April 18, 2002

Eighteen 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 20-1

Your comments regarding the Ultramar project are noted. The comment that the Draft SEIR was not made available to residents of Wilmington is incorrect. 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 20-2

See Response 20-1 regarding the public notice provided for the Draft SEIR. CEQA does not require that a representative come to community meetings. 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 SEIR.

Response 20-3

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.

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.