



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

June 18, 2019

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Mitigated Negative Declaration (MND) for the Proposed Santa Ana & Riverside – Beyond Gas Station Project (MC2018-0035)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct a 7,250-square-foot convenience store with a drive-thru, a gasoline service station with 19 fueling pumps with 16 of which serving regular unleaded gas and three serving diesel, and two underground storage tanks (USTs) with a combined capacity of 50,000 gallons on 2.06 acres (Proposed Project)¹. The Proposed Project is located on the southeast corner of East Santa Ana Avenue and South Riverside Avenue. Construction is anticipated to occur over a 12-month period beginning in 2020, and the Proposed Project would become operational by 2021². Upon review of the MND and aerial photographs, South Coast AQMD staff found that existing residential uses are sporadically located west of the Proposed Project, and the nearest residential use is within 161 feet³. The Proposed Project would have a maximum annual throughput of 6,000,000 gallons⁴.

South Coast AQMD Staff's Summary of the Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional and localized air quality impacts would be less than significant⁵. Additionally, the Lead Agency prepared a Focused Health Risk Assessment (HRA)⁶ and found that operation of the Proposed Project would result in a cancer risk of 8.02 in one million at the maximum impacted sensitive receptor⁷, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk⁸.

¹ MND. Pages 1 and 2.

² *Ibid.* Page 15.

³ *Ibid.* Page 19.

⁴ *Ibid.* Focused Health Risk Assessment. Page 1.

⁵ MND. Page 14.

⁶ South Coast AQMD. Risk Assessment Procedures for Rules 1401. Accessed at: <http://www.aqmd.gov/home/permits/risk-assessment>.

⁷ MND. Page 20.

⁸ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

Air Quality Analysis – Operational ROG Emissions

Upon review of the Air Quality Analysis, it did not appear that the analysis included operational reactive organic gases (ROG) emissions generated from storage tanks or from the fueling process during operation. This may have likely led to an underestimation of the Proposed Project's operational air quality impacts. Although South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing requires the use of California Air Resources Board certified Phase I and Phase II enhanced vapor recovery systems with minimum volumetric efficiencies of 98% and 95%, respectively⁹, ROG emissions are not entirely eliminated from the fueling process and should be taken into consideration when analyzing the Proposed Project's operational air quality impacts. As an informational document, the Final MND should, at a minimum, include a discussion on potential operational air quality impacts from the fueling process. The Lead Agency should use its best efforts to quantify and disclose ROG emissions from the fueling process in the Final MND. If there is no substantial evidence to support a quantitative analysis of ROG emissions from the fueling process, the Lead Agency should disclose the reasons supported by factual information in the Final MND. It is also important to note that while CalEEMod¹⁰ quantifies mobile source emissions (e.g., trip visits by patrons) associated with operating a gasoline service station, CalEEMod does not quantify the operational stationary source emissions from the storage tanks and fueling equipment.

Guidance on Siting a Large Gas Station Near Sensitive Receptors

Guidance on siting incompatible land uses can be found in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*¹¹. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Specifically for new gas station projects, CARB recommends avoiding siting incompatible land uses, such as placing a large gas station within 300 feet of sensitive receptors¹². A large gas station is defined in the CARB's Land Use Handbook as a facility with an annual throughput of 3.6 million gallons per year or more¹³. Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. They include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units.

Since the Proposed Project would include operation of a gasoline service station with 19 fueling pumps with a maximum annual throughput of six million gallons, it can and should be considered as a large gas station. As stated above, the nearest existing residential use is located within 161 feet of the Proposed Project¹⁴. Operation of a gasoline service station emits toxic air contaminants (TACs), such as benzene, which is carcinogenic. While there are many factors the Lead Agency must consider when making local planning and land use decisions, South Coast AQMD staff recommends that the Lead Agency review the following strategies for incorporation in the Final MND as project design features or air quality mitigation measures to reduce exposures to TACs by nearby residences.

- Design the Proposed Project such that all gasoline dispensing pumps are as farthest away from nearby residential uses on the west of the Proposed Project.
- Maximize the planting of trees in landscaping or vegetative barriers capable of reducing lateral air dispersion to minimize the exposures by nearby residential uses.

⁹ South Coast AQMD. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-461.pdf>.

¹⁰ CalEEMod incorporates up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and is available free of charge at: www.caleemod.com.

¹¹ CARB. *Air Quality and Land Use Handbook: A Community Health Perspective*. Accessed at: <http://www.arb.ca.gov/ch/handbook.pdf>. Page 4.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ MND. Page 19.

- Design the Proposed Project such that entrances and exits are located on E. Santa Ana Avenue, not on South Riverside Avenue, to be away from nearby residential uses.
- Vehicle idling time will be limited to no longer than five consecutive minutes. For any vehicle that is expected to idle longer than five minutes, the Lead Agency should require the Project operator to require vehicle's operator to shut off the engine. To further ensure that drivers visiting the Proposed Project understand the vehicle idling requirement, post signs at the entrance and throughout the Proposed Project site stating that idling longer than five minutes is not permitted.

Permits and Compliance with South Coast AQMD Rules

Since the Proposed Project includes the operation of a gasoline service station with 19 fueling pumps, a permit from South Coast AQMD would be required, and South Coast AQMD should be identified as a Responsible Agency under CEQA for the Proposed Project in the Final MND. Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>. In addition to a discussion¹⁵ on South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing¹⁶, the Final MND should also include a discussion of compliance with applicable South Coast AQMD Rules, including, but not limited to, Rule 201 – Permit to Construct¹⁷ and Rule 203 – Permit to Operate¹⁸. Any assumptions used in the Air Quality and Health Risk Assessment (HRA) analyses in the Final MND will be used as the basis for permit conditions and limits. Please note the 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology¹⁹ is being used by South Coast AQMD for determining operational health impacts for permitting applications and also for all CEQA projects where South Coast AQMD is the Lead Agency. If any information in the permitting process suggests the Proposed Project would result in significant adverse air quality impacts not analyzed in the Final MND or substantially more severe air quality impacts than those analyzed in the Final MND, the Lead Agency should commit to reevaluating the Proposed Project's air quality and health risks impacts through a CEQA process (CEQA Guidelines Section 15162).

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, if the Lead Agency makes a finding that additional recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting or substituting these mitigation measures in the Final MND (CEQA Guidelines Section 15074.1).

¹⁵ MND, Page 20.

¹⁶ South Coast AQMD. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: <https://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/rule-461.pdf>.

¹⁷ South Coast AQMD. Rule 201 – Permit to Construct. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

¹⁸ South Coast AQMD. Rule 203 – Permit to Operate. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

¹⁹ Office of Environmental Health Hazard Assessment. "Notice of Adoption of Air Toxics Hot Spots Program Guidance Manual for the Preparation of Health Risk Assessments 2015". Accessed at: <https://oehha.ca.gov/air/crn/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Robert Dalbeck, Assistant Air Quality Specialist, at RDalbeck@aqmd.gov or (909) 396-2139, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:RD
SBC190607-02
Control Number