



South Coast Air Quality Management District

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October 16, 2020

Mitigated Negative Declaration (MND) for the Proposed Palm and Kendall Travel Center Project

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 14,000-square-foot convenience store, including a 2,500-square-foot end-cap drive-thru restaurant, a separate 4,500 stand-alone drive-thru restaurant, and 10 multi-product dispensers with 20 fueling pumps for passenger cars and six diesel pumps for trucks on 8.10 acres (Proposed Project). The Proposed Project is located on the southeast corner of Palm Avenue and Kendall Drive within the City of San Bernardino. Construction is anticipated to take one year, with operations beginning in early 2022¹. Once operational, the fueling portion of the Proposed Project would have an annual throughput of 2,000,000 gallons of gasoline and 7,200,000 gallons of diesel fuel². Based on a review of the MND and aerial photographs, South Coast AQMD staff found that the nearest sensitive receptors (e.g., residential uses) are located approximately 1,000 feet northeast of the Proposed Project³.

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

In the Air Quality Analysis Section of the MND, 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. The Lead Agency found that the Proposed Project's air quality impacts would be less than significant⁴. The Lead Agency did not quantify volatile organic compounds (VOCs) emissions from gasoline transfer and dispensing operations. The Lead Agency performed two separate health risk assessments from trucks visiting the Proposed Project and from operation of gasoline dispensing activities⁵. Based on the assessments, the Lead Agency found that the Proposed Project would result in 5.8 in a million from trucks and 0.7 in a million from gasoline dispensing

¹ MND. Page 11.

² *Ibid.* Page 46.

³ *Ibid.*

⁴ MND. Page 39 through 44.

⁵ MND. Page 41.

activities⁶ and would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk⁷.

South Coast AQMD Staff's Comments

CEQA Air Quality Analysis for Operational Impacts

The Lead Agency did not quantify VOCs emissions from gasoline transfer and dispensing operations. This may have likely led to an underestimation of the Proposed Project's operational air quality impacts from VOCs. Operation of the gasoline fueling process of the Proposed Project requires permits from South Coast AQMD. Gasoline emission factors for retail service stations from five processes (loading, breathing, refueling, hose permeation, and spillage) in the South Coast AQMD Risk Assessment Procedures for Rules 1401, 1401.1 and 202 are being used for determining VOCs emission factors for permit applications⁸. South Coast AQMD staff recommends that the Lead Agency quantify and disclose VOCs emissions from the gasoline fueling process in the Final MND.

Responsible Agency and South Coast AQMD Permits

South Coast AQMD is a Responsible Agency for the gasoline fueling operation of the Proposed Project (CEQA Guidelines Section 15381) since operation of 20 gasoline fueling pumps requires permits from South Coast AQMD. Therefore, the Lead Agency should identify South Coast AQMD as a Responsible Agency for the Proposed Project in the Final MND.

The gasoline fueling operation of the Proposed Project requires permits from South Coast AQMD. However, at the time of the release of the MND, South Coast AQMD has not received permit applications for the Proposed Project. It is important that impacts from the permits be fully and adequately evaluated and disclosed as required under CEQA Guidelines Section 15096(b). The assumptions used in the air quality analysis and health risk assessment in the Final MND will be used as the basis for evaluating the permits under CEQA and imposing permit conditions and limits. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology⁹ 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. 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>.

⁶ MND. Page 48.

⁷ 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.

⁸ South Coast AQMD's Risk Assessment Procedures for Rules 1401, 1401.1 and 2.12. Accessed at: <http://www.aqmd.gov/home/permits/risk-assessment>.

⁹ 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 Rules

The MND included discussions of South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing¹⁰ and Rule 1401 – New Source Review of Toxic Air Contaminants¹¹ for the gasoline fueling operation of the Proposed Project. The Final MND should also include discussions to demonstrate how the gasoline fueling operation will comply with other applicable South Coast AQMD Rules, including, but not limited to, Rule 201 – Permit to Construct¹², Rule 203 – Permit to Operate¹³, and Rule 431.2 – Sulfur Content of Liquid Fuels¹⁴.

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.

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 Margaret Isied, Air Quality Specialist, at misied@aqmd.gov, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:MI

SBC201006-05

Control Number

¹⁰ South Coast AQMD. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: <https://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/rule-461.pdf>.

¹¹ South Coast AQMD. Rule 1401 – New Source Review of Toxic Air Contaminants. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>.

¹² South Coast AQMD. Rule 201 – Permit to Construct. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

¹³ South Coast AQMD. Rule 203 – Permit to Operate. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

¹⁴ South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.