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Draft Environmental Impact Report (Draft EIR) for the proposed Baldwin Hills Community Standards District

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments in Attachment 1 are meant as guidance for the Lead Agency and should be incorporated into either a Revised Draft or Final Environmental Impact Report (Final EIR) as appropriate.

The proposed standards in the project description of Draft EIR for the Baldwin Hills Community Standards District (CSD) are vague and lack specificity. The SCAQMD staff is aware that the lead agency has released a revised CSD on August 12, 2008 that contains more details. Given the abbreviated review time, SCAQMD staff has not had sufficient time to evaluate the revised CSD released, so comments herein reflect the project description in the Draft EIR.

SCAQMD staff requests that the lead agency evaluate the revised CSD and if there substantial evidence than any new significant adverse impacts are generated or any existing adverse impacts are made substantially worse, the lead agency should revise the Draft EIR and recirculate it pursuant to CEQA Guidelines §15088.5.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other

questions that may arise. Please contact Dan Garcia, Air Quality Specialist – CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Susan Nakamura
Planning and Rules Manager
Planning, Rule Development & Area Sources

Attachment

SN:SS:DG

LAC080620-01
Control Number

Air Quality Analysis - General

1. SCAQMD staff has reviewed the proposed Baldwin Hills Community Standards District (CSD) with special attention to Air Quality (Section 18). The SCAQMD staff encourages the lead agency to enhance Section 18 by specifying emission performance standards or the application of relevant best available control technology pursuant to either Rule 1303 or Rule 2005 to reduce air quality impacts to the lowest achievable emission rate (LAER). Staff has provided a ~~strikethrough~~ and underline version of Section 18 below, which incorporates the SCAQMD recommendations. Based on the SCAQMD recommended changes and in accordance with Section 15088.5 of the California Code of Regulations the lead agency may be required to circulate a Revised Draft EIR.

Proposed CSD Section 18: Air Quality

(a) The Operator shall install air quality emission control technologies ~~systems~~ including but not limited to vapor recovery systems that must ~~shall~~ be located, installed, operated and maintained as required by the South Coast Air Quality Management District (SCAQMD).

(b) The operator shall submit and implement ~~SCAQMD guidelines on recommended~~ a fugitive dust plan that includes mitigation, such as watering, trackout control, soil moisture, limiting construction traffic speeds and covering materials.

(c) The Operator shall comply with all SCAQMD regulations including but not limited to Regulation IV(Prohibitions), Regulation XIII (New Source Review), Regulation XI (Source Specific Standards), Regulation XIV (New Source Review for Toxic Air Contaminants) and Regulation XX (Regional Clean Air Incentives Market -RECLAIM). The Operator shall implement Best Available Control Technology (BACT), and obtain emission offsets or RECLAIM credits as required by SCAQMD Regulation XIII and/or Regulation XX for new and modified permitted emission sources.

(d) The Operator shall install a gas blanketing and recovery control device for each drill well ~~use a control device, such as~~. A state of the art portable flare may be used as part of drilling operations for wells where there exists a potential for odorous gas releases during drilling and installation of a gas blanketing and control device that is demonstrated to not be feasible.

(e) The Operator shall monitor and report all drilling well emissions using the appropriate emissions detection technology such as a H_2S Monitor; LEL Monitor, OVA or TVA. Drill well emissions data must be submitted to the SCAQMD in a formal report that is received on the fifth day of each calendar month.

(f) The Operator ~~Applicant~~ shall install a detection system that will monitor toxics and vapor space on all crude oil tanks. The detection system shall be capable of monitoring pressure in the vapor space of the tanks and shall monitor toxics. In the case of vapor space, the detection system shall be capable of notifying the operator via an alarm when the pressure in the tanks gets within 10 % of the tank relief pressure.

(g) The ~~Applicant~~ Operator shall utilize~~, when deemed necessary,~~ an odor suppressant when loading material into the bioremediation farms.

2. Considering historical drilling activity at Inglewood Oil Field the estimated baseline emissions in the Draft EIR for the proposed project may not represent typical activity at the project site and likely overestimates baseline emissions. A more comprehensive set of data to establish the emissions baseline may be more representative of typical of construction and operational activity at the Inglewood Oil Field.

3. The Draft EIR should reflect the most current SCAQMD significance thresholds for both NO_2 and sulfates.

Construction Emissions Analysis and Mitigation

4. On page 22 of Section 4.2 in the Draft EIR the Lead Agency proposes Mitigation Measure AQ. 1-2 which pertains to fugitive dust and states the following:

> *"Develop and implement a Fugitive Dust Control Plan that follows the SCAQMD recommendations for fugitive dust mitigation. Fugitive dust mitigation measures used in the plan could include the following…"*

Mitigation Measure AQ. 1-2 may serve as a host for performance standards as implied by the statement, "could include the following," but in order to mitigate the significant effect of fugitive dust emissions the proposed mitigation measure must be fully enforceable through permit conditions or other legal agreements. Therefore, it is requested that the Revised Draft EIR or the Final EIR identify the specific fugitive dust measures that will be implemented by the lead agency. Also, the lead agency should quantify the dust control efficiencies of the measures implemented to determine if impacts have been reduced to less than significance. The lead agency should also specify which measures are mitigation measures and which are intended to comply with SCAQMD Rule 403.

5. The SCAQMD staff has a number of concerns regarding the calculation and presentation of the construction emissions and believes that the lead agency has substantially underestimated air quality impacts from construction activities. The individual well analysis may not capture overlapping construction activity or the potential for multiple well activities, thus, is not representative of peak daily emissions for a reasonable worse-case scenario.

Based upon the preceding concerns, additional mitigation measures to reduce construction air quality impacts, especially diesel particulate emissions (a known carcinogen), should be required by the lead agency. The currently proposed mitigation measures in the Draft EIR focus primarily on reducing fugitive dust emissions, not combustion exhaust emissions.

The SCAQMD recommends that the lead agency consider adding the following mitigation measures to further reduce oxides of nitrogen (NOx) impacts from the proposed project:

- In addition to CARB regulations, prohibit truck idling in excess of five minutes.
- Alternative fueled off-road equipment;
- All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water); July 2, 2008
- Require construction equipment that complies with the statewide off-road equipment regulations or the SCAQMD Rule 2449, if applicable; meet or exceed Tier 3 standards for construction equipment with oxidation catalysts, particulate traps and demonstrate that these verified/certified technologies are available;
- Use electricity from power poles rather than temporary diesel or gasoline power generators;
- Configure construction parking to minimize traffic interference.
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hour to the extent practicable;
- Reroute construction trucks away from congested streets and sensitive receptor areas;
- Improve traffic flow by signal synchronization; and
- Ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.

6. Section 4.4 (Geological Resources) of the Draft EIR estimated that the amount of cut and fill for each well pad ranges from 500 to 2,000 cubic yards, however, baseline and potential project emissions from cut and fill activities are not accounted for in the projects emissions inventory. The lead agency should describe assumptions, methodologies, emissions factors and equations that support an estimated emissions value associated with cut and fill activities for the proposed project.

7. In Section 4.7 of the Draft EIR the lead agency evaluated traffic impacts at four different intersections that have a level of service characterized as D (approaching instability with lengthy delays during short times within the peak hour, and vehicles may be required to wait through more than one cycle) or worse. The lead agency's evaluation of the four intersections concluded that future traffic conditions with the potential future oil field development would significantly impact traffic flow at peak AM and PM hours. The following table (Table 2.0) summarizes the lead agency's findings for future traffic conditions combined with the potential future oil field development.

Table 2.0 Future Traffic Conditions with the Potential Future Oil Field Development

No.	Intersection	LOS (AM/PM)	ICU Growth	Impact
1	La Cienega Blvd. and Stocker St.	F/F	0.020/0.043	Significant
2	Fairfax Ave and Stocker St.	F/E	0.013/0.009	Significant
3	Stocker St. and La Brea/Overhill	F/F	0.013/0.061	Significant
4	Fairfax Ave. and Slauson Ave.	E/F	0.083/0.084	Significant

The SCAQMD staff recommends performing a CO hotspot analysis for intersections rated D or worse if the volume to capacity ratio or Intersection Capacity Utilization (ICU) increases by two percent or more as a result of a proposed project. Table 2.0 indicates that potential future oil field development would increase the ICU by at least two percent warranting a CO hotspot analysis consistent with SCAQMD recommendations.

Please refer to the most current Cal Trans guidance regarding performing a CO hotspots analysis. This information can be obtained at the following internet address:

http://www.dot.ca.gov/hq/env/air/pages/coprot.htm.

Operational Emissions Analysis and Mitigation

8. Based on the estimated schedule of constructing and operating new wells over the next twenty years, construction and operation emissions will begin to overlap. In a situation where construction and operation emissions overlap, the SCAQMD staff recommends that emissions from each of these activities be added together for a peak daily worse-case scenario and compared to the applicable significance thresholds for operation, not construction significance thresholds and, if impacts are significant require mitigation measures.

9. On-road mobile source emissions for the proposed project were estimated in part by using EMFAC 2002. The most current version of EMFAC, EMFAC2007 has been available since November 2006 and should have been used. SCAQMD staff therefore recommends that the lead agency revise the on-road mobile source analysis using EMFAC2007 (v2.3).

10. In the discussion of operational air quality impacts, the lead agency states that peak day operational emissions will be same as the baseline, that is, three wells operating per day. Given that the proposed project consists of drilling up to 85 wells per year, it is unclear why only three wells would be in operation on any one day and not the peak daily worse case scenario. As a result, the SCAQMD requests that a mitigation measure or other legally binding requirement be placed on future well operations to limit the number of operating

wells to three, so that operational emissions do not exceed the levels shown in Table 4.2.10 of the Draft EIR.

11. The Draft EIR concludes that Mitigation Measures AQ. 2-1 though AQ. 2-4 will reduce operational emissions from the proposed project below the SCAQMD's recommended localized significance thresholds. This conclusion is not supported by the available evidence in the Draft EIR because the lead agency did not identify the control efficiencies of the mitigation measures or apply those control efficiencies to the overall impact results. SCAQMD staff recommends that lead agency quantify the emissions that are reduced from each mitigation measure Revised Draft EIR or Final EIR in order to demonstrate their effectiveness.

12. Mitigation measure AQ.2-1 also states that the oil field operator will obtain offsets pursuant to SCAQMD Regulations XIII or XX to minimize impacts from stationary sources. Although offsets serve to reduce regional impacts, they do not necessarily reduce localized air quality impacts that affect nearby receptors. The analysis shows that the proposed project's operation emissions would exceed the localized significance thresholds for Nox, PM10 and PM2.5. Therefore, SCAQMD staff requests that additional mitigation measures be identified to reduce localized air quality impacts.

13. Mitigation measure AQ.2-2 states further that the oil field operator shall use a cogeneration-type system to provide electricity for oil field operations and "reducing or possibly" eliminating the need for steam generators. The SCAQMD staff recommends that the lead agency require a cogeneration system sized sufficiently to eliminate all steam generators onsite.

14. Mitigation Measures AQ. 2-1 through AQ. 2-4 are relatively vague and lack the appropriate information for quantifying the potential emissions reductions for each measure. SCAQMD staff recommends that the lead agency consider revising these measures to be more specific with regard to achieving necessary emissions reductions and provide additional mitigation measures in the interest of further reducing potential operational emissions. The SCAQMD recommends that the lead agency revise AQ. 2-4 and add AQ. 2.5 as suggested by the strikethrough and underline below:

AQ. 2-4 *The Operator shall electrify all drilling rig engines.* ~~*Shall be Tier 2 or better certified engines, or other emission control technologies to achieve the same level of emission reduction.*~~

AQ. 2-5 *Where proven feasible the Operator shall at a minimum apply (BARCT) to all existing operational equipment and evaluate the feasibility if implanting BACT to existing equipment or replace equipment with newer, cleaner burning equipment such as the process heater to reduce significant impacts to less than the applicable significance thresholds.*

15. The mitigation measures related to operational activities for the proposed project primarily address on-site emissions reductions. Because the California Air Resources Board has classified the particulate portion of diesel exhaust emissions as carcinogenic and the project description includes a substantial increase in the number of heavy-duty diesel truck trips, the SCAQMD recommends the lead agency consider the following additional mitigation measures to reduce diesel emissions:

    - Provide minimum buffer zone of 300 meters between truck traffic and sensitive receptors;
    - Re-route truck traffic by adding direct off-ramps for the truck traffic or by restricting truck traffic on certain sensitive routes;
    - Improve traffic flow by signal synchronization;
    - Enforce truck parking or idling restrictions;
    - Develop park and ride programs;
    - Prohibit truck idling in excess of five minutes, on- and off-site;
    - Restrict operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicle;
    - Electrify service equipment facility;
    - Electrify auxiliary power units;
    - Use "clean" street sweepers compliant with SCAQMD Rule 1186.1;
    - Pave road and road shoulders;
    - Provide onsite services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria service, automated teller machines, etc.;
    - Require or provide incentives to use low sulfur diesel fuel with particulate traps beyond CARB requirements;
    - Conduct air quality monitoring at sensitive receptors; and
    - Alternative fueled off-road equipment.

16. The proposed project would require additional equipment at the field and increase drilling operations likely leading to a higher frequency of odor events at the facility. In order to reduce odor emissions SCAQMD recommends that Section 18 require an odor management plan. The odor management plan should identify wells with a potential for gas releases and could incorporate the proposed mitigation measures AQ. 3-1 through AQ. 3-6. An example of the elements within an odor management plan can be found in SCAQMD Rule 410 – Odor Management Plan.

17. The SCAQMD requests that at a minimum AQ. 3-1 require the applicant to use a state of the art portable flare. Revised AQ. 3-1 would read as follows:

    Portable Flare: The Operator shall use a <u>state of the art</u> portable flare as part of drilling operations for wells where there exists a potential for gas releases during drilling.

Greenhouse Gas Emissions

18. Recognizing that there are currently no emission significance thresholds to assess Greenhouse Gas (GHG) emission effects on climate change, the SCAQMD does not currently have a significance threshold to determine whether a project will have a significant impact on global warming or climate change. In the absence of regulatory guidance, and before the resolution of various legal challenges related to global climate change analysis and the selection of significance thresholds, a significance determination has been made on a case-by-case basis.

    Given the position of the legislature on AB32, which states that global warming poses serious threats to the environment, and the position of the California Attorney General's office on global climate change, it is incumbent on the lead agency to determine whether the proposed project will have a significant GHG impact. The importance of making a significance determination for the GHG emissions anticipated from the proposed project, 157,787 tons of CO2eq. per year, is that if this amount is deemed cumulatively significant, the lead agency must identify feasible mitigation measures. By not making a significance determination, the lead agency may be violating a fundamental requirement of CEQA to mitigation significant adverse impacts.

Health Risk Assessment

19. The Health Risk Assessment (HRA) performed by the lead agency was not completed according to the SCAQMD methodology. The SCAQMD methodology can be found at the following web addresses:

    http://www.aqmd.gov/prdas/ab2588/AB2588_B3.html,

    http://www.aqmd.gov/prdas/Risk%20Assessment/RiskAssessment.html.

    The comments below address the differences between the SCAQMD guidelines for preparing HRAs and the HRA that has been prepared for this Draft EIR:

    a. There are more toxic air contaminants (TACs) listed in Table 4.3.5, than were placed into the Hotspots Analysis and Reporting Program (HARP). In addition, the emissions listed in the facility summary for the proposed project in HARP is different than those emissions listed in Table 4.3.5. Appendix D of the Draft EIR contains a list of TACs by source, associated emission factors and throughputs by source. However, the TAC emissions are not included in the tables. Neither is there any references given for the source of the usages or emissions factors used to develop the emissions. The source names in tables in Appendix D do not appear to be the same as the names of the sources in HARP.

       Therefore, it is not clear if the emissions modeled in HARP are consistent with the emissions in the Draft EIR. The Revised or Final EIR should contain documentation that

allows the public and reviewing agencies to follow the development of the emissions and allocation to sources in HARP. The documentation should include references for the usages and emission factors (e.g., source test, AP-42, etc.), present the equations used.

b. The devices/sources in HARP are identified by numbers without a key. Since no key is provided, it is difficult to identify the sources. The text of the Draft EIR states that "the field was divided into approximately 100 grid cells of 10 acres each. The number of emission sources within each cell, including production wells, injection wells, abandoned wells, fugitive emissions from tanks and components, were generated based on" GIS map, etc. There is no mention of combustion sources such as flares and engines that are listed in Appendix D. Detailed documentation of how emissions were assigned to the area sources is needed. The documentation needs to be detailed enough that the public can trace the emissions per source from the emission equations to the specific area sources or sources in HARP.

c. It is not clear if construction sources were included in the HRA. Since construction and operation overlap throughout the duration of the project both should be evaluated in the HRA.

d. It unclear what was modeled with HARP. SCAQMD staff requested the files required to review HARP analyses as detailed on ARB's website at:

http://www.arb.ca.gov/toxics/harp/harpdt.htm.

SCAQMD staff was provided a portion of the files for an analysis that was based on five years of meteorological data downloaded from the ARB website. However, the e-mail stated that results in the files would be different than results in the Draft EIR, because the results presented in Draft EIR were based on the peak year. The files sent to SCAQMD staff should be consistent with the analysis presented in the Draft EIR.

e. It appears that there are area sources outside the boundary of the facility, based on what appears to be boundary receptors. No discussion is included in the health risk section of the Draft EIR. A discussion of the areas sources outside the boundary of the facility should be included in the Final EIR.

f. Figure 4.3-2 shows both area and point sources. No point sources were identified in the HARP modeling files sent to SCAQMD. The text in the Draft EIR should be consistent with the analysis in the HRA.

g. Specific sensitive receptors (long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers and athletic facilities) were not identified in the HRA and Draft EIR. Specific sensitive receptors should be identified in the Revised or Final EIR.

h. The rural dispersion coefficient was used in air dispersion option for HARP. SCAQMD requires that the urban dispersion coefficient be used for all areas in the district. The

Revised or Final EIR should contain revised air dispersion modeling with the dispersion coefficient.

i. A dispersion rate of 0.05 was used in the air dispersion modeling. SCAQMD recommends using a 0.02 dispersion rate for both carcinogenic and non-carcinogenic health risks.

j. Only the inhalation pathway was used for carcinogenic health risk. SCAQMD requires that home grown produce, dermal absorption, soil ingestion and mother's milk pathway be enabled in the revised analysis in the Revised or Final EIR for both carcinogenic and non-carcinogenic health risks. The fraction of homegrown fruits and vegetables should be 5.2 percent.

k. The average point estimate analysis method was used in HARP for the carcinogenic analysis, which uses a breathing rate of 271 liters per kilogram-day. SCAQMD requires that OEHHA adjusted (302 liters per kilogram-day) analysis method be used.

l. The average point estimate analysis method was used in HARP for the chronic analysis. SCAQMD staff requires that the OEHHA derived analysis method should be used.

m. The Draft EIR did not include a map that identified the maximum individual cancer risk (MICR) and location of the highest hazard indices (His). A map that identifies the MICR and highest acute and chronic His should be included in the Revised or Final EIR.

n. The HRA was completed using HARP version 1.3. The current version of HARP is 4.1a. The updated health risk table for HARP version 4.1a includes the carcinogenic value for ethyl benzene. Since ethyl benzene is emitted from the proposed project the revised carcinogenic health risk in the Revised or Final EIR should include ethyl benzene.

o. The HRA refers to the MATES III analysis, but does not state the MATES III health risk value for the area around the proposed project. The MATES III health risk value is 730 in one million (730×10^{-6}). This value can be found using the map found at:

http://www2.aqmd.gov/webappl/matesiii/.

Applicable Federal and SCAQMD Rules and Regulations

14. As a reminder, in addition to the rules mentioned in Section 4.2 (Air Quality) of the Draft EIR, the SCAQMD staff recommends that compliance with the following rules and regulations be addressed in the Final EIR:

Rule/Regulation No.	Rule/Regulation Title
Rule 212	Standards for Approving Permits and Issuing Public Notice
Rule 218	Continuous Emission Monitoring

Rule 218.1	Continuous Emission Monitoring Performance Specifications
Rule 401	Visible Emissions
Rule 402	Nuisance
Rule 403	Fugitive Dust
Rule 407	Liquid and Gaseous Air Contaminants
Rule 408	Circumvention
Rule 409	Combustion Contaminants
Rule 429	Startup and Shutdown Exemption Provisions for Oxides of Nitrogen
Rule 430	Breakdown Provisions
Rule 431.1	Sulfur Content of Gaseous Fuels
Rule 431.2	Sulfur Content of Liquid Fuels
Rule 442	Usage of Solvents
Rule 461	Gasoline Transfer and Dispensing
Rule 462	Organic Liquid Loading
Rule 463	Storage of Organic Liquids
Rule 464	Wastewater Separators
Rule 466	Pumps and Compressors
Rule 466.1	Valves and Flanges
Rule 476	Steam Generating Equipment
Rule 1110.2	Emissions from Gaseous and Liquid Fueled Internal Combustion Engines
Rule 1122	Solvent Degreasers
Rule 1135.1	Controlling Emissions of Oxides of Nitrogen from Electric Power Generating Equipment
Rule 1148	Thermally Enhanced Oil Recovery Wells
Rule 1148.1	Oil and Gas Production Wells
Rule 1149	Storage Tank Degreasing
Rule 1166	Volatile Organic Compound emissions from Decontamination of Soil
Rule 1173	Control of Volatile Organic Compound Leaks from Components at Petroleum Facilities and Chemical Plants
Rule 1176	Sumps and Wastewater Separators
Rule 1401	New Source Review of Toxic Air Contaminants
Rule 1470	Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines
Regulation XIII	New Source Review

Regulation XX	Regional Clean Air Incentives Market (RECLAIM)
Rule 2100	Registration of Portable Equipment
Other	Applicable Federal NSPS and NESHAP regulations.

The proposed project may be subject to additional SCAQMD rules pending further details or modifications to the project.