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Air Quality Management District
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**Review of the Draft Environmental Impact Report (Draft EIR)
for the Proposed Guasti Plaza Specific Plan Amendment Project**

The South Coast Air Quality Management District (AQMD) 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 Environmental Impact Report (final EIR) as appropriate.

Given that the proposed project includes sensitive land uses (i.e., residences) the AQMD staff is concerned about the potential health risk impacts to the proposed project's residents from an active rail line immediately adjacent (within 100 feet) to the project's southern boundary and the I-10 Freeway that is located approximately 500 feet north of the project site. Specifically, AQMD staff is concerned that the lead agency may have underestimated the impacts from toxic air pollutants emitted by the significant volume (approximately 250,000 automobiles per day) of traffic on the I-10 Freeway and the active rail line (approximately 42 trains per day) that runs along the project's southern boundary. Further, the proposed mitigation measures do not appear to be adequate to reduce these impacts to a less than significant level. AQMD staff requests that the lead agency revise its analysis of project impacts and mitigation measure effectiveness based on the detail comments attached to this letter.

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the final EIR. Further, 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,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110301-04
Control Number

Health Risk Analysis

1. Based on the lead agency's discussion of the health risk analysis on pages 4.5-14 through 4.5-18 and in Appendix F of the draft EIR the AQMD staff is concerned that the potential health risk impacts for the proposed project may be underestimated. Specifically, AQMD staff is concerned that the particulate emissions factor (i.e., 1163.4 grams per mile) used for rail emissions in the health risk assessment (HRA) is inaccurate (i.e., too low). The lead agency states that this emissions factor is based on a "Tier-1" particulate emissions limit of 3.6 grams per gallon. However, the actual EPA Tier-1 particulate emissions limit is 0.45 g/bhp-hr[1] which results in an emissions factor of 9.36 grams per gallon (0.45 g/bhp-hr multiplied by 20.8 bhp-hr/gallons[2]). Therefore, the lead agency's particulate emissions from trains may be underestimated nearly threefold. In addition, it is not clear in the HRA if the 0.13 miles per gallon fuel efficiency accounts for multiple locomotives per train or operating at a notch setting consistent with operations expected on the line at this location. As a result, the AQMD staff recommends that the lead agency revise the HRA in the draft EIR to properly reflect EPA's Tier-1 particulate emissions standards of 0.45g/bhp-hr or 9.36 grams per gallon and to provide additional justification for its choice of fuel efficiency.

Potential Health Risk Impacts to Sensitive Land Uses

2. The proposed project contains sensitive land uses (i.e., residences) surrounded by known sources of Toxic Air Contaminants (TACs) including an active rail line that facilitates 42 trains per day and the I-10 Freeway that carries at least 12,000 trucks and 250,000 cars per day. As a result, the lead agency determined that prior to mitigation these sources will pose a significant health risk impact (i.e., a cancer risk of 200 in one million) to the proposed project. Given this significant health risk impact the lead agency incorporates Mitigation Measure 4.5.3b that requires the use of particulate filters placed in residential HVAC systems that would mitigate the project's health risk impacts from the aforementioned sources of TACs to less than significant. However, AQMD staff is concerned that while these filters can be effective against particulate pollution they do not have the ability to remove a wide variety of gaseous pollutants (i.e., NOx, TAC's and VOC's) associated with traffic-related pollution and some industrial sources. These filters also have no effectiveness when windows or doors are open, or on outdoor activities associated with residential uses, and require long term maintenance beyond the requirements of Mitigation Measure 4.5.3b.

   Further, it is not clear that the proposed filtration level of 95% across all particle size ranges is achievable in a residential setting with the proposed technology. For example, a recent study conducted by the AQMD of advanced technology filters found that they

[1] EPA's Tier-1 PM Emissions Factor for Line Haul Trains, CFR Title 40 Section 92.8. Accessed at: http://www.gpo.gov/fdsys/pkg/CFR-2010-title40-vol20/pdf/CFR-2010-title40-vol20-part92.pdf

[2] EPA's Technical Guidance on Conversion factors for Large Line Haul Locomotives. Accessed at: http://www.epa.gov/nonroad/locomotv/420f09025.pdf

are only 80 to 90% effective for particle sizes typically found in diesel exhaust (http://www.aqmd.gov/rfp/attachments/2010/AQMDPilotStudyFinalReport.pdf). Therefore, AQMD staff recommends that the lead agency reconsider additional mitigation to ensure that the project will not pose significant health risks to residents.

Mitigation Measures for Construction Air Quality Impacts

3. Given that the lead agency concluded that the proposed project will have significant construction related air quality impacts the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15126.4. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:

  - ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards at a minimum. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards at minimum. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards at a minimum, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

For additional measures to reduce off-road construction equipment emissions, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.