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Draft Mitigated Negative Declaration (Draft MND) for the Gas Station and Convenience Store (Proposed Project) (SCH No: 2026020582)

The South Coast Air Quality Management District (South Coast AQMD) appreciates the opportunity to comment on the above-referenced document. The City of Riverside is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD has provided a brief summary of the Proposed Project information and prepared the following comments which are organized by topic of concern.

Summary of Proposed Project Information in the Draft MND

Based on the Draft MND, the Proposed Project consists of of a 4,650 square-foot (sf) convenience store, a gas staion with 12 vehicle fueling positions and an underground storage tank with capacity of 40,000 gallons on an approxiamtely 1.3 acre site. The Project site is located on the southeastern corner of Arlington Avenue and Monroe Street in the City of Riverside (City), within Riverside County (County), adjacently west of Interstate 215 (I-210) and approximately six miles east of the Interstate 15 (I-15). The Project site bounded by Arlington Street to the north, Monroe Street to the west, and residences to the east and south. Commercial uses are located to the north and west, across Arlington Street and Monroe Street.

Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptors (e.g., residential development) are located 15 feet to the east and south of the project site. Construction of the Proposed Project is anticipated to occur in approximately duration of 12 months.

South Coast AQMD Comments

Inadequacy of Qualitative Operational Health Risk Assessment

CEQA Guidelines Sections 15126.2 and 15126.4 require a CEQA document to include a description of the significant environmental effects of a Proposed Project, significant environmental effects which cannot be avoided, significant irreversible environmental changes, growth-inducing impacts, and mitigation measures proposed to minimize the significant adverse impacts. An impact is considered significant under CEQA if it leads to a "substantial, or potentially substantial, adverse change in the environment." In addition to the air quality impacts from the criteria air pollutants and greenhouse gases, the adverse air quality health risk impacts associated

with increased emissions of toxic air contaminants (TACs) from all sources (including but not limited to expected future permitted stationary and portable sources, mobile sources, and other emission sources) during the operation phases need to be appropriately evaluated using qualitative and/or quantitative approaches to justify whether there will be potentially substantial adverse impacts.

The Draft MND relies on the California Air Resources Board (CARB) Air Quality and Land Use Handbook: A Community Health Perspective and the California Air Pollution Control Officers Association (CAPCOA) Gasoline Service Station Industry-Wide Risk Assessment Guidelines to conclude that operational health risks would be less than significant and that a quantitative Health Risk Assessment (HRA) is not required. Specifically, the Draft MND states that because the proposed gasoline dispensing facility would have an annual fuel throughput of less than 3.6 million gallons, a quantitative HRA is unnecessary.[1] However, the Draft MND does not contain a site-specific evaluation of operational TAC emissions that reflects the actual project configuration and proximity to nearby sensitive receptors.

According to the Air Quality Assessment, single-family residences are located immediately adjacent to the east and as close as 20 feet to the south of the Project site.[2] CAPCOA's screening guidance indicates that facilities meeting certain standardized assumptions, including a 50-foot receptor distance and specified fuel throughput, are expected to result in a cancer risk below 10 in one million. However, the nearest residences to the Proposed Project are substantially closer than the 50-foot receptor distance assumption by CAPCOA. Reliance solely on screening-level guidance may therefore underestimate potential cancer risk, and the Draft MND does not disclose the specific maximum annual fuel throughput proposed for the Project to demonstrate that the screening assumptions would be satisfied.

The CARB's Air Quality and Land Use Handbook explains that the recommended 50 feet separation distances are provided as guidance for land use planning agencies to reduce potential exposure to toxic air contaminant.[3] The Handbook describes these distances as advisory recommendations intended to assist in planning decisions and does not state that compliance with a recommended distance eliminates the need for further project-specific evaluation. Similarly, CAPCOA's screening guidelines provide risk estimates based on standardized modeling assumptions, including a representative facility configuration, specified fuel throughput, and a 50-foot receptor distance.[4]

In addition, the Focused Health Risk Assessment states that a quantitative operational HRA was not performed because the facility is expected to have less than 3.6 million gallons per year throughput. However, the Draft MND does not disclose the maximum annual fuel throughput proposed for the Project and therefore does not demonstrate that the Project would remain below the throughput level assumed in the screening guidance.

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[1] Draft MND, Appendix C – Focused Health Risk Assessment Repot, p. 1.
[2] Appendix A – Air Quality and GHG Report.
[3] CARB, Air Quality and Land Use Handbook: A Community Health Perspective: available at: ARB's Community Health: 2005-04-00 ARB's Air Quality and Landuse Handbook: A Community Health Perspective, Chapter1, p. 4.
[4] California Air Pollution Control Officers Association, Gasoline Service Station Industry-Wide Risk Assessment Guidelines, Section 2 – Methodology.

Therefore, South Coast AQMD recommends that the Lead Agency:

1) Perform a refined operational HRA using District HRA tool or dispersion modeling, including the actual site layout, dispensing equipment locations, and project-specific receptor distances (including receptors located approximately 15–20 feet from the site boundary);
2) Clearly define and cap the maximum annual fuel throughput in the CEQA document; and
3) Include the maximum throughput as an enforceable Mitigation Measure or Condition of Approval to ensure that operational emissions remain within the levels analyzed.

If modeling demonstrates that operational cancer risk exceeds the 10-in-one-million threshold, the impact would be considered potentially significant based on South Coast AQMD thresholds, and preparation of an Environmental Impact Report (EIR) or substantial revision of the MND may be required.

South Coast AQMD Air Permits and Role as a Responsible Agency

Since the Proposed Project includes a gasoline service station with 12 fueling positions, the facility would require a South Coast AQMD permit.[5] Gasoline contains benzene, a recognized toxic air contaminant. Accordingly, the Lead Agency should quantify and disclose the potential health risks associated with benzene and other toxic air contaminants in the Final CEQA document, based on site-specific modeling results to ensure that nearby sensitive receptors are not exposed to significant or unmitigated health risks.

In addition, if implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., one or more air permits from South Coast AQMD will be required. The Final EIR should include a discussion about the potentially applicable South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,[6] Rule 203 – Permit to Operate,[7] Rule 401 – Visible Emissions,[8] Rule 402 – Nuisance,[9] Rule 403 – Fugitive Dust,[10] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[11] Rule 1113 – Architectural Coatings,[12] Regulation XIII – New Source Review,[13] Rule 1401 – New Source Review of Toxic Air Contaminants,[14] Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[15] etc. It is important to note if air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast

[5] South Coast AQMD. Guidance for performing a gasoline dispensing station health risk assessment can be found here: https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588/iws-facilities/iws-gas-station
[6] South Coast AQMD, Rule 201 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf
[7] South Coast AQMD, Rule 203 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf
[8] South Coast AQMD, Rule 401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[9] South Coast AQMD, Rule 402 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[10] South Coast AQMD, Rule 403 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403
[11] South Coast AQMD, Rule 1110.2 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf
[12] South Coast AQMD, Rule 1113 is available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf
[13] South Coast AQMD, Regulation XIII is available at: https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii
[14] South Coast AQMD, Rule 1410 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1410.pdf
[15] South Coast AQMD, Rule 1470 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf

AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD.

Conclusion

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If the requested information and analysis are not included in the final CEQA document, either the Final MND or other type of CEQA document, the Lead Agency should provide reasons for not doing so. Pursuant to California Public Resources Code Section 21092.5(b) and 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 and notify each public agency when any public hearings are scheduled. 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, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. In addition, if the Lead Agency decides to adopt the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

Thank you for the opportunity to provide comments. 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 Jivar Afshar, Air Quality Specialist, at jafshar@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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SW:JA

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