

## **APPENDIX E**

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### **COMMENTS AND RESPONSES TO COMMENTS RECEIVED ON THE DRAFT EIR**

**APPENDIX E**

**FINAL ENVIRONMENTAL IMPACT REPORT**

**ULTRAMAR INC. – VALERO WILMINGTON REFINERY**  
**ALKYLATION IMPROVEMENT PROJECT**

**RESPONSE TO COMMENTS**

**INTRODUCTION**

This Appendix, together with other portions of the Draft Environmental Impact Report (Draft EIR), Volumes I and II constitute the Final EIR for the proposed Alkylation Improvement Project.

The Draft EIR was circulated for a 45-day public review and comment period on March 30, 2004. The Draft EIR is available at the South Coast Air Quality Management District (SCAQMD), 21865 Copley Drive, Diamond Bar, California 91765-4182 or by phone at (909) 396-2039. The Draft EIR can also be downloaded by contacting the SCAQMD's CEQA web pages at <http://www.aqmd.gov/ceqa/nonaqmd.html>.

The Draft EIR contained a detailed project description, the environmental setting for each environmental resource where the NOP/IS determined there was a potential significant adverse impact, an analysis of the potentially significant environmental impacts including cumulative impacts, project alternatives, and other areas of discussion as required by CEQA. The discussion of environmental impacts included a detailed analysis of air quality, hazards and hazardous materials, hydrology and water quality, noise, and transportation and traffic.

The SCAQMD received two comment letters on the Draft EIR during the public comment period and one additional comment letter after the comment period had ended. The comment letters and responses to the comments raised in those letters are provided in this appendix. The comments are bracketed and numbered. The related responses are identified with the corresponding number and are included following the comment letter.

## CALIFORNIA COASTAL COMMISSION

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April 25, 2004

VIA FACSIMILE (909) 396-3324 / (562) 495-5421

Mr. James Koizumi  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4182

Mr. Jason Lee  
Ultramar - Valero Wilmington Refinery  
2402 East Anaheim  
Wilmington, CA 90744

RE: Comments on Draft Environmental Impact Statement and continued Notice of Incomplete Application for Coastal Development Permit Application #E-04-006 for the proposed Ultramar-Valero Refinery Alkylation Improvement Project

Dear Mr. Koizumi and Mr. Lee:

I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Ultramar-Valero Refinery Alkylation Improvement Project. The proposed project involves modifying the existing refinery to allow the use of a less volatile compound during the refining process. The project is being done pursuant to the terms of a Memorandum of Understanding between Ultramar and the South Coast Air Quality Management District. The proposed work includes expanding or replacing a number of processing units, storage tanks, and other equipment at the refinery.

The proposed project will require a coastal development permit (CDP) from the Coastal Commission. On February 24, 2004, Ultramar submitted a permit application, which was assigned application number #E-04-006. On March 23, 2004, we sent a letter notifying Ultramar that the application was incomplete, pursuant to the Coastal Commission's regulations at 14 CCR Section 13053.5(a). In that letter, we requested additional information about the proposed project, and recognized that much of the necessary information might be contained in the DEIR, which we received on April 1, 2004.

While the DEIR provides some of the information needed to complete the CDP application, we still need additional information before the application is complete. Since much of this information is needed to evaluate the proposed project's effects on coastal resources under both CEQA and the Coastal Act, we are providing the comments and information requests below based on our review of both the CDP application and the DEIR.

1-1

1-2

**General Comment – Conformity to CEQA and the Coastal Act:**

- 1) The proposed project is subject to applicable policies of the Coastal Act, including Section 30253, which states:

*New development shall:*

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*
- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*
- (4) Minimize energy consumption and vehicle miles traveled.*
- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

1-3

The DEIR identifies several aspects of the proposed project that will result in significant adverse impacts even after mitigation. These impacts include ongoing and increased exceedance of some air quality standards, and ongoing risk of hazards due to the storage and use of various hazardous materials. Additionally, although the project site is identified in the California Geologic Survey's Seismic Hazard Mapping Program as having high liquefaction potential, neither the DEIR nor the CDP application include information about the seismic characteristics of the site and the associated hazards. We will therefore need additional information about each of these aspects of the proposal, as described in more detail in our specific comments below.

If a proposed project such as this one is not able to conform to the requirements of Section 30253 or other Coastal Act policies, the Act provides that the project may be found to comply if it instead meets the provisions of Section 30263(a), which states:

*New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.*

1-4

If the proposed project needs to be reviewed to determine whether it conforms to the provisions of Section 30263(a), we will need a somewhat different set of information about the project site and the various mitigation measures available to minimize impacts. The DEIR includes the information necessary to determine conformity to some portions

- 4) Exposure to Fire Hazards: The application states that the project may result in significant adverse impacts due to release of various hazardous materials. Along with the information provided about the measures proposed to be implemented that would avoid releases or that would reduce or minimize hazards should releases occur, please describe other feasible measures, including those that may have been considered but then determined not to be needed. This description should include evaluation of the effectiveness of these mitigation measures and the expected results when they are implemented.

1-7

cont.

- 5) Water Quality: Sections 30230 and 30231 of the Coastal Act require that the quality and biological productivity of coastal waters and streams be protected, enhanced, and, where feasible, restored. The application states that the project will be subject to the provisions of the refinery's existing Stormwater Pollution Prevention Plan (SWPPP) and will require coverage under a General Permit from the Regional Water Quality Control Board covering construction activities. Please provide a specific description of the best management practices that will be incorporated into the project to prevent and control stormwater runoff from the site into the adjacent Dominguez Channel and nearby coastal waters.

1-8

- 6) Water Use: Coastal Act Section 30263(b) states:

*New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from inplant processes where feasible.*

1-5

The DEIR states that the existing refinery uses approximately 936,000 gallons per day and that the proposed project would use an additional 625,000 gallons per day. This represents an increase of approximately 66%. Coastal Act Section 30263(b) requires that air cooling and treated waste waters from the facility be used where feasible. Please describe the existing and proposed use of air cooling and of treated waste waters, and please identify additional feasible methods to increase the use of these methods at the proposed facility.

1-9

**Conclusion:**

Thank you very much for the opportunity to comment and to address these information needs. Please call me at (415) 904-5248 or e-mail me at [tluster@coastal.ca.gov](mailto:tluster@coastal.ca.gov) if you have questions or would like more details about any of the requested information.

Sincerely,



TOM LUSTER  
Environmental Analyst  
Energy and Ocean Resources Unit

1-6

are reduced to their lowest possible level.



**LETTER NO. 1**  
**CALIFORNIA COASTAL COMMISSION**

**Tom Luster**  
April 25, 2004

**Response 1-1**

The SCAQMD understands that a coastal development permit (CDP) from the California Coastal Commission is required for the proposed project. The applicant should be contacted directly regarding information required to complete the CDP application.

**Response 1-2**

Responses to comments raised by the commentator on the EIR are included and addressed herein. Comments raised by the commentator regarding the CDP application are beyond the scope of the EIR and should be directed to the applicant.

**Response 1-3**

Responses to comments raised by the commentator on the EIR are included and addressed herein. The EIR fully complies with the requirements of CEQA. Comments raised by the commentator regarding the CDP and conformance with the Coastal Act are beyond the scope of the EIR and should be directed to the applicant. Responses to comments raised by the commentator on the EIR are included and addressed in Responses 1-5 through 1-9.

The proposed project is not expected to exceed “some air quality standards” as referenced in this comment. The proposed project is being evaluated and permits cannot be issued by the SCAQMD, unless the proposed project will meet all applicable air quality rules and regulations. The emission increases from the proposed project were determined to exceed the SCAQMD significance thresholds for certain pollutants; however, the proposed project must comply with all applicable air quality rules and regulations. Further, the proposed project is required to implement all feasible mitigation measures. See Response 1-5 for further details regarding air issues.

The proposed project is being conducted by the Refinery under a Memorandum of Understanding with the SCAQMD to reduce hazards associated with the use, storage and transport of hydrofluoric acid and to improve the alkylation unit and related facilities. Therefore, the proposed project will result in beneficial impacts associated with the use of hydrofluoric acid. The proposed project will also result in hazard impacts associated with the certain proposed modifications because it was determined that, in the event of a worst-case release, the hazard zones could extent outside of the Refinery boundaries. All project-related releases were confined to the industrial area near the Refinery complex.

The modifications to the Alkylation Unit produce a reduction in the potential worst-case impact following a release of HF bearing materials. The implementation of the ReVAP process, with its use of the acid additive which reduces the volatility of the acid phase, will result in an 18.5 percent reduction in the maximum hazard distance providing a beneficial impact (see Chapter 4 of the EIR, Section B – Hazards and Hazardous Materials, and Appendix C for further details).

The impacts of geological hazards on the proposed project are addressed in the Notice of Preparation/Initial Study (see Appendix A of the EIR). The Refinery is located in an area of potential liquefaction, as identified by the California Geologic Survey's Seismic Hazard Mapping Program. However, compliance with the Uniform Building Code is expected to minimize project impacts to less than significant so that geological hazards were not addressed in the EIR.

Please note that the proposed project involves modifications to an existing refinery and does not involve "new development." The project will be located within the confines of the existing Refinery and involves modifications to existing refinery units and processes.

#### **Response 1-4**

Responses to comments raised by the commentator on the EIR are included and addressed in Responses 1-5 through 1-9. The SCAQMD can only respond to the comments raised regarding CEQA issues related to the proposed project. Comments raised by the commentator regarding the Coastal Development Permit (CDP) and conformance with the Coastal Act are beyond the scope of the EIR and should be directed to the applicant.

A number of the environmental topics raised in this comment related to the Coastal Act have similar consideration under CEQA. However, evaluation of the environmental issues under the Coastal Act may be different than the requirement for evaluation of the environmental issues under CEQA. The requirements of CEQA and the Coastal Act are two different and independent processes. It is the responsibility of the SCAQMD, as the lead agency under CEQA, to evaluate the environmental topics related to the proposed project under the CEQA requirements. If the EIR does not address all of the environmental issues related to the Coastal Act, it does not invalidate the adequacy of the EIR under CEQA. The following discusses the environmental issues raised in this comment related to the proposed project and discusses how and where they were addressed as they apply to CEQA and the preparation of the EIR.

**Project Alternatives:** Alternatives to the proposed project, including an alternative location, were evaluated in Chapter 6 of the EIR. Section 15126.6(f) of the CEQA Guidelines stipulates that the range of alternatives required in an EIR is governed by a rule of reason in that the EIR must discuss only those alternatives "necessary to permit a reasoned choice" and those that could feasibly attain most of the basic objectives of the proposed project.



**Mitigation Measures:** Per the Public Resources Code §21002, feasible mitigation measures are required to minimize the potentially significant impacts of the proposed project. Potentially significant impacts were identified for air quality and hazards and hazardous materials. The mitigation measures for these impacts are identified on pages 4-19 through 4-23 of the EIR for air quality and on pages 4-32 through 4-35 of the EIR for hazards and hazardous materials. Also, see Response 1-5 for additional information.

**Project Benefits:** The project benefits were primarily discussed in Chapter 2 of the EIR. The proposed project is a modification to an existing refinery to reduce hazards associated with the use, storage and transport of hydrofluoric acid and to improve the alkylation unit and related facilities. The Refinery uses hydrofluoric acid (HF) in its alkylation unit. The hazards and health impacts associated with the use of HF have been well documented and have been a concern to the SCAQMD. Due to the high vapor pressure and low boiling point of HF, a release of liquid HF into the atmosphere will volatilize into the gas phase at typical ambient temperatures and pressures. A newly released cloud of HF has a vapor density approximately twice that of air and tends to spread as a ground-hugging cloud. Thus, an accidental release of HF would create a dense plume that would move in a passive mode with the prevailing winds in both direction and speed. An accidental release of HF could migrate off the Refinery property and expose individuals in the surrounding community.

The Refinery agreed to adopt a modified alkylation process that eliminates the use of concentrated HF catalyst and substitutes it with the proprietary Reduced Volatility Alkylation Process (ReVAP). ReVAP incorporates a suppressant in the HF that reduces volatility in the event of an accidental release with a concurrent reduction in safety risks (i.e., distance that the HF could travel and number of persons exposed) in the surrounding area. The SCAQMD approved Environmental Justice Program Enhancements in 2002 which were designed to minimize air quality impacts to minority and disadvantaged communities. One of the environmental justice enhancements included the elimination of the transport, storage and use of concentrated HF at the Ultramar Valero Wilmington Refinery. Use of this modified alkylation process meets the SCAQMD's environmental justice objectives with respect to elimination of concentrated HF.

In addition, the proposed project does not involve construction outside of the existing refinery boundaries and will not result in an increase in crude throughput, i.e., there is no "expansion" (see Chapter 2 of the EIR for further details).

**Aesthetics and Land Use:** As discussed in the Notice of Preparation/Initial Study (NOP/IS), the facility is located in a heavily industrial area and is surrounded by industrial uses that include other refineries, scrap metal yards, a hydrogen plant and other port-related activities. No scenic highways are located in the vicinity of the Refinery (see Appendix A of the EIR). The proposed project is proposed within the boundaries of the existing Refinery and is compatible with the current and surrounding heavy industrial land uses.

In summary, the EIR has discussed the environmental issues in general and those raised in this comment in compliance with the CEQA Guidelines. The Coastal Commission should discuss additional information requirements of the CDP directly with the applicant.

### **Response 1-5**

The analysis requested in this comment is included in the Draft EIR. CEQA requires that all feasible mitigation measures be imposed, when potentially significant environmental impacts are identified (Public Resources Code [PRC] §21002, CEQA Guidelines §15126.4). The Draft EIR discusses mitigation measures for potentially significant air quality impacts on pages 4-19 through 4-22 (construction impacts) and on pages 4-22 and 4-23 (operational impacts).

For construction impacts, all feasible mitigation measures have been imposed, which included 14 mitigation measures (see Draft EIR, pages 4-19 and 4-20). Further, as discussed on page 4-22 of the Draft EIR,

“Other mitigation measures were considered but were rejected because they would not further mitigate the potential significant impacts. These mitigation measures included: (1) provide temporary traffic control during all phases of construction activities (traffic safety hazards have not been identified); (2) implement a shuttle service to and from retail services during lunch hours (most workers eat lunch on-site and lunch trucks will visit the construction site); (3) use methanol, natural gas, propane or butane powered construction equipment (equipment is not CARB-certified or commercially available); and (4) pave unpaved roads (most refinery roads are paved).”

Mitigation measures for the operational phase of the proposed project are discussed on page 4-22 of the Draft EIR.

“The proposed project requires the installation of fugitive components (e.g., valves, flanges, and pumps) which are large sources of VOC emissions from the proposed project. VOC emissions from fugitive components are controlled through the use of BACT. BACT, by definition, is the cleanest commercially available control equipment or technique. The use of BACT controls emissions to the greatest extent feasible for the new and modified emission sources. In addition, the fugitive components will be required to be included in an inspection and maintenance program, as required by SCAQMD Rule 1173, to ensure that the equipment is properly maintained. Therefore, additional VOC emission reductions (through mitigation measures) from fugitive components associated with the proposed project equipment are not feasible.

Offsets are not required for projects that are needed to comply with state or federal regulations provided that there is no increase in rating (SCAQMD Rule 1304(c)(4)). The reformulated fuels projects are required to comply with state

reformulated fuels requirements. Therefore, emission offsets are not required for the proposed project identified in this EIR, as long as there is no increase in the crude throughput capacity of the Refinery. The proposed project is not expected to result in an increase in crude throughput capacity at the Refinery. Offsets will not be provided for the emission increases associated with the proposed project. PM10 emissions are generated from additional combustion sources (e.g., heaters and boilers). BACT for PM10 control from heaters and boilers is the use of natural gas or refinery fuel gas. The Refinery will use natural gas or refinery fuel gas in the new/modified heaters and boilers. No other feasible control measures have been identified.”

SCAQMD regulations (Regulation XIII and XX) require the use of BACT for all new and modified sources. BACT, by definition, is the cleanest commercially available control equipment or technique. The use of BACT controls emissions to the greatest extent feasible for the new and modified emission sources. Therefore, additional emission reductions (through mitigation measures) components associated with the proposed project equipment are not feasible. If other feasible mitigation measure were identified, they would have been imposed. Finally, SCAQMD engineering and compliance staff reviewed the Draft EIR prior to circulation for public review to ensure that the proposed project will comply with all relevant SCAQMD rules and regulations. CARB does not directly regulate emissions from stationary sources located at refineries.

#### **Response 1-6**

As noted in the comment, the impacts of geological hazards on the proposed project are addressed in the Notice of Preparation/Initial Study (see Appendix A of the EIR). The Refinery is located in an area of potential liquefaction, as identified by the California Geologic Survey’s Seismic Hazard Mapping Program.

New structures must be designed to comply with the Uniform Building Code Zone 4 requirements since the proposed project is located in a seismically active area. The City of Los Angeles is responsible for assuring that the proposed project complies with the Uniform Building Code as part of the issuance of the building permits and can conduct inspections to ensure compliance. The Uniform Building Code is considered to be a standard safeguard against major structural failures and loss of life. The goal of the code is to provide structures that will: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage, but with some non-structural damage; and (3) resist major earthquakes without collapse, but with some structural and non-structural damage. The Uniform Building Code bases seismic design on minimum lateral seismic forces ("ground shaking"). The Uniform Building Code requirements operate on the principle that providing appropriate foundations, among other aspects, helps to protect buildings from failure during earthquakes. The basic formulas used for the Uniform Building Code seismic design require determination of the seismic zone and site coefficient, which represent the foundation conditions at the site.

The Refinery will be required to obtain building permits, as applicable, for all new structures at the site. The Refinery shall submit building plans to the City of Los Angeles for review. The Refinery must receive approval of all building plans and building permits to assure compliance with the latest Building Code adopted by the City prior to commencing construction activities. The Refinery is in a high seismic risk zone for liquefaction as designated by California Geological Survey. (State of California Seismic Hazard Zones, Long Beach Quadrangle, March 25, 1999) The Refinery will prepare the geologic and soils report required for new structures in high seismic risk zones and submit it to the City of Los Angeles with it application for building permits. Specific project data are still being developed and sufficient data are not currently available to prepare the building permits. The issuance of building permits from the local agency will assure compliance with the Uniform Building Code requirements, which include requirements for building within seismic hazard zones. No significant impacts from seismic hazards are expected since the project will be required to comply with the Uniform Building Codes.

Please contact the project applicant directly regarding any additional information required for the CDP application.

#### **Response 1-7**

The analysis requested in this comment is included in the Draft EIR. CEQA requires that all feasible mitigation measures be imposed, when potentially significant environmental impacts are identified (Public Resources Code [PRC] §21002, CEQA Guidelines §15126.4). The Draft EIR discusses mitigation measures for potentially significant hazard impacts on pages 4-32 through 4-35. All feasible mitigation measures that have been identified are included in the EIR. Also, please note that, while the proposed project has the potential for significant hazard impacts, it will reduce the potential hazard impacts associated with the use of hydrofluoric acid providing a substantial beneficial impact (see page 4-28 of the Draft EIR).

#### **Response 1-8**

The discussion of storm water impacts related to the proposed project is included in the NOP/IS (see pages 2-23 through 2-25). The NOP/IS concluded that there would be no significant impacts of storm water from the proposed project.

For process area storm water, changes will be required to the Refinery's oily water sewer system at the expanded Alkylation Unit. Additional paving and drains will be installed. Other portions of the project area are currently paved and will remain paved. Storm water runoff within process unit areas will be handled in the Refinery oily wastewater system and sent to the on-site wastewater treatment system prior to discharge to the LACSD system. The surface water runoff is expected to be handled within the current wastewater treatment system, as described below.

Storm water from components of the proposed project outside the process areas, such as storage tanks, will be managed through the refinery storm water collection system under the Refinery's Storm Water Pollution Prevention Plan. Non-process area storm water is collected in the storm water collection system and discharged to the storm water system operated by the Port of Long Beach for ultimate discharge to the Cerritos Channel.

Because the proposed project area exceeds one acre, a construction Storm Water Pollution Prevention Plan will be prepared and implemented prior to the start of construction. No significant changes to surface water runoff are expected due to operation of the proposed project. The project will be constructed within the currently developed Refinery boundaries and storm water will be managed within the existing storm water and oil water systems. Because the topography of the site will remain unchanged during operation, the proposed project is expected to result in only a minor increase the surface water runoff due to the increase in paved areas associated with the proposed project. The increase is expected to be nominal and can be handled in the existing oily water system. Therefore, no significant adverse impacts are expected to result from storm water runoff associated with the proposed project.

Please contact the applicant if you have any further questions related to storm water.

#### **Response 1-9**

The Refinery does not use once-through cooling in any of its processes and the proposed project will not use once-through cooling. The Refinery designs new and modified units to incorporate air cooling and to use treated wastewater to the extent feasible. For example, water from the sour water stripping system is recycled for reuse in process units. ~~the wash water used at the Refinery is treated wastewater.~~ Further, the Refinery has an agreement with the Los Angeles Department of Water and Power (LADWP) to use additional reclaimed wastewater, as soon as LADWP completes a pipeline from the Terminal Island Treatment Plant to the Refinery.



Terry Tamminen  
Agency Secretary  
Cal/EPA

May 18, 2000



## Department of Toxic Substances Control

Edwin F. Lowry, Director  
5796 Corporate Avenue  
Cypress, California 90630



Arnold Schwarzenegger  
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Mr. James Koizumi  
Air Quality Specialist  
South Coast Air Quality Management District  
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### NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR ULTRAMAR INCORPORATED-VALERO WILMINGTON REFINERY ALKYLATION IMPROVEMENT PROJECT (SCH #2003091082)

Dear Mr. Koizumi:

The Department of Toxic Substances Control (DTSC) has received your Notice of Completion (NOC) of a draft Environmental Impact Report (EIR) for the above-mentioned Project.

Based on the review of the document, DTSC's comments are as follows:

- 1) The draft EIR states that in 1985, the Regional Water Quality Control Board (RWQCB) adopted Order 85-17 requiring the Refinery (and 14 other local refineries) to conduct subsurface investigations of soil and groundwater. The draft EIR also states that the Refinery is listed on the May 6, 1999 list because it is on a list of Cleanup and Abatement Orders prepared by the State Water Resources Control Board (Order No. 97-118). Therefore, any construction activities at the site should be notified to the RWQCB and obtain appropriate approvals.
- 2) As the lead agency, it is your responsibility to ensure that RWQCB obtain a copy of the draft EIR and its Volume II, Draft Health Risk Assessment prior to finalizing it.

2-1

2-2

If you have any questions regarding this letter, please contact Mr. Johnson P. Abraham, Project Manager, at (714) 484-5476.

Sincerely,

Greg Holmes  
Unit Chief  
Southern California Cleanup Operations Branch  
Cypress Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief  
Planning and Environmental Analysis Section  
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Mr. Arthur Heath, Chief  
Remediation Section  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4th Street, Suite 200  
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**LETTER NO. 2**  
**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

**Greg Holmes**  
May 18, 2004

**Response 2-1**

The Regional Water Quality Control Board (RWQCB) was not considered to be a responsible agency for the proposed project because no permits are expected to be required from the RWQCB as part of the project approvals. The RWQCB was notified of the availability and provided copies of the Draft EIR by the State Clearinghouse. No comments were received from the RWQCB on the Draft EIR. Please note that the proposed project is not expected to impact the cleanup and abatement activities currently underway at the Refinery. The Refinery will still conduct the required activities under their cleanup and abatement program including routine ground water monitoring, identification of sources of contamination and site clean-up activities, as applicable and as approved by the RWQCB.

**Response 2-2**

Per CEQA Guidelines §15087(f), the EIR was distributed to state agencies, including the RWQCB, by the State Clearinghouse. The proposed project is not expected to require any permits from the RWQCB.





**LETTER NO. 3**  
**COUNTY OF LOS ANGELES FIRE DEPARTMENT**

**David R. Leininger**  
May 28, 2004

**Response 3-1**

The SCAQMD understands that the proposed project does not appear to have any impact on the emergency responsibilities of the County of Los Angeles.

**Response 3-2**

The proposed project is located within the community of Wilmington within the jurisdiction of the City of Los Angeles. The SCAQMD understands that the proposed project is not expected to impact the County of Los Angeles Fire Department.

**Response 3-3**

The proposed project is located within a heavily industrial area and not near forest lands. As indicated in the comment, the proposed project is not expected to impact erosion control, watershed management, rare and endangered species, vegetation, fuel modification for very high fire hazard severity zones or fire zone 4, archaeological and cultural resources, or the County oak tree ordinance.