



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Mitigated Negative Declaration (MND) for the Proposed Conditional Use Permit No. 180006

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comment is meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of the Project Description

The Lead Agency proposes to construct a convenience store and a gas station with six pumps on 1.14 acres (Proposed Project). According to the MND, adjacent uses include, among others, single-family residences immediately to the south and the southwest of the Proposed Project across New Chicago Avenue¹.

SCAQMD Staff's Comments

Permits and Compliance with SCAQMD Rules

Since the Proposed Project involves operation of a gasoline service station, a permit from the SCAQMD would be required, and the SCAQMD should be identified as a Responsible Agency for the Proposed Project in the Final MND. Please note that any assumptions used in the air quality analysis in the Final MND will be the basis for permit conditions and limits.

In addition to SCAQMD Rule 461 – Gasoline Transfer and Dispensing, the Final MND should demonstrate compliance with SCAQMD Rules, including, but are not limited to, Rule 201 – Permit to Construct and Rule 203 – Permit to Operate. If there are permitting questions concerning the gasoline service station, they can be directed to SCAQMD Engineering and Permitting staff at (909) 396-2551.

Air Quality Analysis – Operational Impacts

In the Air Quality analysis, the Lead Agency found that the Proposed Project's regional and localized construction and operational air quality impacts would be less than significant. However, it does not appear that the Air Quality analysis included operational ROG emissions generated from storage tanks or from the fueling process. This may have likely led to an under-estimation of the Proposed Project's operational air quality impacts. It is important to note that while CalEEMod² quantifies mobile source emissions (e.g., trip visits by patrons) associated with operating a gasoline service station, CalEEMod does not quantify the operational stationary source emissions from the storage tanks and fueling equipment. Therefore, it is recommended that the Lead Agency use its best efforts to quantify and disclose operational emissions from the fueling process in the Final MND.

¹ MND, Page 1.

² CalEEMod incorporates up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and is available free of charge at: www.caleemod.com.

Health Risk Assessment (HRA) Analysis

The Lead Agency did not perform a HRA analysis for the Proposed Project. Since the operation of gasoline stations will emit air toxics, HRAs are required as part of the SCAQMD permitting requirements for gasoline stations³. Any assumptions used in the HRA analysis in the Final MND will be used as the basis for permit conditions and limits. Furthermore, the Proposed Project would be located in close proximity to existing residences, thereby warranting a HRA analysis in the Final MND. Benzene, which is a toxic air contaminant, may be emitted from the Proposed Project's gasoline refueling operations. Given SCAQMD staff's concern about the potential health impacts on the residents from being exposed to benzene, it is recommended that the Lead Agency evaluate, quantify, and perform a gasoline dispensing station HRA⁴ for the Proposed Project in the Final MND. Guidance for performing this HRA can be found in the SCAQMD's *Emission Inventory and Risk Assessment Guidelines for Gasoline Dispensing Stations*⁵.

Other Comment

SCAQMD staff received a Notice of Public Hearing for the Proposed Project and found that a Mitigated Negative Declaration had been completed for the Proposed Project. However, our record showed that the MND was not provided to SCAQMD staff for review prior to receiving the Notice of Public Hearing. Since the SCAQMD is the Responsible Agency for the Proposed Project, the Lead Agency should provide the MND to SCAQMD staff for review when it was released and circulated for public review and comments. Moving forward, please provide the CEQA documents to SCAQMD staff for review. I am your point of contact for CEQA project reviews at the SCAQMD.

Closing

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 the SCAQMD with written responses to all comments contained herein prior to the certification of the Final MND. When responding to issues raised in the comments, response 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 or useful to decision makers and to the public who are interested in the Proposed Project.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC181205-01
Control Number

³ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/permits/risk-assessment>.

⁴ SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency for its own projects or Responsible Agency for permit projects, SCAQMD 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. Health risks from operating a gasoline service station must be demonstrated to be below 10 in one million before a permit can be issued.

⁵ South Coast Air Quality Management District. Accessed at: http://www.aqmd.gov/docs/default-source/planning/risk-assessment/gas_station_hra.pdf.