South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS: April 9, 2019

kwhite@sanjacintoca.gov
Kevin White, Senior Planner
City of San Jacinto, Planning Department
595 South San Jacinto Avenue
San Jacinto, CA 92583

Mitigated Negative Declaration (MND) for the Proposed San Jacinto Retail Center

South Coast Air Quality Management District (SCAQMD) staff 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 MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to construct a 2,956-square-foot convenience store, a 3,096-square-foot canopy, a gasoline service station with 12 pumps, a 7,869-square-foot automotive repair building, and a 2,934-square-foot restaurant on 2.2 acres (Proposed Project). Based on a review of aerial photographs, SCAQMD staff found that existing residential uses are located immediately west of the Proposed Project.

Permits and Compliance with SCAQMD Rules

Since the Proposed Project includes the operation of a gasoline service station with 12 pumps, a permit from SCAQMD will be required, and SCAQMD should be identified as a Responsible Agency under CEQA for the Proposed Project in the Final MND (CEQA Guidelines Section 15381). SCAQMD staff recommends that the Lead Agency initiate consultation with SCAQMD as required under CEQA Guidelines Section 15096(b). Should there be any questions on permits, please contact SCAQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit SCAQMD's webpage at: http://www.aqmd.gov/home/permits. In addition to the discussions on SCAQMD Rules 210, 203, and 461, the Lead Agency should include a discussion to demonstrate compliance with SCAQMD Rule 201 – Permit to Construct[1] and Rule 1401 – New Source Review of Toxic Air Containments[2] in the Final MND. Any assumptions used in the Air Quality and Health Risk Assessment (HRA) analyses in the Final MND will be used as the basis for permit conditions and limits. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology[3] is being used by SCAQMD for determining operational health impacts for permitting applications and also for all CEQA projects where SCAQMD is the Lead Agency.

Air Quality Analysis and Health Risk Assessment

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the

[1] South Coast Air Quality Management District. Rule 201 – Permit to Construct. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf.

[2] South Coast Air Quality Management District. Rule 1401 – New Source Review of Toxic Air Contaminants. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf.

[3] Office of Environmental Health Hazard Assessment. "Notice of Adoption of Air Toxics Hot Spots Program Guidance Manual for the Preparation of Health Risk Assessments 2015". Accessed at: https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.

Proposed Project's regional and localized construction and operational air quality impacts would be less than significant[4]. However, it did not appear that the Air Quality Analysis included operational ROG emissions generated from storage tanks or from the fueling process during operation. This may have likely led to an under-estimation of the Proposed Project's operational air quality impacts. Although SCAQMD Rule 461 – Gasoline Transfer and Dispensing requires the use of California Air Resources Board certified Phase I and Phase II enhanced vapor recovery systems with minimum volumetric efficiencies of 98% and 95%, respectively[5], ROG emissions are not entirely eliminated from the fueling process and should be taken into consideration when analyzing the Proposed Project's operational air quality impacts. As an informational document, the Final MND should, at a minimum, include a discussion on potential operational air quality impacts from the fueling process. The Lead Agency should use its best efforts to quantify and disclose ROG emissions from the fueling process in the Final MND. If there is no substantial evidence to support a quantitative analysis of ROG emissions from the fueling process, the Lead Agency should disclose the reasons supported by factual information in the Final MND. It is also important to note that while CalEEMod[6] 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.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project includes, among others, the operation of a gasoline service station with 12 pumps. The Proposed Project has the potential to expose nearby residents located immediately to the west of the Proposed Project to toxic air contaminants, such as benzene, which is a known carcinogen. SCAQMD staff has concerns about the potential health impacts to sensitive receptors from the exposures to benzene during the operation of the Proposed Project. Therefore, to facilitate informed decision-making and public participation with useful information about the Proposed Project's potential long-term health impacts to nearby residents, it is recommended that the Lead Agency prepare a Health Risk Assessment (HRA) analysis to disclose the health risks in the Final MND and include feasible mitigation measures if the cancer risk is found to be significant[7]. Guidance for preforming a Health Risk Assessment can be found on SCAQMD's website[8].

Guidance on Siting Gasoline Dispensing Facilities Near Sensitive Receptors

SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005[9]. Additionally, the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* recommends avoiding siting housing within 300

[4] MND. *Ibid. Air Quality*. Pages 23 – 27.

[5] South Coast Air Quality Management District. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-461.pdf

[6] 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

[7] SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, 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. The 2015 OEHHA methodology is being used by SCAQMD for determining operational health impacts for permitting applications and also for all CEQA projects where SCAQMD is the lead agency.

[8] South Coast Air Quality Management District. Risk Assessment Procedures for Rules 1401. Accessed at: http://www.aqmd.gov/home/permits/risk-assessment.

[9] South Coast Air Quality Management District. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.

feet of a large gas station or 50 feet for a typical gas station[10]. In April 2017, CARB released a Technical Advisory as a supplement to this Handbook[11]. These guidance documents provide recommendations that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review and consider these guidance documents when making local planning and land use decisions

Conclusion

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 SCAQMD with written responses to all comments contained herein prior to the adoption 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, informative, or useful to decision makers and 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
RVC190404-07
Control Number

[10] California Air Resources Board. Air Quality and Land Use Handbook: *A Community Health Perspective*. Accessed at: https://www.arb.ca.gov/ch/handbook.pdf.

[11] California Air Resources Board. Technical Advisory: *Strategies to Reduce Air Pollution Exposure Near High-Volume* Roadways. Accessed at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.