



# South Coast Air Quality Management District

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SENT VIA E-MAIL:

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## **Mitigated Negative Declaration (MND) for the Proposed Oak Valley Parkway and Interstate 10 Commercial Development Project**

South Coast Air Quality Management District (South Coast AQMD) 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.

### South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct a 3,800-square-foot convenience store, a 1,500-square-foot car wash, a 44,130-square-foot gasoline service station with 18 fueling pumps on 3.03 acres (Proposed Project). The Proposed Project is located on the southeast corner of the intersection of Oak Valley Parkway and the Interstate 10 eastbound on ramp within the City of Beaumont. Construction is anticipated to last 13 months, with operations beginning in September 2021<sup>1</sup>. Once operational, the Proposed Project's gasoline service station would have an annual throughput of 5,000,000 gallons of gasoline<sup>2</sup>. Based on a review of the MND and aerial photographs, South Coast AQMD staff found that the Proposed Project will be approximately 1,150 feet east of existing residential uses<sup>3</sup>.

### South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

In the Air Quality Analysis Section of the MND, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. The Proposed Project's Reactive Organic Gases (ROG) emissions from fuel dispensing operations<sup>4</sup> were quantified in the MND and estimated to result in 10.28 pounds per day (lbs/day)<sup>5</sup>. The Lead Agency also discussed<sup>6</sup> the California Air Resources Board's (CARB)'s *Air Quality and Land Use Handbook: A Community Health Perspective*, which recommends avoiding siting sensitive receptors within 300 feet of a large gas station or 50 feet for a typical gas station<sup>7</sup>. Based on the analyses, the Lead Agency found that the Proposed Project's regional and localized air quality impacts would be less than significant<sup>8</sup>. Additionally, the Lead Agency used the South Coast AQMD's Rule 1401 screening-level health risk estimate RiskTool<sup>9</sup> to

<sup>1</sup> MND. Section 4: Air Quality and Greenhouse Gas Assessment. Page 5.

<sup>2</sup> *Ibid.* Page 7.

<sup>3</sup> MND. Page 23.

<sup>4</sup> The Lead Agency used South Coast AQMD's Risk Assessment Procedures for Rules 1401, 1401.1 and 2.12 Table X-1, Gasoline Emission Factors for Retail Service Stations by summing the controlled gasoline emission factors from each of the five processes: loading, breathing, refueling, hose permeation, and spillage for a ratio of 0.74 ROG per 1,000 gallons of gasoline per day.

<sup>5</sup> *Ibid.* Page 7.

<sup>6</sup> MND. Page 23.

<sup>7</sup> California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. Accessed at: <https://www.arb.ca.gov/ch/handbook.pdf>.

<sup>8</sup> MND. Section 4: Air Quality and Greenhouse Gas Assessment. Page 7 through 10.

<sup>9</sup> South Coast AQMD's Risk Assessment Procedures "RiskTool (V1.103) RO40919". Accessed at: <http://www.aqmd.gov/home/permits/risk-assessment>.

calculate cancer risk from operating the Proposed Project's gasoline dispensing station<sup>10</sup>. Based on the analysis, the Lead Agency found that operation of the Proposed Project's gasoline dispensing station would not expose sensitive receptors to a cancer risk greater than 0.930 in one million, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk<sup>11</sup>.

### South Coast AQMD Staff's Comments

#### *CEQA Air Quality Analysis during Operation*

Upon a review of the MND and the supporting Appendix A: *Air Quality and Greenhouse Gas Assessment*, it did not appear that operational nitrogen oxides (NOx) emissions from fuel delivery trucks visiting the Proposed Project were calculated. This may have likely led to an underestimation of 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 activities associated with the fueling process, such as emissions from fuel delivery trucks. Therefore, it is recommended that the Lead Agency quantify and disclose NOx emissions from fuel delivery trucks in the Final MND. If there is no substantial evidence to support a quantitative analysis of NOx emissions from fuel delivery trucks, the Lead Agency should disclose the reasons supported by factual information in the Final MND.

#### *Permits and Compliance with South Coast AQMD Rules*

In the MND, the Lead Agency did not identify South Coast AQMD as a Responsible Agency. Since the Proposed Project includes the operation of a gasoline service station with 18 fueling pumps, permits from South Coast AQMD will be required, and South Coast AQMD should be identified as a Responsible Agency under CEQA for the Proposed Project in the Final MND. The assumptions used in the air quality analysis and health risk screening analysis in the Final MND will be used as the basis for evaluating the permits under CEQA and imposing permit conditions and limits. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology<sup>12</sup> is being used by South Coast AQMD for determining operational health impacts for permitting applications and also for all CEQA projects where South Coast AQMD is the Lead Agency. Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

The MND included a discussion of South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing<sup>13</sup> that the gasoline service station component of the Proposed Project must comply during operation. This Proposed Project component will also need to comply with additional applicable South Coast AQMD Rules, including, but not limited to, Rule 201 – Permit to Construct<sup>14</sup>, Rule 203 – Permit to Operate<sup>15</sup>,

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<sup>10</sup> *Ibid.* Appendix A: Air Quality and Greenhouse Gas Assessment.

<sup>11</sup> South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD 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.

<sup>12</sup> 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/cnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>.

<sup>13</sup> South Coast AQMD. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: <https://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/rule-461.pdf>.

<sup>14</sup> South Coast AQMD. Rule 201 – Permit to Construct. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

Rule 431.2 – Sulfur Content of Liquid Fuels<sup>16</sup> and Rule 1401 – New Source Review of Toxic Air Contaminants<sup>17</sup> that the Lead Agency should discuss in the Final MND.

### 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 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, responses 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.

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 Margaret Isied, Assistant Air Quality Specialist, at [misied@aqmd.gov](mailto:misied@aqmd.gov), should you have any questions.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:MI

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<sup>15</sup> South Coast AQMD. Rule 203 – Permit to Operate. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

<sup>16</sup> South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.

<sup>17</sup> South Coast AQMD. 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>.