



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Draft Environmental Impact Report (Draft EIR) for the Proposed 13131 Los Angeles Street Industrial Project (SCH No.: 2019080276)

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 EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish 32,501 square feet of existing buildings and construct a 528,710-square-foot warehouse on 24.88 acres (Proposed Project). The Proposed Project is located at 13131 Los Angeles Street on the northwest corner of Los Angeles Street and Little John Street within the City of Irwindale. Construction of the Proposed Project is anticipated to begin in 2020 and be completed by 2021¹. Once operational in 2021², the Proposed Project will generate 577 truck trips per day³. Sensitive receptors are located 670 feet east of the Proposed Project⁴.

Due to the historical cement manufacturing operations at the Proposed Project site, the Lead Agency performed a Phase I Environmental Site Assessment (ESA). Based on the ESA, the Lead Agency found no evidence of recognized environmental conditions associated with Proposed Project site⁵.

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

In the Draft EIR, the Lead Agency quantified the Proposed Project's construction emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's construction air quality impacts would be less than significant and did not include construction air quality mitigation measures⁶.

The Lead Agency quantified the Proposed Project's regional and localized operational emissions. Based on this analysis, the Lead Agency found that the Proposed Project unmitigated regional operational air quality impacts would be significant for nitrogen oxide (NOx) emissions at 262 pounds per day (lbs/day)⁷, which is above South Coast AQMD's regional air quality CEQA significance threshold for operation at 55 lbs/day. The Lead Agency is committed to implementing operational Mitigation Measure (MM) AQ-1, which includes, but is not limited to, equipping loading and unloading docks with electrical hookups for trucks with transport refrigeration units to plug in, establishing a buffer zone of at least 300 meters

¹ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 20.

² *Ibid.*

³ *Ibid.* Page 18.

⁴ *Ibid.* Page 10.

⁵ Draft EIR. Appendix E: *Phase I Environmental Site Assessment*. Phase I Environmental Site Assessment Report. Section 10 "Conclusions". Page 30.

⁶ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 20 through 22.

⁷ *Ibid.*

between loading and unloading areas and sensitive receptors, and providing appropriate electrical infrastructure for five percent of vehicle parking spaces to include electric vehicle (EV) charging stations with the ability to accommodate electric charging for trucks to plug in as technology advances⁸. With implementation of MM AQ-1, the Proposed Project's operational air quality impacts from maximum regional NOx emissions would be significant and unavoidable at 262 lbs/day⁹. The Lead Agency found the Proposed Project's localized operational air quality impacts would be less than significant¹⁰.

The Lead Agency also conducted an operational health risk assessment (HRA) and found that at the maximum impacted receptor the Proposed Project's operational cancer risk would be 3.24 in one million¹¹, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk.

Summary of South Coast AQMD Staff's Comments

Based on a review of the Draft EIR and supporting technical documents, South Coast AQMD staff has comments on the technical air quality analysis and health risk assessment. Since operation of the Proposed Project will result in significant NOx emissions, South Coast AQMD recommends that the Lead Agency include additional mitigation measures in the Final EIR. Please see the attachment for more information. The attachment also includes information regarding compliance with South Coast AQMD rules if soil contamination is encountered.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail 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 will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the findings that the recommended new mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov if you have questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
LAC200423-10
Control Number

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.* Page 31.

¹¹ *Ibid.* Pages 35 through 37.

ATTACHMENT

1. Air Quality Analysis – Cold Storage Warehouse

The Proposed Project includes operation of a 528,710-square-foot warehouse. Although building tenant(s) are currently unknown at the time the Draft EIR was prepared¹², the Lead Agency has committed to Mitigation Measure AQ-1, which requires that “the majority of all loading/unloading docks and trailer spaces shall be equipped with electrical hookups for trucks with transport refrigeration units (TRUs) or auxiliary power units” to connect to while visiting the Proposed Project¹³. Since TRUs are commonly in-use at cold storage warehouses, equipping the Proposed Project with electrical hookups provides the necessary infrastructure that enables and facilitates the Proposed Project be used as a cold storage facility. However, based on a review of the CalEEMod output files in Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*, South Coast AQMD staff found that the “General Light Industrial” land use was used to quantify the Proposed Project’s operational emissions¹⁴. If the use of trucks with TRUs during operation is reasonably foreseeable at the time the environmental analysis was prepared for the Proposed Project, and to conservatively analyze the worst-case impact scenario, the Lead Agency should re-calculate the Proposed Project operational emissions with the assumption that trucks with TRUs will visit the Proposed Project in the Final EIR. Alternatively, if emissions from trucks using TRUs are not calculated and included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record.

2. Mobile Source Health Risk Assessment (HRA)

The Proposed Project includes operation a warehouse, which is expected to generate 577 truck trips per day during operation¹⁵. Surrounding sensitive receptors to the Proposed Project would be exposed to diesel particulate matter (DPM) from the transportation and idling of trucks visiting the Proposed Project. DPM is a toxic air contaminant (TAC) and a carcinogen. Therefore, the Lead Agency performed a quantitative mobile source HRA to determine if the Proposed Project would result in a significant incremental increase in potential cancer risks to surrounding sensitive receptors (i.e., residential units within 670 feet of the Proposed Project)¹⁶. The Lead Agency found that the Proposed Project would result in a cancer risk of 3.24 in one million at the maximum impacted receptor¹⁷, which would not exceed South Coast AQMD’s CEQA significance threshold of 10 in one million for cancer risk¹⁸. South Coast AQMD staff has comments as follows.

a) *Transportation Refrigeration Units*

Based on a review of the Health Risk Assessment and Health Risk Calculations, the Lead Agency did not calculate the Proposed Project’s cancer risk based on an operational scenario where trucks with TRUs would visit the Proposed Project site. If the use of trucks with TRUs during operation is reasonably foreseeable (see also Comment No. 1), South Coast AQMD staff recommends the Lead Agency analyze the worst-case health risk scenario and re-calculate the Proposed Project’s cancer risk from trucks with TRUs in the Final EIR. Alternatively, if cancer risk from trucks

¹² Draft EIR. Executive Summary. Page ES-2.

¹³ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Pages 25 through 26.

¹⁴ *Ibid.* Attachment A - CalEEMod Output File for Air Quality Emissions. Summer Run. PDF Page 62.

¹⁵ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 18.

¹⁶ *Ibid.* Page 10.

¹⁷ *Ibid.* Pages 35 through 37.

¹⁸ 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.

using TRUs is not calculated and included in the Final EIR, the Lead Agency should provide reasons for not including it supported by substantial evidence in the record.

b) *Daily Breathing Rates*

The Lead Agency used the mean daily breathing rates for each respective age bin between the third trimester to 30 years¹⁹. South Coast AQMD staff recommends that when there are different daily breathing rates for the same age bin, the most conservative daily breathing rates, such as the 95th percentile daily breathing rates, should be used to calculate cancer risk to nearby residential uses. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the HRA to re-calculate cancer risk based on the 95th percentile daily breathing rates in the Final EIR.

3. Additional Recommended Operational Air Quality Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. Since the Proposed Project's NOx emissions will remain significant and unavoidable at 262 lbs/day after mitigation²⁰, and to further reduce the Proposed Project's air quality impacts from NOx, South Coast AQMD staff recommends that the Lead Agency incorporate the following additional operational mitigation measures in the Final EIR.

- a) Require the use of zero-emissions (ZE) or near-zero emissions (NZE) on-road vehicles during operation, such as trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks and equipment. To monitor and ensure ZE, NZE, or 2010 model year or newer trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with the Proposed Project's operation and make these records available to the Lead Agency upon request. Alternatively, the Lead Agency should require periodic reporting and provision of written records by operators and conduct regular inspections of the records to the maximum extent feasible and practicable.

Near-zero emissions heavy-duty truck engines are commercially available. Examples of commercially available NZE heavy-duty truck engines that meet California Air Resources Board's optional low NOx standards include, but are not limited to, Cummins Westport 8.9- and 6.7-liter natural gas engines and Roush Cleantech 6.8- liter compressed natural gas and liquefied petroleum gas engines²¹. Therefore, NZE heavy-duty trucks should be required for use during operation.

On March 3, 2017, South Coast AQMD's Governing Board adopted the 2016 AQMP²², which was later approved by the California Air Resources Board (CARB) on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in

¹⁹ Draft EIR. Appendix C: *Health Risk Assessment*. "DPM Health Risk at Highest Pollutant Concentration Residence East Neighborhood" PDF Page 24.

²⁰ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 23 through 26.

²¹ CARB. "Optional Reduced NOx Emissions Standards for On-Road Heavy-duty Engines". Accessed at: <https://ww3.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm>

²² South Coast AQMD. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

NOx emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

Operation of the Proposed Project contributes to Basin-wide NOx emissions. Requiring the use of ZE heavy-duty trucks supports South Coast AQMD's efforts to attain state and federal air quality standards as outlined in the 2016 AQMP, specifically for NOx emissions reductions. Requiring the use of ZE heavy-duty trucks also fulfills the Lead Agency's legal obligation to mitigate the Proposed Project's significant operational air quality impacts and complies with CEQA's requirements for mitigation measures.

Technology is transforming the environmental sector and land use planning at a rapid pace. Cleaner trucks such as ZE or NZE trucks are increasingly more feasible and commercially available as technology advances. If using ZE or NZE trucks as a mitigation measure to reduce the Proposed Project's operational air quality impacts is not feasible today, cleaner trucks could become feasible in a reasonable period of time when the Proposed Project is operational (CEQA Guidelines Section 15364). Therefore, during the Proposed Project's operational lifetime, the Lead Agency should develop a process with performance standards to deploy the lowest emission technologies and incentivize the use of ZE or NZE heavy-duty trucks throughout the life of the Proposed Project (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop the performance standards as follows or any other comparable standards in the Final EIR.

- Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use each year to ensure adequate progress. Include this requirement in the Proposed Project's Business or Management Plan.
 - Establish a contractor(s)/truck operator(s) selection policy that prefers contractor(s)/truck operator(s) who can supply ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the Request for Proposal for selecting contractor(s)/truck operator(s).
 - Develop a target-focused and performance-based process and timeline to implement the use of ZE or NZE heavy-duty trucks during operation.
 - Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation.
- b) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final EIR (e.g., 577 daily truck trips). If it is reasonably foreseeable before the EIR is certified that the Proposed Project would generate more than 577 daily truck trips, the Lead Agency should take into account additional daily truck trips and re-evaluate the Proposed Project's air quality impacts and HRA (CEQA Guidelines Section 15088.5). If information becomes available, after the Proposed Project is approved, suggesting that the Proposed Project will generate more than 577 daily truck trips, the Lead Agency is required to determine if a Subsequent EIR is required under CEQA Guidelines Section 15162.

4. Compliance with South Coast AQMD Rules

Since the Proposed Project site was used as a cement and ready-mix concrete manufacturing facility from 1967-2017²³, the Lead Agency conducted a Phase I Environmental Site Assessment (ESA) in 2018. Based on this assessment, the Lead Agency found no evidence of recognized environmental conditions

²³ Draft EIR. Executive Summary. Page ES-2.

associated with Proposed Project site and recommended no further site investigation at the time²⁴. The Phase I ESA also found that a former welding shop and large concrete mixing equipment from the previous industrial operations were still present at the site²⁵.

Due to the historical site usage, it is recommended that the Lead Agency consult with South Coast AQMD Engineering and Permitting staff in advance to determine whether or not any permits, plans, or compliance actions will need to be filed and approved by South Coast AQMD prior to the start of any building demolition, industrial equipment demolition and/or removal, or soil disturbing activities during construction of the Proposed Project. In the event that hexavalent chromium is detected at the Proposed Project site, the Proposed Project will need to comply with the requirements of South Coast AQMD Rule 1156 – Further Reductions of Particulate Emissions²⁶ and Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants²⁷. It is recommended that the Lead Agency consult with South Coast AQMD Engineering and Permitting staff to determine if compliance with any South Coast AQMD rules will be required for the Proposed Project and discuss the applicable rules in the Air Quality Section of the Final EIR. Any assumptions used in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits for the Proposed Project. 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>.

²⁴ Draft EIR. Appendix E: *Phase I Environmental Site Assessment*. Phase I Environmental Site Assessment Report. Section 10 “Conclusions”. Page 30.

²⁵ *Ibid.* Section 3.4 “Descriptions of Structures, Roads, Other Improvements”. Page 5.

²⁶ South Coast AQMD. Rule 1156 – Further Reductions of Particulate Emissions. Last amended November 6, 2015. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1156.pdf>.

²⁷ South Coast AQMD. Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.