

SENT VIA E-MAIL:

February 16, 2024

[ceqacomment@portla.org](mailto:ceqacomment@portla.org)

Lisa Wunder, Acting Director of Environmental Management  
Los Angeles Harbor Department  
425 Palos Verdes Street  
San Pedro, CA 90731

**Notice of Availability of a Draft Subsequent Environmental Impact Report  
(EIR) for the SA Recycling Amendment to Permit No. 750 Project (Proposed  
Project)**

The South Coast Air Quality Management District (South Coast AQMD) appreciates the opportunity to review the above-mentioned document. The Port of Los Angeles is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments, which are organized by topic of concern.

South Coast AQMD's Summary of Project Information in the Draft Subsequent EIR

Based on the Draft Subsequent EIR, The Proposed Project activities would be broken down into two phases as follows: (1) Continued Operation for up to 10 years, and (2) Non-operational Restoration Period for up to 5 years. Phase 1 of the project consists of an amendment to an existing permit to allow ten years of continued operation for a scrap metal recycling facility. At the end of the 10-year period, the facility would be decommissioned and restored during Phase 2 - Non-operational Restoration Period.<sup>1</sup> After reviewing aerial photographs of the site, South Coast AQMD staff found that the nearest sensitive receptor, an existing residential development, is located 0.22 miles from the project site.<sup>2</sup> The Proposed Project is located at 901 New Dock Street on Terminal Island in Los Angeles within the designated AB 617 Wilmington, Carson, West Long Beach community.<sup>3</sup>

South Coast AQMD Comments

*South Coast AQMD Air Permits and Role as a Responsible Agency*

If implementation of the Proposed Project requires the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., South Coast AQMD air permits will be required. The Final Subsequent EIR should include a discussion about the potentially applicable South Coast AQMD rules that may be applicable to the Proposed Project

---

<sup>1</sup> Draft Subsequent EIR (Chapter 3.1, Air Quality and Meteorology). Page 1.

<sup>2</sup> *Ibid.*, p. 7.

<sup>3</sup> *Ibid.*, p. 1.

including but not limited to Rule 201 – Permit to Construct,<sup>4</sup> Rule 203 – Permit to Operate,<sup>5</sup> Rule 401 – Visible Emissions,<sup>6</sup> Rule 402 – Nuisance,<sup>7</sup> Rule 403 – Fugitive Dust,<sup>8</sup> Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,<sup>9</sup> Rule 1166 – VOC Contaminated Soil Excavation,<sup>10</sup> Regulation XIII – New Source Review,<sup>11</sup> Rule 1401 – Air Toxics,<sup>12</sup> Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,<sup>13</sup> and Rule 1470 – Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines.<sup>14</sup> It is important to note that when air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD.

CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits. South Coast AQMD is concerned that the project description and analysis in its current form in the Draft Subsequent EIR is inadequate to be relied upon for this purpose.

For these reasons, the Draft Subsequent EIR should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD

---

<sup>4</sup> South Coast AQMD Rule 201 – Permit to Construct. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

<sup>5</sup> South Coast AQMD Rule 203 – Permit to Operate. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

<sup>6</sup> South Coast AQMD Rule 401 – Visible Emissions. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>.

<sup>7</sup> South Coast AQMD Rule 402 – Nuisance. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

<sup>8</sup> South Coast AQMD Rule 403 – Fugitive Dust. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

<sup>9</sup> South Coast AQMD Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines. Available at: [rule-1110-2.pdf \(aqmd.gov\)](https://www.aqmd.gov/docs/default-source/rule-book/rule-1110-2.pdf)

<sup>10</sup> South Coast AQMD Rule 1166 – VOC Contaminated Soil Excavation. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>.

<sup>11</sup> South Coast AQMD Regulation 13 – New Source Review. Available at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>.

<sup>12</sup> South Coast AQMD Rule 1401 – Air Toxics. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>.

<sup>13</sup> South Coast AQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.

<sup>14</sup> South Coast AQMD Rule 1470 – Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>.

as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <http://www.aqmd.gov/home/permits>.

*Information on the CERP for the Designated AB 617 WCWL Community*

The Proposed Project area includes the AB 617-designated WCWL community and is heavily impacted by air pollution generated from sources such as ports, refineries, oil and gas industry, heavy-duty diesel trucks, warehouses, and railroad activities. As part of the AB 617 process, South Coast AQMD is required to work with a Community Steering Committee (CSC) to develop a Community Emission Reductions Plan (CERP) that identifies air quality priorities and related actions to reduce air pollution in the community. The South Coast AQMD Governing Board adopted the WCWL CERP on September 6, 2019.<sup>15</sup> South Coast AQMD staff recommends that the Lead Agency review the actions to reduce air pollution in the community included in Chapter 5 of the WCWL CERP.<sup>16</sup> South Coast AQMD staff also recommends the Lead Agency continue working with South Coast AQMD to explore whether additional measures to mitigate or further reduce emissions can be implemented at the Proposed Project to support actions in the WCWL CERP.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final Subsequent EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final Subsequent EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. 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 Sahar Ghadimi, Air Quality Specialist, at [sghadimi@aqmd.gov](mailto:sghadimi@aqmd.gov) should you have any questions.

Sincerely,  
Sam Wang

---

<sup>15</sup> South Coast AQMD. September 2019. Assembly Bill 617 Wilmington, West Long Beach, Carson Community Emissions Reduction Plan. Accessed at: <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwl.pdf>.

<sup>16</sup> <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwl.pdf?sfvrsn=8#page=125>

Lisa Wunder

February 16, 2024

*Sam Wang*

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:SG

LAC240104-01

Control Number