

August 23, 2001

Via Facsimile and USPS

South Coast Air Quality Management District  
21865 E. Copley Drive,  
Diamond Bar, California 91765-4182

Attention: Ms. Barbara Radlein



**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT: PROPOSED  
EQUILON LOS ANGELES REFINERY CLEAN FUELS  
PROJECT**

Richard J. Riordan, Mayor  
City of Los Angeles

Board of Harbor  
Commissioners

John Wentworth, President

Jonathan Y. Thomas, Vice President

Gert L. Rowen

John M. Wilson

Fernando Torres-Gil

Larry A. Keller  
Executive Director

Thank you for the opportunity to review the draft Environmental Impact Report (EIR) identified above. We have the following comments, primarily with respect to the Equilon Enterprises LLC Marine Terminal (Marine Terminal) at Berths 167-169, on Mormon Island in the Port of Los Angeles.

We have reviewed SCAQMD's responses to our comments on the Notice of Preparation (NOP) for this EIR (Appendix A, Response to Comment Letter Number 4). Response 4-3 quotes a statement from the Lawrence Livermore National Laboratory (LLNL) report *Health and Environmental Assessment of the Use of Ethanol as a Fuel Oxygenate, Volume 4* (UCRL-AR-135949, 1999) to the effect that cessation of the use of MTBE as a primary fuel oxygenate will result in less MTBE impact on public water wells. The assertion that follows in the response is that, therefore, concerns for enhanced mobilization of existing petroleum contaminants by an ethanol release are unsubstantiated by the LLNL report. The response also implies that the concerns we raised can be addressed by citing the anticipated overall environmental benefit to groundwater from the State-wide program to replace MTBE with ethanol.

We do not believe this approach addresses the issues we raised. Our concerns relate to the implementation of this specific project and its potential impact at the Marine Terminal. The potential impacts of an ethanol release at the Marine Terminal are not mitigated by the elimination of MTBE as an oxygenate in gasoline. The LLNL report clearly raises a number of concerns about potential for ethanol releases to enhance mobilization of existing petroleum contaminants in the vadose zone and groundwater. The vadose zone and groundwater in the vicinity of the Marine Terminal are impacted by significant petroleum contamination, in proximity to harbor waters.

2-1

While we are aware that more effective control measures are being implemented to minimize releases, we believe that releases of petroleum products can still be expected. This is particularly true for effects of seismic events at the Marine Terminal. The EIR, while noting that the Terminal is in an area of known potential for seismic-induced liquefaction (Chapter 4, Section B. Geology/Soils), dismisses significant impacts based on implementation of the Uniform Building Code. Although building codes have been revised and updated based on experience with previous earthquake events to reduce impacts to new or retrofitted structures, it is doubtful that the existing older structures at the Marine Terminal, in particular, the two tanks that will be modified for ethanol storage, meet these requirements. Furthermore, given that requirements of existing codes are in place, and should reduce impacts, they may not eliminate the potential for significant damage to Marine Terminal structures resulting from a major earthquake on a nearby fault.

2-2

The response to our comments suggests that risk of ethanol release at the Marine Terminal will be lessened because most ethanol will be shipped to the Carson facility by railcar. The project description indicates that vessels will deliver ethanol to the Marine Terminal, and that two tanks at the Marine Terminal will be modified for storage of ethanol in the event that the additional capacity is needed. We believe that the assumption must be made that these tanks will likely be put to use.

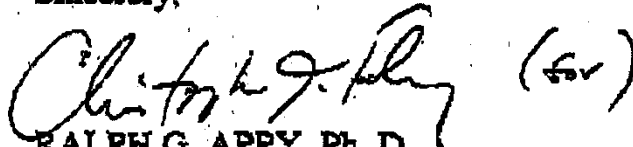
2-3

Given the forgoing, we do not feel that the EIR properly addresses the potential for significant impacts from a release of ethanol at the Marine Terminal. We realize that there may be no way to mitigate the adverse impacts associated with potential releases of ethanol at this site, and that there may be no alternative to the use of ethanol as an oxygenate. However, we feel that this is a potentially significant impact that should be recognized as such in the EIR. A statement of overriding considerations may be required if there are no effective measures to mitigate this impact.

2-4

If you have any questions regarding the comments, please contact Kenneth Ragland at (310) 732-3912.

Sincerely,

  
RALPH G. APPY, Ph. D.  
Director of Environmental Management

RGA:PI:KR  
ADP NO: 010717-523

**DEPARTMENT OF TRANSPORTATION**  
 OFFICE OF REGIONAL PLANNING  
 DISTRICT 7, IGR/CEQA 1-10C  
 120 SO. SPRING ST.  
 LOS ANGELES, CA 90012  
 TEL: (213) 897-6696 ATSS: 8- 647-6696  
 FAX: (213) 897-6317



August 14, 2001

IGR/CEQA cs/010756  
 DEIR  
 Los Angeles  
 Equilon Enterprises - CARB Phase 3  
 Reformulated Gasoline Project  
 2101 E. PCH, Wilmington  
 2457 Redondo Ave., Signal Hill  
 20945 S. Wilmington Ave., Carson  
 8100 Haskell Blvd., Van Nuys  
 Vic. LA-1/47/405-VAR  
 SCH # 2000091086

Ms. Barbara A. Radlein  
 South Coast Air Quality Management District  
 21865 E. Copley Dr.  
 Diamond Bar, CA 91765

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Dear Ms. Radlein:

Thank you for including the California Department of Transportation in the environmental review process for the above-mentioned project. Since the project sites are located close to several State highways (SR-1 - PCH, SR-47 - Alameda St. and I-405 - San Diego Freeway) and based on the information received, we have the following comments:

Any work to be performed within the State Right-of-way will need an Encroachment Permit from the California Department of Transportation. 3-1

We recommend that construction and project related truck trips on State highways be limited to off-peak commute periods. Transport of oversize or overweight vehicles on State highways will need a Transportation Permit from the California Department of Transportation. 3-2

The report identified a potentially significant peak PM commute period impact at the I-405/Wilmington Ave. southbound ramp and mitigation measures were identified to reduce the project's impact to less than significant. However, in addition to freeway ramp intersections, we are especially concerned about the project's incremental impact on the mainline I-405 San Diego Freeway during peak commute periods. 3-3

If you have any questions regarding our response, refer to our internal IGR/CEQA Record # cs/010756, and please do not hesitate to contact me at (213) 897-4429.

Sincerely,

STEPHEN BUSWELL  
 IGR/CEQA Program Manager

cc: Mr. Scott Morgan, State Clearinghouse

Post-it® Fax Note	7871	Date		# of pages
To	Debbie Beight	From	B. Radlein	
Co./Dept	Env. Audit	Co.	SCAQM B	
Phone #	714 632 8521	Phone #	909 396-2716	
Fax #	714 632 6754	Fax #		

8-23-01 Page



# California Regional Water Quality Control Board

## Santa Ana Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>  
3737 Main Street, Suite 500, Riverside, California 92501-3348  
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis  
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8).*

July 30, 2001

Barbara Radlein  
South Coast Air Quality Management District  
Planning/CEQA Section  
21865 E. Copley Drive  
Diamond Bar, CA 91765-4182

**RESPONSE TO NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL IMPACT REPORT/  
EQUILON ENTERPRISES, LLC LOS ANGELES REFINERY CARB PHASE 3 PROPOSED  
PROJECT/ STATE CLEARING HOUSE NUMBER 2000091086**

Dear Ms. Radlein:

The California Regional Water Quality Control Board, Santa Ana Region, (Regional Board) would like to thank you for giving the Regional Board staff the opportunity to review and comment on the Equilon Enterprises, LLC Los Angeles Refinery Carb Phase 3 proposed project.

Staff of the Regional Board has reviewed the Notice of Completion for the above referenced project. The project involves construction of a new aboveground storage tank with associated piping and unloading rack, and modifications to existing piping and unloading racks. Therefore, Regional Board staff has the following comments:

1. Owners or operators of facilities storing petroleum in a single aboveground tank greater than 660 gallons or storing petroleum in aboveground tanks or containers with a cumulative storage capacity greater than 1,320 gallons are subject to California's Aboveground Petroleum Storage Act (APSA). 4-1
2. Owners or operators of facilities subject to APSA shall amend their current Spill Prevention Control and Countermeasure in accordance with Title 40, part 112.5 and 112.7 of the Code of Federal Regulations. 4-2
3. Owners or operators of facilities subject to APSA shall amend their Storage Statement in accordance with section 25270.6 of APSA. 4-3

If you should have any questions, please call Edward Kashak at (909) 782-3252.

Sincerely,

David G. Woelfel  
Planning Section

cc: Scott Morgan - State Clearinghouse

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California Environmental Protection Agency



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CITY OF ANAHEIM, CALIFORNIA

Planning Department

August 7, 2001

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ENVIRONMENTAL AUDIT

Barbara Radlein  
SCAQMD Headquarters  
21865 E. Copley Drive  
Diamond Bar, CA 91765-4182

**Re: Notice of Completion of Draft Environmental Impact Report for "Equilon Enterprises, LLC Los Angeles Refinery CARB Phase 3 Proposed Project"**

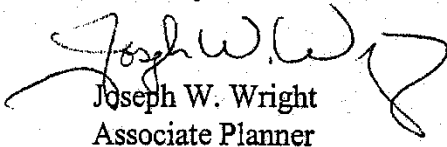
Dear Ms Radlein:

Thank you for the opportunity to review and comment on the above-referenced document. Anaheim City staff has reviewed the above mentioned document and have no comments at this time.

Please forward any subsequent public notices and/or environmental documents regarding this project to my attention at the address listed below.

If you have any questions regarding this response, please do not hesitate to contact me at (714)765-5139, Extension 5750.

Sincerely,

  
Joseph W. Wright  
Associate Planner

jwright/enviro/agrnd/carb phase 3.doc

200 South Anaheim Boulevard  
P.O. Box 3222, Anaheim, California 92803 • (714) 765-5139 • www.anaheim.net





Winston H. Hickox  
 Agency Secretary  
 California Environmental  
 Protection Agency

# Department of Toxic Substances Control

Edwin F. Lowry, Director  
 1011 N. Grandview Avenue  
 Glendale, California 91201



Gray Davis  
 Governor

August 7, 2001

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AUG 21 2001

ENVIRONMENTAL AUDIT

Ms. Barbara A. Radlein  
 South Coast Air Quality Management District  
 21865 East Copely Drive  
 Diamond Bar, California 91765

DRAFT ENVIRONMENTAL IMPACT REPORT FOR EQUILON ENTERPRISES,  
 CALIFORNIA AIR RESOURCES BOARD PHASE 3 REFORMULATED GASOLINE  
 PROJECT, SCH #2000091086

Dear Ms. Radlein:

The Department of Toxic Substances Control (DTSC) has received your Supplemental Environmental Impact Report (EIR) for the above mentioned Project.

Based on the review of the document, the DTSC comment is as follows:

If during construction of the project, soil contamination is suspected, construction in the area should stop and appropriate Health and Safety procedures should be implemented. If it is determined that contaminated soil exists, the draft EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide appropriate regulatory oversight.

6-1

DTSC provides guidance for Preliminary Endangerment Assessment (PEA) preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). Also, DTSC is administering the \$85 million Urban Cleanup Program (UCLP), which provides low-interest loans to investigate and cleanup hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. The program is composed of two main components: low interest loans of up to \$100,000 to conduct preliminary endangerment assessments of underutilized properties; and loans of up to \$2.5 million for the cleanup or removal of hazardous materials also at underutilized urban properties. These loans are available to developers, businesses, schools and local governments.

6-2

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).*

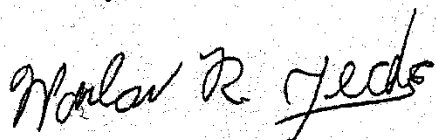
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Ms. Barbara Radlein

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For additional information on the VCP or UCLP please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If you would like to meet/discuss this matter further, please contact Arman Moheba, Project Manager, at (818) 551-2834 or me at (818)551-2877.

Sincerely,



Harlan R. Jeché  
Unit Chief  
Southern California Cleanup Operations - Glendale Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief  
Planning and Environmental Analysis Section  
CEQA Tracking Center  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806