

CHAPTER 1.0

INTRODUCTION AND EXECUTIVE SUMMARY

INTRODUCTION

The proposed project includes modifications to the Tosco Los Angeles Refinery (Refinery) that will improve the air quality in the South Coast Air Basin (Basin) by producing cleaner-burning reformulated gasoline for use in motor vehicles. Cleaner-burning gasoline will reduce emissions of criteria and toxic air pollutants, and thereby, help to achieve and maintain federal and state ambient air quality standards in the Basin. The objective of the proposed project is to comply with California's Phase 3 Reformulated Fuels requirements without any loss in the volume of gasoline produced by the Refinery.

This document constitutes the Final Environmental Impact Report (EIR) for the Tosco Refinery California Reformulated Gasoline Phase 3 (CARB RFG Phase 3) requirements. The Final EIR includes the Notice of Preparation of a Draft EIR (September 12, 2000), the Draft EIR (January 2001), the Final EIR (Volume I, March 2001), a Health Risk Assessment (Volume II, March 2001), and a Worst Case Consequence Analysis (Volume III, March 2001). All documents comprising the EIR for the proposed project were circulated for public review and are available at the South Coast Air Quality Management District (SCAQMD), 21865 East Copley Drive, Diamond Bar, California, 91765. These documents can be obtained by contacting the SCAQMD's Public Information Center at (909) 396-2039 or by accessing <http://www.aqmd.gov/ceqa/nonaqmd.html>.

The Notice of Preparation (NOP) of an EIR for the CARB RFG Phase 3 proposed project and Initial Study (IS) were released for a 30-day public review and comment period beginning on September 15, 2000 and ending on October 17, 2000. The IS contains a project description and the environmental checklist as required by the California Environmental Quality Act (CEQA) Guidelines. A copy of the NOP and IS is included in Appendix A of this EIR. The Draft EIR for the Tosco CARB RFG Phase 3 proposed project was released for a 45-day public review and comment period beginning on January 16, 2001 and ending on March 1, 2001. One comment letter was received during the comment period for the Draft EIR. Responses to that comment letter were prepared and are included in Appendix D of this document. No modifications, insertions or deletions to the text of the EIR were necessary due to public comments received on the Draft EIR. The environmental disciplines that were determined to have potentially significant impacts and were analyzed in the EIR include air quality, geology/soils, hazards, noise, and transportation/traffic. The environmental resource where significant adverse environmental impacts would occur after implementation of mitigation measures was air quality. Accordingly, a Statement of Findings and Overriding Considerations has been prepared for these significant adverse impacts and is included as Attachment 1 to the EIR.

PURPOSE/LEGAL REQUIREMENTS

In accordance with §15121(a) of the State CEQA Guidelines (California Administrative Code, Title 14, Division 6, Chapter 3), the purpose of an EIR is to serve as an informational document that: "will inform public agency decision-makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

The EIR is an informational document for use by decision makers, public agencies and the general public. It is not a policy document that sets forth policy about the desirability of the project discussed. The proposed project requires discretionary approval from the SCAQMD and, therefore, it is subject to the requirements of CEQA (Public Resources Code, §2100 et seq.).

This EIR addresses both project-specific and cumulative impacts of the proposed project. The focus of this EIR is to address potentially significant environmental issues identified in the NOP and IS (see Appendix A) and to recommend feasible mitigation measures, where possible, to reduce or eliminate significant adverse environmental impacts.

SCOPE AND CONTENT

The NOP and IS were circulated for a 30-day comment period beginning on September 15, 2000. The NOP and IS were circulated to neighboring jurisdictions, responsible agencies, other public agencies, and interested individuals in order to solicit input on the scope of the EIR. Comments received on the NOP and IS are also included in Appendix A. The NOP and IS formed the basis for and focus of the technical analyses in this EIR. The following environmental issues were identified in the IS as potentially significant and are addressed in this document:

- Air Quality,
- Geology/Soils,
- Hazards,
- Noise, and
- Transportation/Traffic.

The IS concluded that the proposed project would not create significant adverse environmental impacts to the following areas: aesthetics, agriculture resources, biological resources, cultural resources, energy, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, recreation, and solid/hazardous waste.

A discussion of potential cumulative impacts is also provided. The alternatives section of this EIR is prepared in accordance with §15126.6 of the CEQA Guidelines. This section describes a range of reasonable alternatives that could feasibly attain the basic objectives of the proposed project or are capable of eliminating or reducing some of the significant adverse environmental effects associated with the proposed project.

LEAD AND RESPONSIBLE AGENCIES

The SCAQMD is considered the Lead Agency in preparing this EIR as air quality Permits to Construct/Operate are required for the proposed project. The Lead Agency is the “public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment” (Public Resources Code, §21067). For this project, the SCAQMD has the primary discretionary approval authority over the proposed project and was determined to be the Lead Agency (California Code of Regulations §15051(b)). The air quality permits are considered to be discretionary. By issuing permits, the public agency is approving the project.

§15381 of the State CEQA Guidelines defines a "responsible agency" as: "a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For purposes of CEQA, responsible agencies include all public agencies other than the lead agency that have discretionary approval authority over the project."

No agencies have been identified as a Responsible Agency for the proposed Project. The following agencies may have ministerial permitting authority for aspects of the Refinery operation, and have been given an opportunity to review and comment on the NOP and EIR; however, no new permits or permit modifications are expected to be required from these agencies for the proposed project, with the exception that building permits are expected to be required by the City of Los Angeles.

- State Water Resources Control Board (SWRCB),
- Los Angeles Regional Water Quality Control Board (RWQCB),
- Los Angeles City Bureau of Sanitation (LACBS),
- Department of Toxic Substances Control (DTSC), and
- City of Los Angeles.

For convenience, all the above agencies will be referred to generally as Responsible Agencies in this EIR.

INTENDED USES OF THE EIR

The EIR is intended to be a decision-making tool that provides full disclosure of the environmental consequences associated with the discretionary actions required to implement the proposed project. Additionally, CEQA Guidelines §15124(d)(1) require a public agency to identify the following specific types of intended uses:

- A list of the agencies that are expected to use the EIR in their decision-making;
- A list of permits and other approvals required to implement the project; and
- A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies.

To the extent that local public agencies, such as cities, county planning commissions, etc., are responsible for making land use and planning decisions related to the proposed project, they could possibly rely on this EIR during their decision-making process. See the preceding section for a list of public agencies' approval that may be required.

PROJECT SYNOPSIS

Project Applicant

Tosco Refining Company
1660 West Anaheim Street
Wilmington, CA

The Wilmington Plant is located on approximately 425 acres consisting of six contiguous parcels of land located in the City of Los Angeles generally south of Anaheim Street, east of Gaffey Street and west of the Harbor Freeway in the community of Wilmington.

Project Description

In order to comply with CARB RFG Phase 3 requirements, and produce adequate quantities of products, Tosco is proposing modifications to its existing Los Angeles Refinery Wilmington Plant. The primary objective of these modifications is to increase the rate through the Alkylation Unit to produce more alkylate which is required for meeting the CARB RFG Phase 3 RVP standard, as well as meeting the more stringent benzene and sulfur standards. The process unit modifications are required for the Alkylation Unit, the Acid Plant, the Catalytic Light Ends Fractionation System, and the Butamer Unit. Modifications are also required to associated support facilities such as utility systems and interconnecting piping. In addition some storage tanks will undergo service changes. The proposed project will not increase the crude throughput capacity of the Refinery.

As a result of reformulating all of California's gasoline through its Phase 3 requirements, CARB estimates that the Phase 3 requirements will reduce hydrocarbon emissions by 0.5 ton per day, nitrogen oxides (NOx) emissions by 19 tons per day, and will eliminate MTBE in gasoline. (Note: Potential impacts associated with removing MTBE as an oxygenate from gasoline was previously analyzed in a negative declaration. See SCAQMD, 2000, SCH No. 20005115, which is available upon request). Potency weighted toxic emissions are expected to decrease by about seven percent. These emission reductions were based on comparing the properties of the 1998 average gasoline to the properties of a representative CARB RFG Phase 3 fuel. The CARB RFG Phase 3 requirements are expected to preserve and enhance the motor vehicle emission reduction benefits of the current program and will further aid in meeting the emission reductions required by the State Implementation Plan (CARB, 1999).

PROJECT ALTERNATIVES

This EIR provides a discussion of alternatives to the proposed project as required by the CEQA guidelines. According to the guidelines, alternatives should include realistic measures to attain

the basic objectives of the proposed project and provide means for evaluating the comparative merits of each alternative. In addition, though the range of alternatives must be sufficient to permit a reasoned choice, they need not include every conceivable project alternative (CEQA Guidelines, §15126(d)(5)). The key issue is whether the selection and discussion of alternatives fosters informed decision making and public participation.

Alternatives presented in this EIR were developed by reviewing different methods to obtain more alkylate. Consequently, each project alternative described below is similar to the proposed project in most respects except for the source of additional alkylate. The rationale for selecting specific components of the proposed project on which to focus the alternative analysis rests on CEQA's requirements to present a reasonable range of project alternatives that could feasibly attain the basic objectives of the project, while generating fewer or less severe adverse environmental impacts. The EIR includes a discussion of the following alternatives to the proposed project:

- Purchase of Additional Alkylate – Under this alternative, the need for additional alkylate would be purchased (rather than produced) and transported via marine vessel to the Tosco Wilmington Plant; and
- Construction of a New Alkylation Unit – Under this alternative, a new alkylation unit would be constructed to produce the additional alkylate required by the facility.

It was determined that all of the alternatives would achieve the objectives of the proposed project. However, none of the project alternatives would eliminate the significant environmental impacts identified for the proposed project. In fact, the alternatives were expected to result in higher operational emissions than the proposed project. No other feasible alternatives have been identified that would reduce the proposed project environmental impacts to a less than significant level while achieving the project objectives. Consequently, the proposed project is considered the preferred alternative to ensure that Tosco will be able to achieve all the objectives of the proposed project, which is to produce reformulated fuels as specified by state regulations, and minimize environmental impacts.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

This section summarizes the environmental impacts, mitigation measures, and residual impacts associated with the proposed project. Table 1-1 includes a brief description of the environmental issues identified for the proposed project, potential environmental impacts prior to mitigation, proposed mitigation measures, and residual impacts remaining after mitigation. Impacts are divided into four classifications: Unavoidable Adverse Impacts, Potentially Significant but Mitigable Impacts, Less Than Significant Impacts, and Beneficial Impacts. Unavoidable adverse impacts are significant impacts that require a Statement of Overriding Considerations to be issued per CEQA Guidelines §15093 if the project is approved. Potentially Significant but mitigable impacts are adverse impacts that can be feasibly mitigated to less than significant levels and which require that findings be made in accordance with the CEQA Guidelines §15091 if the proposed project is approved. Less than significant impacts may be adverse but do not exceed

any significance threshold levels and do not require mitigation measures. Beneficial impacts reduce existing environmental problems or hazards.

Unavoidable Adverse Impacts

Air Quality: The emissions of carbon monoxide (CO), volatile organic compounds (VOCs), and nitrogen oxides (NO_x), exceed mass daily emissions during project construction.

The emissions of volatile organic compounds and nitrogen oxides exceed mass daily emission levels during project operation.

Less Than Significant Impacts

Air Quality: Sulfur oxide emissions from the construction phase of the proposed project are less than significant.

Carbon monoxide, sulfur oxides (SO_x), and particulate matter (PM₁₀) emissions from the operational phase of the project are less than the significance threshold. Also during the operational phase of the project, ambient concentrations of criteria pollutants, carbon monoxide hot spots and emissions of toxic air contaminants are less than significant.

Geology/Soils: Adverse project impacts on topography, unique geological resources, soil contamination, and geological hazards are less than significant.

Hazards: The proposed project is expected to comply with applicable design codes and regulations, with National Fire Protection Association Standards, and with generally accepted industry practices. The increased risk of off-site injury, and exposure to a hazardous chemical in concentrations equal to or greater than the emergency response planning guideline (ERGP) 2 levels are potential adverse impacts but are expected to be less than significant.

Noise: Adverse noise impacts during the construction and operational phases are expected to be less than significant.

Transportation/
Traffic: Adverse traffic impacts during the construction and operational phases on transportation and circulation are expected to be less than significant.

TABLE 1-1

SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND RESIDUAL IMPACTS

IMPACT	MITIGATION MEASURES	RESIDUAL IMPACT
<p>AIR QUALITY Construction activities will generate emissions of CO, VOCs, NOx, and PM10 that are significant. The construction emissions of SOx are less than than significant.</p> <p>Operational emissions of criteria pollutants are significant for VOC emissions from storage tanks and indirect NOx emissions from train locomotives.</p>	<p>Develop a Construction Traffic Emission Management Plan. The Plan shall include measures to minimize emissions from mobile sources including requiring measures to provide parking, scheduling truck, deliveries, consolidating truck deliveries to peak traffic hours, and limit idling to 10 minutes.</p> <p>Suspend use of construction equipment during second stage smog alerts.</p> <p>Prohibit trucks from idling longer than 10 minutes.</p> <p>Use electricity or alternate fuels for on-site mobile equip. instead of diesel equip., where feasible.</p> <p>Maintain construction equipment tuned up and retard diesel engine timing, to the extent feasible.</p> <p>Use electric welders to avoid emissions from gas or diesel welders in portions of the Plant where electricity is available.</p> <p>Use on-site electricity rather than temporary power generators in portions of the Plant where electricity is available.</p> <p>Develop a fugitive emission control plan.</p> <p>Storage tank emissions are controlled through the use of BACT. NOx emissions from train locomotives are controlled through emissions limits by the U.S. EPA.</p>	<p>Construction emissions are expected to remain significant for CO, VOC, and NOx.</p> <p>Mass daily emissions of VOCs and NOx are expected to remain significant.</p>

TABLE 1-1

SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND RESIDUAL IMPACTS

IMPACT	MITIGATION MEASURES	RESIDUAL IMPACT
Air Quality (cont.)		
The ambient air concentrations of NO _x , PM ₁₀ , and CO are below SCAQMD significance threshold levels and are less than significant.	None required.	Concentrations of NO _x , PM ₁₀ , and CO are less than significant.
No significant traffic impacts were identified at local intersections so no significant increase in CO hot spots is expected.	None required.	CO hot spots are less than significant.
The project is consistent with the General Plan and is consistent with the Air Quality Management Plan so no significant impacts are expected.	None required.	Impacts on the AQMP are less than significant.
The estimated cancer risk due to the operation of the proposed project is expected to be less than the significance criterion of 10 per million so that the project impacts are deemed to be less than significant.	None required.	Cancer risk impacts are less than significant.
The acute and chronic hazard indices due to operation of the proposed project are less than 1.0 and are deemed to be less than significant.	None required.	Non-carcinogenic (non-cancer) health impacts are less than significant.
GEOLOGY		
No topographic changes are expected to the project site so impacts are less than significant.	None required.	Topographic impacts are less than significant.

TABLE 1-1

SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND RESIDUAL IMPACTS

IMPACT	MITIGATION MEASURES	RESIDUAL IMPACT
<p>Geology (cont.)</p> <p>No unique geological resources are present that could be disturbed by the proposed project. No significant impacts are expected.</p> <p>Soil erosion from wind or water could occur during construction activities but dust control measures are expected to minimize potential impacts.</p> <p>Construction activities could generate contaminated soil or water.</p> <p>Compliance with Uniform Building Codes is expected to result in less than significant impacts on geological hazards.</p>	<p>None required.</p> <p>See air quality mitigation measures.</p> <p>Any contaminated soils or ground water shall be addressed pursuant to local, state and federal regulations and requirements, including requirements of U.S. EPA, DTSC, SCAQMD, and RWQCB.</p> <p>Tosco is required to obtain building permits, as applicable, for all new structures.</p>	<p>Impacts on geological resources are less than significant.</p> <p>Soil erosion impacts are less than significant.</p> <p>Soil/water contamination impacts are less than significant due to extensive regulations.</p> <p>Geological hazard impacts are less than significant.</p>
<p>HAZARDS</p> <p>Impacts associated with on-site releases are not expected to result in off-site exposure to levels that could cause injury. Hazard impacts are considered less than significant.</p> <p>The proposed project impacts on water quality due an accidental release are expected to be less than significant.</p>	<p>None required because of the extensive regulations. Tosco will be required to update its Process Safety Management Program and Risk Management Program.</p> <p>None required due to intensive regulations and existing containment facilities.</p>	<p>Hazard impacts are less than significant.</p> <p>Hazard impacts on water quality are expected to be to less than significant.</p>

TABLE 1-1

SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND RESIDUAL IMPACTS

IMPACT	MITIGATION MEASURES	RESIDUAL IMPACT
<p>HAZARDS (cont.)</p> <p>The project is expected to increase the transport of acutely hazardous materials or petroleum products via truck or railcar. The impact from an accidental release is less than significant.</p> <p>Project is expected to comply with all applicable design codes and regulations.</p>	<p>None Required.</p> <p>None Required.</p>	<p>Hazard impacts due to transportation are less than significant.</p> <p>Hazard impacts are less than significant.</p>
<p>NOISE</p> <p>Construction noise levels are expected to be less than significant since noise increases would not exceed the noise levels identified in the City of Los Angeles Noise Ordinance.</p> <p>Operational noise is considered less than significant as the estimated noise increase is less than 3 dBA and within the noise levels established under the City's noise ordinance.</p>	<p>None Required.</p> <p>None Required.</p>	<p>Construction noise is less than significant.</p> <p>Operational noise impacts are expected to be less than significant.</p>
<p>TRANSPORTATION/CIRCULATION</p> <p>No increase in the level of service (LOS) rating at any intersection is expected, so no significant traffic impacts due to construction of the proposed project are expected. The impact is less than significant.</p> <p>No increase in the LOS at any intersection is expected so no significant traffic impacts due to operation of the proposed project are expected. The impact is less than significant.</p>	<p>None required.</p> <p>None required.</p>	<p>Traffic impacts during the construction phase are less than significant.</p> <p>Traffic impacts due to operation of the proposed project are less than significant.</p>

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