

Response to Comments on the Draft IS/MND

1 INTRODUCTION

1.1 PURPOSE OF THE RESPONSE TO COMMENTS ON THE DRAFT IS/MND

This document has been prepared to respond to comments received on the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) prepared for the proposed Lincoln and Van Buren Commercial Development Project (Project). The Draft IS/MND identifies the likely environmental consequences associated with development of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides a response to comments on the Draft IS/MND and makes revisions to the Draft IS/MND, as necessary, in response to those comments or to make clarifications to material in the Draft IS/MND.

2 COMMENTS AND RESPONSES

This section includes comments received during the circulation of the Draft IS/MND for the proposed Project.

The City of Riverside received one comment letter on the Draft IS/MND. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter	Page No.
1 South Coast Air Quality Management District	1

The comment letter and responses follow. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue.

Letter 1



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

September 17, 2019

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Mitigated Negative Declaration (MND) for the Proposed Lincoln Van Buren Commercial Development

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 5,250 square feet of restaurant and retail uses, a 3,062-square-foot convenience store, a 3,165-square-foot fueling canopy, and a gasoline service station with 12 pumps on 1.51 acres (Proposed Project). The Proposed Project is anticipated to have an annual throughput of 1.7 million gallons¹. Construction is anticipated to begin in spring 2020 for eight months². The closest existing sensitive receptors to the Proposed Project include residences across Lincoln Avenue, approximately 85 feet from the project's southern boundary³.

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Air Quality Analysis – Operational Emissions

The Air Quality Analysis in the MND did not include operational ROG emissions generated from storage tanks or from the fueling process during operation. This has likely under-estimated the Proposed Project's operational air quality impacts. Although South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing requires the use of California Air Resources Board certified Phase I and Phase II enhanced vapor recovery systems with minimum volumetric efficiencies of 98% and 95%, respectively⁴, ROG emissions are not entirely eliminated from the fueling process and should be included when quantifying the Proposed Project's operational emissions. As an informational document, the Final MND should, at a minimum, include a discussion on the Proposed Project's potential operational air quality impacts from the fueling process. The Lead Agency should use its best efforts to quantify and disclose ROG emissions from the fueling process in the Final MND. If there is no substantial evidence to support a quantitative analysis of ROG emissions from the fueling process, the Lead Agency should disclose the reasons supported by factual information in the Final MND. It is also important to note that while CalEEMod⁵ quantifies mobile source emissions (e.g., trip visits by patrons) associated with operating a gasoline service station, CalEEMod does not quantify the operational stationary source emissions from the storage tanks and fueling equipment.

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¹ MND, Page 26.

² MND, Page 44.

³ MND, Page 21.

⁴ South Coast AQMD, Rule 461 – Gasoline Transfer and Dispensing. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-461.pdf>.

⁵ CalEEMod incorporates up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and is available free of charge at: www.caleemod.com.

Permits and Compliance with South Coast AQMD Rules

Since the Proposed Project includes the operation of a gasoline service station with 12 pumps, a permit 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. 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 Final MND should also include a discussion of compliance with applicable South Coast AQMD Rules, including, but not limited to, Rule 201 – Permit to Construct⁶, Rule 203 – Permit to Operate⁷, Rule 461 – Gasoline Transfer and Dispensing⁸, and Rule 1401 – New Source Review of Toxic Air Containments⁹. [Any assumptions used in the Air Quality and Health Risk

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Assessment (HRA) analyses in the Final MND will be used as the basis for permit conditions and limits. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology¹⁰ 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. [If there is any information in

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the permitting process suggesting that the Proposed Project would result in significant adverse air quality impacts not analyzed in the Final MND or substantially more severe air quality impacts than those analyzed in the Final MND, the Lead Agency should commit to reevaluating the Proposed Project's air quality and health risks impacts through a CEQA process (CEQA Guidelines Section 15162).

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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.

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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 me at lsun@aqmd.gov, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC190906-01

Control Number

⁶ South Coast AQMD. Rule 201 – Permit to Construct. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

⁷ South Coast AQMD. Rule 203 – Permit to Operate. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

⁸ South Coast AQMD. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: <https://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/rule-461.pdf>.

⁹ 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>.

¹⁰ 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/cmr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>.

South Coast AQMD Staff's Summary of Project Description

Response to Air Quality Analysis – Operational Emissions Comment

Table 1

Project Gasoline Station Emissions

ROG Emissions	Gasoline Station Emission Sources					Total
	Loading	Breathing	Refueling	Hose Permeation	Spillage	
Controlled Gasoline Emission Factor (lbs./1,000 gal)	0.15	0.024	0.32	0.009	0.24	0.74
ROG Emissions (lbs./day)	0.70	0.11	1.49	0.04	1.12	3.46

ROG: Reactive Organic Gases; lbs.: pounds

Notes:

Loading – Emissions occur when a fuel tanker truck unloads gasoline to the storage tanks. The storage tank vapors, displaced during loading, are emitted through its vent pipe. A pressure/vacuum valve installed on the tank vent pipe significantly reduces these emissions.

Breathing – Emissions occur through the storage tank vent pipe as a result of temperature and pressure changes in the tank vapor space.

Refueling – Emissions occur during motor vehicle refueling when gasoline vapors escape either through the vehicle/nozzle interface or the on-board vapor recovery (ORVR) system.

Spillage – Emissions occur from evaporating gasoline that spills during vehicle refueling.

Hose Permeation – Emissions occur when liquid gasoline or gasoline vapors diffuse through the dispensing hose outer surface to the atmosphere.

Emission rates are for Volatile Organic Compounds, which are often used ROG emissions estimates.

Source: South Coast AQMD 2017.

As shown in Table 1 and detailed in the attachment to this letter, the Project's proposed gasoline station would result in 3.46 pounds (lbs.) per day of ROG emissions. Table 3 of the IS/MND (shown below as Table 2) estimated that the Project-related gasoline station emissions for ROG were 5 lbs./day. The addition of the above-mentioned 3.46 lbs./day of ROG emissions in Table 1, to the 5 lbs./day of ROG (please note, ROG and VOC [Volatile Organic Compounds] are used interchangeably) emissions shown within Table 2, below, would result in a total of 9 lbs./day of ROG emissions overall, which is substantially less than the significance threshold of 55 lbs./day. Volatilization of gasoline would not contribute toward emissions of the other analyzed criteria pollutants. Emissions associated with the Project, including ROG emissions from the proposed gasoline station, would result in less than significant operational-phase emissions.

TABLE 2
PEAK DAILY OPERATIONAL EMISSIONS

Source	Emissions (lbs/day)					
	VOC (or ROG in this case)	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Area sources	<1	<1	<1	<1	<1	<1
Energy sources	<1	<1	<1	<1	<1	<1
Mobile sources	5	4	29	<1	5	1
Total Operational Emissions*	5	4	29	<1	5	1
South Coast AQMD Significance Thresholds	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compounds; NOx: nitrogen oxides; CO: carbon monoxide; SO ₂ : sulfur dioxide; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter; South Coast AQMD: South Coast Air Quality Management District. Emissions in the table are the higher number of the estimated summer or winter emissions. * Some totals do not add due to rounding.						

Permits and Compliance with South Coast AQMD Rules

- 1-3 The comment is noted. The proposed Project is subject to all applicable South Coast AQMD Rules and compliance is mandatory for all regulated emissions sources occurring within the jurisdiction of the South Coast AQMD. Rules that are applicable to the Project include, but are not limited to, Rule 201 – Permit to Construct , Rule 203 – Permit to Operate, Rule 461 – Gasoline Transfer and Dispensing, and Rule 1401 – New Source Review of Toxic Air Containments.

Permits and Compliance with South Coast AQMD Rules

1-4 The South Coast AQMD is requesting that any assumptions used in the assessment of health risk-related to the proposed gasoline station be provided. The screening level health risk assessment used for the proposed gasoline station was conducted using the South Coast AQMD's Risk Tool version 1.1. The Risk Tool implements South Coast AQMD Risk Assessment Procedures for Rule 1401, 1401.1, and Rule 212 (Procedure Version 8.1 & Package N, September 1, 2017). The gasoline station calculation of the Risk Tool was used to assess potential carcinogenic risk for the nearest residential use to the proposed gasoline station, which includes future planned residential uses located west of the Project site. Inputs used for the Risk Tool include the following:

- Underground storage tanks
- A source-receptor distance of 23 meters between the edge of the fueling area and the nearest residential property line and 56 meters from the edge of the nearest commercial building.
- Annual throughput of 1.7 million gallons/year
- Riverside Airport Meteorological Station

As shown in the attachment to this letter, the Risk Tool indicated that the Maximum Individual Cancer Risk (MICR) for Residents is 7.04 in a million and 0.209 in a million for Commercial uses. The MICR is below the South Coast AQMD's significance threshold of 10 in a million and less than significant impacts would occur from project-related toxic air contaminants produced by the proposed gasoline station.

Permits and Compliance with South Coast AQMD Rules

1-5 The SCAQMD's comment is noted. It should be recognized that the detailed air quality analyses of all potential impacts have been disclosed in the IS/MND. The SCAQMD has reviewed the air quality analyses in the IS/MND and submitted comments included herein. The comments received from SCAQMD did not require revisions to the air quality analyses that were included in the IS/MND. Therefore, we do not foresee the need for any additional air quality analysis during the permitting process.

Conclusion

1-6 The comment is noted and will be forwarded to the decision-makers.

⁶ South Coast Air Quality Management District (South Coast AQMD). 2017 (September 1). South Coast Air Quality Management District Risk Assessment Procedures for Rules 1401, 1401.1, and 212. Diamond Bar, CA: South Coast AQMD. <http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/riskassessproc-v8-1.pdf?sfvrsn=12>.