



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

November 14, 2017

IOFSpecificPlanProject@culvercity.org

City Attorney's Office

City of Culver City

Attention: Heather Baker, Assistant City Attorney

9770 Culver Boulevard

Culver City, CA 90232

Draft Environmental Impact Report (Draft EIR) for the Proposed Inglewood Oil Field Specific Plan Project (SCH. 2015101030)

The South Coast Air Quality Management District (SCAQMD) 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.

SCAQMD Staff's Summary of Project Description

The Lead Agency is proposing the Inglewood Oil Field Specific Plan (Specific Plan or Proposed Project) to update and supersede existing oil drill regulations. Implementation of the Specific Plan is expected to result in the administration of new regulatory framework that would be used to govern future oil and gas production in the 77.8-acre City of Culver City's (City) portion of the Inglewood Oil Field. It is expected that the Specific Plan would result in drilling and operation of a maximum of 30 new wells¹. The Specific Plan would limit the number of wells drilled/re-drilled each year to three wells.

It is anticipated that construction and drilling would begin in year 2018 and occur over a period of 11 to 15 years, from year 2018 through year 2032. The Proposed Project is generally bordered by residential dwellings to the north, oil fields to the east and south, and recreational and commercial uses to the west². According to Exhibit 3-3 in Section 3.0, *Project Description*, the areas immediately south and southwest of residential dwellings are designated as "drilling exclusion area"³.

SCAQMD Staff's Summary of Air Quality and Health Risk Assessment (HRA) Analyses

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project would not exceed SCAQMD's regional air quality CEQA significance thresholds for VOCs, CO, NO_x, SO_x, PM₁₀, and PM_{2.5} after incorporating Mitigation Measure (MM) AQ-1, MM AQ-2, and MM AQ-3. MM AQ-3 requires oil field operators to prepare the Annual Drilling Plan with the following seven options⁴.

¹ Draft EIR. Section 3.2.2 Maximum Buildout Scenario Assumptions.

² *Ibid.* Section 2.3.2 Surrounding Land Uses.

³ *Ibid.* Section 3.0 Project Description.

⁴ *Ibid.* Section 4.2 Air Quality. Page 4.2-38 to Page 4.2-40.

1. Option 1 is to avoid concurrent well drilling, well stimulation, and other oil and gas production activities.
2. Option 2 is to apply for SCAQMD emission reduction credits.
3. Option 3 is to offset emissions as part of the City's emission reduction program for the Specific Plan.
4. Option 4 is to limit engine intensity.
5. Option 5 is the use of alternative fueled engines to the use of diesel and gasoline-powered engines.
6. Option 6 is to conduct the air dispersion modeling to "demonstrate impacts that would be less than the applicable ambient air quality standards for PM10"⁵.
7. Option 7 is to use other feasible technologies or methods such as increasing setbacks, reducing daily activities, or using more advanced technologies.

The Proposed Project's localized air quality impacts from NO_x, PM10, and PM2.5 emissions would be significant and avoidable even after incorporating MM AQ-1, MM AQ-2, and MM AQ-3. Additionally, the Lead Agency performed a HRA and found that the mitigated Maximum Exposed Individual Resident would be 14.3 in one million⁶, which is above SCAQMD's CEQA significance threshold of 10 in one million for cancer risk.

General Comments

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)⁷, which was later approved by the California Air Resources Board 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 nitrogen oxide (NO_x) emissions in 2023 and an additional 55 percent NO_x reduction beyond 2031 levels for ozone attainment.

The Proposed Project plays a role in contributing to Basin-wide NO_x emissions. As described above, achieving NO_x emission reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. To further reduce NO_x emissions during construction, the attachment includes recommended changes to MM AQ-3 (Option 6) and new mitigation measures which the Lead Agency should include in the Final EIR. The attachment also includes comments on SCAQMD rules and odor mitigation plan.

Pursuant to California Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088, the Lead Agency is required to provide SCAQMD staff with written proposed responses to all comments contained herein prior to the certification of the Final EIR.

⁵ *Ibid.*

⁶ *Ibid.* Table 4.2-17 Summary of Health Risk Impacts and Significance Thresholds.

⁷ South Coast Air Quality Management District. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

SCAQMD staff is available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, CEQA IGR, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

MK:LS:JC

LAC170914-10

Control Number

ATTACHMENT

Mitigation Measures

Enforceability of Mitigation Measure (MM) AQ-3

1. CEQA requires feasible mitigation measures for effects that are found to be significant and allows the use of performance standards-based mitigation measures. Formulation of mitigation measures should not be deferred until some future time. Measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way (CEQA Guidelines Section 15126.4). Here, MM AQ-3 incorporates SCAQMD air quality significant thresholds as performance standards and requires oil field operators to prepare the Annual Drilling Plan with seven options to meet these standards. To ensure that these options included in MM AQ-3 are not merely options or choices but enforceable throughout the lifetime of the Proposed Project and that MM AQ-3 is effective in reducing significant air quality impacts from VOCs, CO, NO_x, SO_x, PM₁₀, and PM_{2.5} emissions, SCAQMD staff recommends that the Lead Agency provide additional details on the Annual Drilling Plan. At a minimum, the Final EIR should discuss whether the Annual Drilling Plan will be subject to public review and comments; the responsible implementing and enforcement agency or agencies for each option; schedules; criteria for assessing progress in meeting the performance standards; and the process for evaluating the effectiveness of each and all of the seven options. In the event that MM AQ-3 is found not to be feasible or effective in reducing emissions, a subsequent EIR shall be prepared pursuant to CEQA Guidelines Section 15162.

Recommended Change to MM AQ-3: Option 6

2. Mitigation Measure AQ-3 includes seven options. Option 6 is to conduct the air dispersion modeling analysis to “demonstrate impacts that would be less than the applicable ambient air quality standards for PM₁₀”⁸. Pursuant to CEQA Guidelines Section 15126.4, mitigation measures are those capable of minimizing or reducing significant adverse impacts. Conducting air dispersion modeling analysis does not mitigate or reduce any emissions. Therefore, SCAQMD staff recommends that the Lead Agency revise MM AQ-3 Option 6 to require the oil field operator to conduct the air dispersion modeling analysis and mitigate accordingly or provide additional information on how the air quality modeling analysis or data will be used to reduce the Proposed Project’s significant air quality impacts.

New Recommended Mitigation Measures

3. CEQA requires that all feasible mitigation measures go beyond what is required by law to minimize any significant adverse impacts. SCAQMD staff recommends the Lead Agency include the following mitigation measures MM AQ-4 to MM AQ-7 in the Final EIR in addition to the existing MM AQ-1, MM AQ-2, and MM AQ-3. Additional information on potential

⁸ Draft EIR. Section 4.2 Air Quality. Page 4.2-38 to Page 4.2-40.

mitigation measures as guidance to the Lead Agency is available on the SCAQMD CEQA Air Quality Handbook website⁹.

- **MM AQ-4:** Require the use of 2010 and newer haul trucks (e.g., material delivery trucks and soil import/export). In the event that that 2010 model year or newer diesel haul trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NOx emissions requirements¹, at a minimum. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.”
- **MM AQ-5:** Enforce the California Air Resources Board’s five-minute idling limit for both on-road trucks and off-road equipment¹⁰.
- **MM AQ-6:** Eliminate the use of all portable generators. Require the use of electricity from power poles rather than temporary diesel or gasoline power generators.
- **MM AQ-7:** To promote new emission control technologies, every two years following the Project approval date, the Lead Agency shall conduct a review of new air quality technological advancements. These technologies would be evaluated based on operational feasibility, technical feasibility, cost effectiveness, and financial feasibility for application. If a technology is determined to be feasible, the Lead Agency shall implement the technology, subject to the requirements as set forth in CEQA Guidelines Section 15162(a)(3)(C).

Rationale for MM AQ-7, Performance Standards-Based Technology Review: the Proposed Project would be implemented over the course of 15 years. There are opportunities to deploy the lowest emission technologies possible. This deployment should include those technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies that are expected to be available in the life of the Proposed Project. As such, for a phased project where there will be an overlap between construction and operation such as this Proposed Project, SCAQMD staff recommends that the Lead Agency assess equipment availability, equipment fleet mixtures, and best available emissions control devices every two years. To ensure that the biennial technology review is enforceable during the 15-year period, SCAQMD staff recommends that the Lead Agency require the contractors’ agreements and/or oil field operation agreements to include the biennial technology review. When a new emission control technology is found feasible and would substantially reduce NOx emissions, but the Lead Agency declines to implement such technology, a subsequent EIR shall be prepared (CEQA Guidelines Section 15162(a)(3)(C)).

⁹ *Ibid. Air Quality Analysis Handbook*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

¹⁰ California Air Resources Board. Accessed at: <https://www.arb.ca.gov/msprog/truck-idling/factsheet.pdf>.

Compliance with SCAQMD Rules

4. Section 4.2.3 Regulatory Settings states that drill rigs may be registered in the Portable Equipment Registration Program (PERP). However, based on the length of Specific Plan (e.g., 11 to 15 years), the PERP may not be appropriate and may require a permit from SCAQMD pursuant to SCAQMD Rule 203(a) – Permit to Operate¹¹. Additionally, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with Rule 203(a) in the Final EIR.
5. While the Lead Agency conducted an odor analysis¹² to meet threshold criteria, odor nuisances subject to SCAQMD Rule 402 – Nuisance may be possible. Rule 402 states that a person shall not discharge from any source any air contaminants which may cause injury, detriment, nuisance, or annoyance to any considerable number of persons. The odor analysis performed in the Draft EIR does not prevent or reduce odors. Therefore, SCAQMD staff recommends that the Lead Agency provide additional information on odor minimization and prevention strategies before odors rise to the level of a public nuisance under Rule 402.

Odor Minimization Plan (OMP)

6. The Lead Agency stated that the Proposed Project is required to prepare and submit an Odor Minimization Plan (OMP)¹³. However, after a review of the Draft EIR, SCAQMD staff is not able to find the information on odor minimization methods for the Proposed Project. Therefore, it is recommended that the Lead Agency provide additional information on the Proposed Project-specific OMP in the Final EIR. SCAQMD staff recommends possibly including the following information in the OMP, at a minimum:
 - Whether the Proposed Project would use misting systems to reduce composting odors. In the event misting systems are reasonably feasible, applicable odor minimization methods for the Proposed Project, the Final EIR should include a discussion to disclose the amount of potable water that will be required for operating the misting systems.
 - Whether the Proposed Project would use odor neutralizers or other additives instead of mister systems to reduce composting odors. Odor neutralizers¹⁴ or other additives may contain VOCs and toxic compounds. If using these products are reasonably feasible, applicable odor minimization methods for the Proposed Project, and to facilitate a good-faith effort at full disclosure during the CEQA process (CEQA Guidelines Section 15003(i)), the Lead Agency should calculate VOC emissions from using these products and include them in the Proposed Project's operational VOC emissions to determine the level of significance in the Final EIR.
 - The mechanisms and process for handling a complaint pertaining to an odor emanating to an oil and gas operation pursuant to California Health and Safety Code Sections 41700 and 41705.

¹¹ South Coast Air Quality Management District. Amended December 3, 2004. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

¹² Draft EIR. Page Exhibit 4.2-4.

¹³ *Ibid.* Section 4.2 Air Quality. Page 4.2-56.

¹⁴ The odor neutralizing products used in the odor misting system should have no adverse environmental impacts. The formulations should be free of toxic compounds, VOC, and fragrance. Many products available in the market attempt to mask odors with fragrances, which can also result in odor complaints.