



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

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ceqacomments@portla.org

csanchezzelaya@portla.org

Celia Sanchez Zelaya, Planning Assistant
Port of Los Angeles - Environmental Management Division
425 South Palos Verdes Street
San Pedro, California 90731

Draft Environmental Impact Report (Draft EIR) for the Proposed Berth 191-194 (ECOCEM) Low-Carbon Cement Processing Facility Project (Proposed Project) (SCH Number: 2022030294)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on 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 organized by topic of concern.

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

Based on the Draft EIR, the Proposed Project includes constructing and operating low-carbon cement processing facilities on the backland behind Berth 192-194 and repairs to the wharf at Berth 191,¹ on an approximately 6.1-acre site.² Process buildings and conveyors, an administration and maintenance building, material storage silos and piles, and truck-loading facilities would occupy the Proposed Project site.³ The granulated blast furnace slag (GBFS) material would arrive by ship, and the gypsum material would arrive by truck⁴ at the facility to produce the final product ground granulated blast furnace slag (GGBFS).⁵ The Proposed Project is located at 100 Yatch Street, Wilmington.⁶ Based on the aerial photographs, the nearest sensitive receptors (e.g., residential uses) are approximately 3,935 ft northwest of the Proposed Project site. The construction is expected to last 18 months,⁷ as analyzed in 2024 and 2025.⁸

¹ Draft EIR. Page 2-7.

² *Ibid.* Page 2-4.

³ *Ibid.* Page 2-7.

⁴ *Ibid.* Page 2-11.

⁵ *Ibid.* Page 2-9.

⁶ *Ibid.* Page 2-4.

⁷ *Ibid.* Page 2-14

⁸ *Ibid.* Page 3.1-14.

South Coast AQMD Staff’s Comments on the Draft EIR

Inconsistent on the Truck Trips throughout the CEQA Documents

The number of truck trips generated from the Proposed Project is summarized in Table 3.1-3⁹ in Section 3.1 – Air Quality and Meteorology, Table 3.8-4¹⁰ in Section 3.8 – Ground Transportation in the Draft EIR and in Table B1-4¹¹ in Appendix B1 – Air Quality Regulations/Methodology and Air Quality and GHG Emissions/Energy. However, the numbers in these documents are inconsistent, as shown in Tables A, B, and C below.

Table A – Proposed Project Truck Trips Generation (Draft EIR Section 3.1)

	Year	Table 3.1-3
Total Trucks (one-way trips/year)	2025	32,975
	2027	65,950
	2049	65,950

Table B – Proposed Project Truck Trips Generation (Draft EIR Section 3.8)

	Table 3.8-4
Annual One-way Truck Trips	66,000
Daily One-way Truck Trips	263

Table C – Proposed Project Truck Trips Generation (Appendix B1)

	Year	Table B1-4
Total Annual Round Trips	2025	16,488
	2027	32,975
	2049	32,975
Total Daily Round Trips	2025	66
	2027	132
	2049	132

The information regarding the number of daily truck trips associated with the Proposed Project’s operation should be consistent throughout the Draft EIR and its appendices. It does not only serve compatible purposes but also accuracy in terms of emissions from mobile sources (trucks). Based on the truck trips in Tables A, B, and C above, it is essential that the Lead Agency provides an explanation for the discrepancy among the CEQA documents for the Proposed Project and provides a revision to correct the truck trip information in the final document.

⁹ *Ibid.* Page 3.1-17.

¹⁰ *Ibid.* Page 3.8-15.

¹¹ *Ibid.* Appendix B1 - Air Quality Regulations/Methodology and Air Quality and GHG Emissions/Energy. Page B1-29.

Information Regarding the Ocean-Going Vessels at Berth Regulations

According to the California Air Resources Board (CARB), the United States Environmental Protection Agency (U.S. EPA) granted CARB's authorization request for the 2020 At Berth Regulation. The Ocean-Going Vessels At Berth Regulation aims to reduce nitrogen oxides (NOx) and diesel particulate matter (DPM). CARB issued an Enforcement Notice on October 24, 2023, to confirm that at the beginning of November 20, 2023, all regulated entities must follow and comply with the requirements set forth in the 2020 Regulation.¹² The impact of the Proposed Project's operational emissions would be significant for NOx, and the majority of emissions are generated from ocean-going vessels. The Lead Agency is recommended to review the 2020 At Berth Regulation and ensure following the requirements. For more information about the Regulation, the Lead Agency can visit CARB's webpage at <https://ww2.arb.ca.gov/our-work/programs/ocean-going-vessels-berth-regulation> and Federal Register's webpage at <https://www.federalregister.gov/documents/2023/10/20/2023-23261/california-state-nonroad-engine-pollution-control-standards-ocean-going-vessels-at-berth-notice-of>.

Additional Air Quality Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

As the Proposed Project would include the use of ocean-going vessels (OGV) and potentially heavy-duty trucks, it is recommended that the Lead Agency should consider mitigation measures that address cleaner vessels, like maximizing calls from IMO Tier 3 ships (3.4 g/kW) and retrofitting with OGV emissions reduction technologies for the anticipated bulk vessel calls, and limiting truck idling, respectively.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Final CEQA document may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule¹³ and the Heavy-duty Low NOx Omnibus Regulation,¹⁴ ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability

¹² California Air Resources Board. Ocean-Going Vessels at Berth Regulation. Access at: <https://ww2.arb.ca.gov/our-work/programs/ocean-going-vessels-berth-regulation>

¹³ California Air Resources Board. Advance Clean Truck. Access at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹⁴ California Air Resources Board. Heavy-duty Low NOx Omnibus Regulation. Access at: <https://ww2.arb.ca.gov/our-work/programs/heavy-duty-low-nox>.

of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of a 2010 model year that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022. Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

South Coast AQMD Rules, Permits, and Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, etc., air permits from South Coast AQMD will be required, and 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. In addition, 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 evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also 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>.

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 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 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.

Celia Sanchez Zelaya

December 8, 2023

Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA-IGR

Planning, Rule Development & Implementation

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