



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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13230 Penn Street, Whittier, CA 90602

Draft Environmental Impact Report (Draft EIR) for the Whittier Boulevard Business Center Project (Proposed Project)(SCH No.: 2022120346)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Whittier is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the operational Localized Significance Thresholds (LST) analysis and regional air quality impact analysis, cleanup activities during construction, Health Risk Assessment (HRA) analysis, and information about South Coast AQMD air permits that the Lead Agency should include in the Revised Draft EIR or Final EIR.

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

Based on the Draft EIR, the Lead Agency proposes construction and operation on 13.49 acres of a building totaling 295,959 square feet, which includes a building footprint of 288,959 square feet and approximately 7,000 square feet of interior mezzanine space.¹ The building is designed to accommodate manufacturing, assembly, research & development, light industrial, and related uses.² During the operational phase of the Proposed Project the Lead Agency assumes 24 loading dock doors,³ 169 truck trips per day,⁴ and storage, if any, will not be refrigerated.⁵ Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (residential development) is located adjacent to the Proposed Project site, approximately 45 feet west of the Proposed Project property line. Construction of the Proposed Project is anticipated to occur in a single phase, commence during the fourth quarter of 2023, and be completed during the fourth quarter of 2024.⁶ Operation is expected to begin in 2024.⁷ The Proposed Project is located near the southwest corner of Whittier Boulevard and Penn Street in the City of Whittier, Los Angeles County.

¹ Draft EIR. Page 1-2.

² *Ibid.* Page 1-2.

³ *Ibid.* Page 1-2.

⁴ *Ibid.* Page 5-13.

⁵ *Ibid.* Page 3-17.

⁶ *Ibid.* Appendix B. Page 1.

⁷ *Ibid.* Appendix B. Page 1.

South Coast AQMD Staff’s Comments on the Draft EIR

LST Air Quality Impact Analysis for Operation

Table 11 in Appendix B of the Draft EIR shows the Local Operational Emissions at the Nearest Receptors in pounds/day (see Table 1 below).⁸ For each pollutant (NOx, CO, PM10 and PM2.5), the Lead Agency compares the Proposed Project’s estimated total on-site emissions to the applicable South Coast AQMD LST⁹ and states whether the South Coast AQMD threshold will be exceeded. Total on-site emissions for PM10 are estimated to be 6.08 pounds/day. The South Coast AQMD LST for operation is 4 pounds/day, therefore the Proposed Project’s PM10 on-site emissions exceed the LST. The Lead Agency states in Table 1, however, that the PM10 LST threshold is not exceeded. Also, based on a review of the CalEEMod technical files provided to South Coast AQMD staff via e-mail (Ellen Fitzgerald, personal communication, August 16, 2023), it is unclear how the 5.91 pounds/day of PM10 was arrived at for the on-site vehicle emissions. South Coast AQMD staff recommends that the Lead Agency revise the LST analyses for PM10 and include the revisions in the Revised Draft EIR or Final EIR.

**Table 1
Local Operational Emissions at the Nearest Receptors**

On-Site Emission Source	On-Site Pollutant Emissions (pounds/day) ¹			
	NOx	CO	PM10	PM2.5
Area Sources ²	0.11	12.90	0.02	0.02
Energy Usage ³	2.01	1.69	0.15	0.15
Vehicle Emissions ⁴	15.50	56.20	5.91	1.28
Total Emissions	17.62	70.79	6.08	1.45
SCAQMD Thresholds⁵	172	1,480	4	2
Exceeds Threshold?	No	No	No	No

Notes:

- (1) Source: Calculated from CalEEMod and SCAQMD’s Mass Rate Look-up Tables for 5 acres in SRA 5 Southeast LA County.
- (2) Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
- (3) Energy usage consists of emissions from on-site natural gas usage.
- (4) On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.
- (5) The nearest sensitive receptors are the existing multi- and single-family residential uses located adjacent to the west, the multi-family residential uses located approximately 335 feet (~102 meters) southeast, and the single-family residential uses located approximately 700 feet (~213 meters) northeast of the project site; therefore, the 25 meter threshold was used.

In addition, the Proposed Project site is 13.49 acres.¹⁰ The Lead Agency uses the South Coast AQMD Mass Rate LST Look-up Table¹¹ for five acres to determine if the Proposed Project’s operational daily emissions of NOx, CO, PM10 and PM2.5 could result in a significant impact to local air quality. South Coast AQMD staff, however, developed the LST methodology for Proposed Projects that are less than or equal to five acres.¹² For projects that are greater than five

⁸ Draft EIR. Appendix B, Table 11. Page 40.

⁹ South Coast AQMD’s CEQA Localized Significance Thresholds (LST’s). Access here: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>

¹⁰ Draft EIR. Appendix B. Page 1.

¹¹ South Coast AQMD Appendix C – Mass Rate LST Look-up Table. Access here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf>

¹² Final LST Methodology, July 2008. Page 1-1, 3-3, & 3-4. Access here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>

acres in size South Coast AQMD recommends that lead agencies perform project-specific dispersion modeling to determine localized air quality impacts.¹³ South Coast AQMD staff therefore recommends that the Lead Agency perform project-specific air dispersion modeling for the Proposed Project’s operational phase to determine localized air quality impacts and include the revisions in the Revised Draft EIR or Final EIR.

If the above revisions lead to an updated significance determination for the Proposed Project operation air quality impact results, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD’s CEQA Air Quality Handbook,¹⁴ South Coast AQMD’s Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,¹⁵ and Southern California Association of Government’s Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.¹⁶

Regional Air Quality Impact Analysis for Operation

Table 10 in Appendix B of the Draft EIR shows the Regional Operational Pollutant Emissions in pounds/day (see Table 2 below).¹⁷ Based on a review of the CalEEMod technical files provided to South Coast AQMD staff via e-mail (Ellen Fitzgerald, personal communication, August 16, 2023), it appears that the pollutant emissions for ROG, NOx, CO, and SO2 in Table 2 below match the pollutant emission quantities in the CalEEMod technical files. The Table 2 pollutant emissions for PM10 and PM2.5, however, do not match corresponding emissions in the CalEEMod technical files. In the CalEEMod technical files the maximum daily operational pollutant emissions for PM10 are showing as approximately 14 pounds per day. For PM2.5, the maximum daily operational pollutant emissions are showing as approximately 4 pounds per day. It is unclear how the Table 2 PM10 and PM2.5 pounds/day pollutant emissions were arrived at. South Coast AQMD staff recommends that the Lead Agency revise the operational regional analyses for PM10 and PM2.5 and include the revisions in the Revised Draft EIR or Final EIR.

**Table 2
Regional Operational Pollutant Emissions**

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO2	PM10	PM2.5
Maximum Daily Emissions	13.10	18.40	70.70	0.22	6.08	1.46
SCAQMD Thresholds	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Notes:
Source: CalEEMod Version 2022.1.1.13; the higher of either summer or winter emissions.

¹³ Final LST Methodology, July 2008. Page 1-1, 3-3, & 3-4. Accessed here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>

¹⁴ South Coast AQMD Air Quality Analysis Handbook. Access here: <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

¹⁵ South Coast AQMD’s 2022 Air Quality Management Plan. Access here: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

¹⁶ Southern California Association of Governments’ 2020-2045 RTP/SCS. Access here: https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

¹⁷ Draft EIR. Appendix B, Table 10. Page 39.

Cleanup Activities during construction

The Proposed Project site has an approximately 70-year history of industrial use and based on the Hazards and Hazardous Materials section of the Draft EIR, three technical studies were prepared for the Proposed Project site.¹⁸ The studies show that releases of hazardous substances have occurred at the site and concentrations of contaminants of concern in soil are below established remedial criteria.¹⁹ The studies also show, however, that there remains the potential that demolition and grading activities will lead to encounters of unanticipated subsurface features or soil conditions where elevated soil gas concentrations were reported.²⁰ The Lead Agency states that for mitigation measure (MM) 4.4-1, the City of Whittier shall require compliance with the Project's Soil Management Plan and that as part of the grading efforts during construction, South Coast AQMD Rules 1166 (Volatile Organic Compound Emissions from Decontamination of Soil) and 1466 (Control of Particulate Emissions from Soils with Toxic Air Contaminants) will also apply.²¹ Given that there exists the potential during the construction phase that impacted soil may be encountered that requires off-site disposal,²² such impacted soil may not meet the acceptance criteria for a nearby receiving site or disposal facility. It is unclear in the Draft EIR if the Lead Agency completely analyzed air quality impacts from such soil cleanup activities.

Since cleanup activities could include the removal and disposal of contaminated soil, and depending on the type of contamination, contaminated soil may not be accepted at a landfill site 20 miles away from the Proposed Project site,²³ such soil may need to be disposed of at a permitted hazardous disposal facility outside Los Angeles County with a one-way truck trip length that is greater than 20 miles. If it is reasonably foreseeable at the time of the release of the Draft EIR that the Proposed Project would likely involve remediation of contaminated soil, the Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of any reasonably foreseeable soil remedial or mitigation activities, quantify emissions from those activities, and include those emissions in the Proposed Project's regional and local construction emissions profile to be compared to South Coast AQMD's air quality CEQA significance thresholds for construction to determine the level of significance in the Revised Draft EIR or Final EIR. If those emissions are not included in the Revised Draft EIR or Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record. If the reason for not including them in the Revised Draft EIR or Final EIR is because remedial or mitigation measures have not been fully developed or approved prior to the Revised Draft EIR or certification of the Final EIR, the Lead Agency should commit to evaluating the air quality impacts from those activities through a CEQA process when the measures become known and prior to allowing the commencement of any soil remedial or mitigation activities at the Proposed Project.

¹⁸ Draft EIR. Page 4.4-1.

¹⁹ *Ibid.* Appendix E. Page 6.

²⁰ *Ibid.* Appendix E. Page 3.

²¹ *Ibid.* Page 4.4-19 & 4.4-20.

²² *Ibid.* Appendix E. Page 2.

²³ *Ibid.* Appendix B. Page 108.

Health Risk Assessment (HRA) Analysis

South Coast AQMD staff found that there are more than 70 multi- and single-family residences located near (within 500 feet) the western and southeastern boundaries of the Proposed Project site. In addition, the off-site truck travel route passes near residences on the southeastern boundary of the Proposed Project Site. The loading dock doors and on-site truck travel route is within 500 feet of residences on the western boundary of the Proposed Project Site. However, less than ten of them are used as discrete receptors in the HRA and provided in the associated dispersion modeling files.²⁴ These receptors in the model are potentially not dense enough to capture the maximum pollutant concentrations (highest ground level concentration of diesel-particulate matters) that are needed to estimate the maximum cancer risk values. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the health risk assessment and dispersion modeling files by adding more residential receptors on the west and southeastern side of the facility and include the revised results in the Revised Draft EIR or Final EIR. If the revision is not included in the Revised Draft EIR or Final EIR, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

South Coast AQMD Air Permits and Responsible Agency Role

Per MM 4.4-6, a VOC-Impacted Soil Mitigation Plan shall be prepared and approved by the South Coast AQMD.²⁵ If implementation of the Proposed Project would also require the use of stationary equipment, including but not limited to emergency generators, emergency fire pump(s), boilers, etc., air permits from South Coast AQMD are also required for such equipment. The Revised Draft EIR or Final EIR should include a discussion on all stationary equipment that will require South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project. Any assumptions used in the Revised Draft EIR or Final EIR will be used as the basis for air permit conditions and limits for the Proposed Project. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions on permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), the Lead Agency is required to provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to certifying the Revised Draft EIR or the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with the 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.

We appreciate the opportunity to review the Proposed Project. Thank you for considering these 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. Please contact Evelyn Aguilar, Air Quality Specialist, at eaguilar@aqmd.gov, should you have any questions.

²⁴ *Ibid.* Appendix B. Page 45 – 66.

²⁵ Draft EIR. Page 4.4-20 & 4.4-21.

Sincerely,

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