

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

EXXONMOBIL TORRANCE REFINERY RULE 1105.1 COMPLIANCE PROJECT

Attachment 1: Statement of Findings; Statement of Overriding Considerations; and Mitigation, Monitoring and Reporting Plan

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1.0 INTRODUCTION

On November 7, 2003, the South Coast Air Quality Management District (SCAQMD) adopted Rule 1105.1 - Reduction of PM10 and Ammonia Emissions from Fluid Catalytic Cracking Units, and certified the Final Environmental Assessment (EA) for the rule. The SCAQMD 2003 Final EA identified six refineries within the South Coast Air Basin (Basin) that operate fluidized catalytic cracking units (FCCUs) that would be subject to the requirements of Rule 1105.1; however, one of the six refineries was currently operating in compliance with the emission standards outlined in the rule. As a result, five of the six refineries in the Basin would be required to take additional actions to comply with the emission standards in Rule 1105.1. The ExxonMobil Torrance Refinery is one of the five refineries required to make modifications to meet the emission limits of Rule 1105.1.

ExxonMobil Oil Corporation proposes to comply with Rule 1105.1 at its Torrance Refinery by installing new air pollution control equipment (i.e., two new electrostatic precipitators [ESPs]) to control the exhaust of the existing FCCU regenerator downstream of the existing ESPs. These proposed modifications will comply with the requirements of SCAQMD Rule 1105.1 by reducing PM10 and ammonia emissions from the FCCU.

The proposed modifications to comply with Rule 1105.1 were determined to be a “project” as defined by the California Environmental Quality Act (CEQA) and Public Resources Code §21000, et seq. The SCAQMD is the lead agency for this project because it is the public agency that has the principal responsibility for approving the project which may have a significant effect upon the environment (Public Resources Code, §21067). The proposed project requires discretionary approval from the SCAQMD for air quality permits associated with modifications to existing and new stationary source equipment at the refinery. Thus, the SCAQMD has the primary responsibility for supervising or approving the entire project as a whole and is the most appropriate public agency to act as lead agency (CEQA Guidelines §15051[b]).

To fulfill the purpose and intent of CEQA, the SCAQMD prepared and released a Notice of Preparation and Initial Study (NOP/IS) for a 30-day public review and comment period from September 21, 2006 to October 20, 2006, to address the potential environmental impacts associated with the ExxonMobil Rule 1105.1 Compliance Project. The basis and focus of the technical analyses in the Draft EIR was determined by the NOP/IS. The NOP/IS identified air quality as the only area that might be adversely affected by the proposed project. No comment letters were received on the NOP/IS. A copy of the NOP/IS is included as Appendix A in the Final EIR.

The Draft EIR for the ExxonMobil Rule 1105.1 Compliance Project, prepared pursuant to CEQA Guidelines §15189, was released for a 45-day public review and comment period from December 20, 2006 to February 2, 2007. One comment was received during the Draft EIR public comment and review period. Air quality was the environmental topic area determined to have potential significant adverse impacts, and was further analyzed in the EIR. After a detailed evaluation, the Draft EIR concluded that project-specific operation and construction air quality impacts were less than significant. Further environmental analysis revealed that regional cumulative construction-related air quality impacts exceeded the construction air quality impacts evaluated in the SCAQMD 2003 Final EA for Rule 1105.1 and, therefore, exceed the scope of the analysis in that document. Consequently, cumulative construction-related air quality impacts are considered significant even after implementation of mitigation measures. As a result, both a Statement of Findings and a Statement of Overriding Considerations are required for the

potentially significant adverse cumulative construction-related air quality impacts pursuant to CEQA Guidelines §§15091 and 15093, respectively.

Response to comments received on the Draft EIR have been prepared and incorporated into the document such that it is now a Final EIR. The Final EIR is available from the SCAQMD, 21865 Copley Drive, Diamond Bar, California 91765. The CEQA documents associated with the ExxonMobil Rule 1105.1 Compliance Project can be obtained by contacting the SCAQMD's Public Information Center at (909) 396-2039 or by accessing the SCAQMD's CEQA webpages at <http://www.aqmd.gov/ceqa/nonaqmd.html>.

When considering for approval a proposed project that has one or more significant adverse effects, a public agency must make one or more written findings for each significant adverse effect, accompanied by a brief rationale for each finding (Public Resources Code §21081 and CEQA Guidelines §15091). The analysis in the Final EIR concluded that the proposed project has the potential to generate significant adverse cumulative construction-related air quality impacts.

For a proposed project with significant adverse impacts, CEQA requires the lead agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the project. Under CEQA Guidelines §15093(a), "If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." Thus, after adopting the Statement of Findings, as discussed above, the lead agency must adopt a "Statement of Overriding Considerations" to approve a project with significant adverse environmental effects.

The following sections of this document include the Statement of Findings, Statement of Overriding Considerations and, pursuant to CEQA Guidelines §15097, a Mitigation Monitoring and Reporting Plan.

2.0 SUMMARY OF THE PROPOSED PROJECT

The proposed project is described in this section. All components of the proposed project focus on modifications to the FCCU. Fluidized catalytic cracking is a major refinery process utilized for the purpose of converting heavy oils into more valuable, marketable petroleum-based products. A fluidized catalytic cracking unit or FCCU is the equipment that "cracks" the complex molecular structure of various hydrocarbons that exist in heavy oils, with the assistance of a catalyst, into gasoline and lighter petroleum products.

ExxonMobil Oil Corporation proposes modifications to the FCCU at its Torrance Refinery to comply with new PM10 and ammonia emission limits set by SCAQMD Rule 1105.1. The proposed project includes the installation of new air pollution control equipment (i.e., two new ESPs) downstream of the two existing ESPs to control the PM10 emissions generated from the existing FCCU's regenerator, an L-shaped building for electrical and control gear (20 feet by 70 feet) with associated underground electrical lines, and the relocation of a sewer line.

The proposed project will also include new anhydrous ammonia injection piping (aboveground) from the existing storage tanks to the new facilities. There are currently two existing bypass emergency stacks on the FCCU regenerator exhaust at the Torrance Refinery. The stack height of these existing emergency stacks will be cut off and capped. They will then be replaced with a

new emergency bypass duct around the SCR unit, waste heat boiler and induced draft (ID) fan equipment as part of the proposed project.

The Initial Study (IS) stated that the proposed project was going to include the removal of a small boiler (7 feet by 10 feet) that has been out of service and the installation of a pneumatic conveyance system and storage silo that would collect the particulates from the new ESPs and allow increased onsite storage of the spent FCC catalyst. As indicated in the Draft EIR, based on additional detailed engineering, these components are no longer a part of the proposed project.

In addition to the equipment described above, the applications submitted for Permits to Construct also include a series of ESP maintenance options for consideration. These include:

- Operate one train of the new ESPs during maintenance;
- Operate the existing ESPs as needed to maintain the total power input of the new ESPs; and
- Operate the carbon monoxide (CO) boiler in waste heat mode during maintenance of the new ESPs.

The purpose of these maintenance options is to allow optimal operational flexibility. The new ESP facilities will consist of two parallel ESP trains that will be constructed to comply with Rule 1105.1 at the maximum flue gas rate. The new ESP facilities will include membrane type guillotine valves on the inlet and outlet of each of the ESP boxes to allow one ESP train to be isolated in the event that on-line maintenance of the other ESP train is required.

As previously mentioned, ExxonMobil Oil Corporation proposes to maintain the operation of the existing ESPs as needed during the maintenance of the new ESPs. In addition, it is proposed that the existing ESPs be operated as needed to maintain the total input power levels of the new ESPs. Operation of the existing ESPs may be necessary if the new ESPs were to malfunction or during maintenance of the new ESPs. Once the proposed project is complete, the existing ESPs will be shut off, with the exception of the mechanical rappers, unless needed as indicated above.

The environmental benefits of the proposed project include:

- Reduced PM10 emissions from the FCCU due to the installation of new air pollution control equipment (i.e., ESPs); and
- A reduction in the use of anhydrous ammonia as a flue gas conditioner to improve ESP performance (i.e., from approximately 3,225 to 1,035 pounds per day).

3.0 STATEMENT OF FINDINGS

Pursuant to CEQA Guidelines §15091, a public agency is prohibited from approving or carrying out a project for which a CEQA document has been completed which identifies one or more significant adverse environmental effects unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The following sets forth findings for the significant adverse impacts identified in the EIR that cannot be reduced to insignificance and the rationale for each finding. The findings are supported by substantial evidence in the record as explained in each finding. This Statement of Findings will be included in the record of project approval and will also be noted in the Notice of Determination.

3.1 POTENTIALLY SIGNIFICANT IMPACTS WHICH CANNOT BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

The Final EIR identified cumulative construction-related air quality impacts as potentially significant adverse environmental impacts that cannot be reduced to a level of insignificance.

- **Cumulative construction emissions of CO, VOC, NOx and PM10 associated with concurrent Rule 1105.1 compliance projects could result in significant cumulative regional air quality impacts.**

Finding: The SCAQMD makes the following findings with respect to this air quality impact: (1) project-specific construction emissions associated with the ExxonMobil Rule 1105.1 Compliance Project are concluded to be less than significant because they are within the scope of the analysis in the SCAQMD 2003 Final EA for Rule 1105.1; (2) project-specific construction-related emissions added to other concurrent Rule 1105.1 compliance project emissions result in significant adverse cumulative construction-related air quality impacts outside the scope of the analysis in the 2003 Final EA for Rule 1105.1; (3) mitigation measures were incorporated into the project, but significant adverse cumulative construction-related air quality impacts could not be reduced to insignificance; (4) such mitigation measures are within the jurisdiction of the SCAQMD; and (5) no other feasible mitigation measures or project alternatives are available to lessen the significant adverse cumulative air quality impacts during construction to less than significant.

Explanation: Cumulative construction-related emissions associated with the concurrent Rule 1105.1 compliance projects conducting overlapping construction activities are expected to exceed the scope of the SCAQMD 2003 Final EA Rule 1105.1 analysis. Consequently, the cumulative construction related air quality impacts are considered significant. Eight mitigation measures to minimize these impacts were imposed on the proposed project and are set forth in the Mitigation Monitoring and Reporting Plans included herein.

Though these measures will not reduce significant adverse cumulative construction air quality impacts to less than significant, no other feasible mitigation measures were identified. The ExxonMobil Oil Corporation does not have control or the authority to control construction emissions from the other non-ExxonMobil refinery projects that were considered in the cumulative impact analysis. The SCAQMD, as lead agency, will however, impose feasible mitigation measures, as necessary, on all other related Rule 1105.1 compliance projects. The construction emission calculations were based on conservative assumptions, assumed that all related projects were under construction at the same time, and will likely overestimate actual emissions. In addition, the construction emissions will not have a long-term adverse air quality impact because these emissions will cease following the completion of construction.

3.2 POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

Finding: The SCAQMD makes the following findings with respect to this impact. Project-specific construction-related air quality impacts associated with the ExxonMobil Rule 1105.1 Compliance Project are less than significant because they are within the scope of the analysis in the SCAQMD 2003 Final EA for Rule 1105.1. Further, the proposed project will comply with the requirements of SCAQMD Rule 1105.1 by reducing PM10 and ammonia emissions from the FCCU. As a result, project-specific and cumulative operational air quality impacts will be less than significant.

Explanation: The proposed project will not result in potentially significant project-specific adverse impacts to air quality that were not already evaluated in the SCAQMD 2003 Final EA for Rule 1105.1. Therefore, there are no project-specific impacts which must be mitigated to a level of insignificance. Impacts from the ExxonMobil Rule 1105.1 Compliance Project are directly attributed to regional cumulative construction emissions associated with multiple Rule 1105.1 projects occurring concurrently in the Basin.

3.3 IMPACTS ASSOCIATED WITH ALTERNATIVES

Finding: The SCAQMD finds that the identified alternatives would not achieve the goals of the proposed project and would not result in fewer or less severe environmental impacts.

Explanation: Potential adverse environmental impacts from two project alternatives were analyzed and it was determined that no feasible project alternatives were identified that would achieve the goals of the project with fewer or less severe environmental impacts than the proposed project.

The EIR evaluated the No Project Alternative and the Reduction in Construction Workhours Alternative. No feasible alternatives were identified that would reduce or eliminate the significant adverse cumulative construction-related air quality impacts to less than significant and still achieve the objectives of the ExxonMobil Rule 1105.1 Compliance Project: complying with SCAQMD Rule 1105.1 to reduce PM10 and ammonia emissions from the existing FCCU at the Torrance Refinery. Consequently, the proposed project is preferred over the alternatives because it will ensure that ExxonMobil will be able to achieve the primary objectives of the proposed project.

3.4 STATEMENT OF FINDINGS CONCLUSION

Changes or alterations have been incorporated into the proposed project to mitigate or minimize the potentially significant adverse environmental effects associated with the cumulative construction-related air quality impacts. No additional feasible mitigation measures or alternatives to the proposed project, other than those already included in the Final EIR, have been identified that can further mitigate the potentially significant cumulative impacts on regional air quality while meeting the objectives of the proposed project.

All feasible mitigation measures identified in the Final EIR have been adopted as set forth in the Mitigation Monitoring and Reporting Plan. The analysis in the Final EIR also indicates that the alternatives would not reduce to insignificant levels the significant impacts identified for the proposed project.

The proposed project is intended to comply with the requirements of SCAQMD Rule 1105.1 by reducing PM10 and ammonia emissions from the existing FCCU at the ExxonMobil Torrance Refinery. Based on these criteria, the SCAQMD finds that the proposed project achieves the best balance between minimizing potential adverse environmental impacts and achieving the overall project objectives. The SCAQMD further finds that all of the findings presented here are supported by substantial evidence in the record.

The record of approval for this proposed project may be found in the SCAQMD's Clerk of the Board's Office located at SCAQMD Headquarters in Diamond Bar, California.

4.0 STATEMENT OF OVERRIDING CONSIDERATIONS

If significant adverse impacts of a proposed project remain after incorporating feasible mitigation measures, or no feasible measures to mitigate the adverse impacts are identified, the lead agency must make a determination that the benefits of the proposed project outweigh the unavoidable, significant, adverse environmental effects if it is to approve the project. CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the project (CEQA Guidelines §15093(a)). If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (CEQA Guidelines §15093(a)). Accordingly, a Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the proposed project, as set forth below, has been prepared for the SCAQMD's decision makers' consideration. Pursuant to CEQA Guidelines §15093(c), a Statement of Overriding Considerations will be included in the record of the project approval and will also be noted in the Notice of Determination.

Having reduced the potential effects of the proposed project through all feasible mitigation measures, as described previously in this attachment, and balancing the benefits of the proposed project against its potential unavoidable adverse impacts on air quality, the SCAQMD finds that the following legal requirements and benefits of the proposed project outweigh the potentially significant unavoidable adverse impacts for the following reasons:

- The proposed project will allow ExxonMobil to install new equipment and modify existing equipment to comply with SCAQMD Rule 1105.1. Compliance with SCAQMD Rule 1105.1 will reduce particulate emissions from the existing FCCU due to the installation of new air pollution control equipment (new electrostatic precipitators) and result in a decrease in overall PM10 and ammonia emissions at the Torrance Refinery following completion of construction activities.
- Although the proposed project is expected to contribute to regional cumulative construction emissions in the short term, the proposed project is expected to result in long-term emissions benefits by reducing overall PM10 and ammonia emissions at the Torrance Refinery. As a result, the proposed project is not expected to hinder progress in attaining all state and federal ambient air quality standards.
- The analysis of significant adverse cumulative impacts was based on conservative assumptions regarding the construction of the proposed project and concurrent Rule 1105.1 construction projects. The actual project impacts (i.e., construction emission estimates) are expected to be less than estimated in the EIR and will terminate prior to operation of the project.
- The proposed project will also reduce the volume of anhydrous ammonia, an acutely hazardous material, used at the Torrance Refinery from 3,225 to 1,035 pounds per day.

In balancing the benefits of the overall project described above with the proposed project's contribution to unavoidable and significant adverse environmental impacts, the SCAQMD finds that the proposed project benefits outweigh the unavoidable adverse impacts, such that the impacts are acceptable. The SCAQMD further finds that substantial evidence presented in the

Final EIR supports the need to adopt the Final EIR despite the proposed project’s potential adverse impacts.

5.0 MITIGATION MONITORING AND REPORTING PLAN (PLAN)

Pursuant to the requirements of Public Resources Code §21081.6(a)(1) and CEQA Guidelines §15097, when a public agency conducts an environmental review of a proposed project in conjunction with approving a project, the lead agency shall adopt a program for monitoring or reporting on the measures it has imposed to mitigate or avoid significant adverse environmental effects.

CEQA Guidelines in §15097 state that when a public agency has made the finding of significant adverse impacts [pursuant to CEQA Guidelines §15091(a)(1)], the agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.

Further, pursuant to the requirements in Public Resources Code §21081.6(a)(1), a lead [public] agency shall adopt a monitoring program of mitigation measures and insure their enforceability.

“The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.”

Enforcement of the mitigation monitoring and reporting requirements described in this Plan is primarily the responsibility of the SCAQMD as the lead agency under CEQA. The mitigation measures outlined herein are primarily the responsibility of the ExxonMobil Oil Corporation, Torrance Refinery, to implement. To certify compliance, documentation that mitigation measures have been implemented will be maintained by the ExxonMobil Oil Corporation to ensure potential environmental impacts are mitigated to the greatest extent feasible.

MITIGATION MEASURES, MONITORING AND REPORTING

Cumulative construction-related emissions of CO, VOC, NOx and PM10 were concluded to be significant in spite of implementing mitigation measures. Emission sources include worker vehicles, heavy construction equipment, fugitive dust from paved and unpaved roads, the erection and installation of air pollution control equipment, and excavation activities. The mitigation measures identified in the following discussion are intended to minimize the impacts associated with these emission sources. No feasible mitigation measures have been identified to reduce emissions to a level of insignificance. CEQA Guidelines §15364 defines feasible as “...capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

AQ-1: Develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting individual truck idling in excess of five consecutive minutes or what is allowed under Title 13 California Code of Regulations §2485

(CARB’s Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling).

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD’s Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-1: ExxonMobil Oil Corporation shall develop and submit a Construction Traffic Emission Management Plan to the SCAQMD for review and approval prior to starting construction activities. Upon approval, ExxonMobil Oil Corporation will ensure that construction personnel are trained on the requirements set forth in the Construction Traffic Emission Management Plan, and ensure that documentation of that training occurs. The SCAQMD may conduct routine inspections of the site to verify compliance.

The Construction Traffic Emission Management Plan shall include the following: (1) a description of onsite construction traffic control methods; (2) worker and delivery entry/exit access; (3) construction worker schedules; (4) designated parking areas for workers; (5) designated route and anticipated schedule for delivery of materials by truck; (6) entry/exit security and safety protocols; and (7) a map showing the location of the construction site, lay down area, the gate entrance/exit, parking areas and truck route.

The construction workers will be directed to the ExxonMobil Torrance Refinery “contractor gate” (i.e., Gate 7) and truck deliveries will be directed to the ExxonMobil Torrance Refinery “deliveries gate” (i.e., Gate 2). Both gates are accessible from 190th Street. The reason is that the worker onsite parking area and construction site are in close proximity to this entrance (i.e., Gate 7) and, thus, will not require any shuttle service from the parking location to the construction site. Also, Gate 2 is the closest entrance, and shortest distance, for use as a direct truck delivery route to the construction site and lay down area. Truck deliveries will be scheduled so as to not interfere with regular ExxonMobil employee begin and end work hours, and peak hour traffic. No on-street parking off-site will be allowed, or required.

The construction workday is planned to be 20 hours per day (two 10-hour shifts) in Phases 1, 2 and 3; and 24 hours per day (two 12-hour shifts) in Phase 4. The 10-hour shifts will begin at 7:00 a.m. and end at 5:30 p.m. The 12-hour shifts will begin at 6:00 a.m. and end at 6:00 p.m. Construction will take place six days a week in Phases 1 and 2, five days a week in Phase 3, and seven days a week in Phase 4.

The construction phases will occur as follows:

- Phase 1 is six months between April 1, 2007, and September 30, 2007.
- Phase 2 is 14 months between October 1, 2007, and November 30, 2008.
- Phase 3 is one month between December 1, 2008, and December 29, 2008.
- Phase 4 is two weeks from December 30, 2008, to January 16, 2009.

AQ-2: Suspend the use of all construction equipment during first-stage smog alerts.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD’s Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-2: If and when any first stage smog alert occurs, ExxonMobil Oil Corporation will suspend the use of all construction equipment, and record the date and time of the alert and the date and time the use of construction equipment are suspended.

AQ-3: Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD’s Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-3: ExxonMobil Oil Corporation and its contractors will evaluate the use of electricity and alternative fuels for on-site mobile construction equipment prior to the commencement of construction activities. Equipment vendors shall be contacted to determine the commercial availability of electric or alternative-fueled construction equipment. Equipment that will use electricity or alternative fuels will be included in the Construction Emission Management Plan.

The worker parking area is located in close proximity (i.e., walking distance) to both the lay down area and construction site, thus, eliminating the need for excessive vehicular worker-related traffic, and reducing onsite emissions. ExxonMobil Oil Corporation and its contractors will also promote the use of electric golf carts for transportation onsite to reduce mobile source emissions during construction.

AQ-4: Maintain construction equipment by conducting regular tune-ups and retard diesel engine timing, to the extent feasible.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD’s Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-4: ExxonMobil Oil Corporation and its contractors shall maintain all construction vehicles and equipment in compliance with the manufacturer’s recommended maintenance schedule. ExxonMobil Oil Corporation and its contractors will maintain vehicle and equipment

maintenance records for the duration of the construction portion of the proposed project and for a period of at least two years from completion of construction.

ExxonMobil Oil Corporation, its contractors and the equipment vendors will evaluate the practicality of retarding diesel engine timing on off-road construction equipment for the purpose of reducing emissions.

AQ-5: Use electric welders to avoid emissions from gas or diesel welders in portions of the project site where electricity is available.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD's Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-5: ExxonMobil Oil Corporation and its contractors will conduct a survey of the construction site and surrounding area within the refinery to assess whether the existing infrastructure can support the electricity requirements of the proposed welding activities at the site. Construction areas where electricity is not available will be identified on a site plan and included in the Construction Emission Management Plan. The use of gasoline or diesel welders shall be prohibited in areas where electricity is available from the existing infrastructure within the refinery. If gasoline or diesel welders must be used during construction activities, ExxonMobil Oil Corporation and its contractors shall record and report such usage, and the duration of use.

AQ-6: Use on-site electricity rather than temporary power generators in portions of the project site where electricity is available.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD's Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-6: ExxonMobil Oil Corporation and its contractors will conduct a survey of the construction site and surrounding area within the refinery to assess where the existing electricity infrastructure is located. Construction areas where electricity is available will be identified on a site plan and included in the Construction Emission Management Plan. The use of temporary power generators will be prohibited in areas where electricity is available at the refinery. Should temporary power generators be required during construction activities, ExxonMobil Oil Corporation and its contractors shall record and report such usage, and the duration of use.

AQ-7: Diesel-power construction equipment shall use lower-sulfur diesel, as defined in SCAQMD Rule 431.2, to the maximum extent feasible. Low sulfur diesel was required to be used nationwide as of September 1, 2006.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD's Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-7: ExxonMobil Oil Corporation and its contractors shall coordinate with each vendor to verify that all diesel fuel used for the proposed project qualifies as ultra low sulfur (i.e., 15 ppm sulfur) diesel pursuant to SCAQMD Rule 431.2.

AQ-8: Prior to use in construction, the project applicant will evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., will be evaluated. These technologies will be required if they are certified by the California Air Resources Board and/or U.S. EPA and are commercially available and can feasibly be retrofitted onto construction equipment.

IMPLEMENTING PARTY: The SCAQMD finds that Mitigation Measures AQ-1 through AQ-8 are the responsibility of the ExxonMobil Oil Corporation.

MONITORING AGENCY: The SCAQMD has made these mitigation measures fully enforceable through a legally binding instrument, Attachment 2 for the ExxonMobil Rule 1105.1 Compliance Project Declaration of Certification, signed by the ExxonMobil Oil Corporation, Torrance Refinery Manager and the SCAQMD's Executive Officer. The SCAQMD through its discretionary authority to issue and enforce permits for the proposed project will ensure compliance with these mitigation measures.

MMAQ-8: ExxonMobil Oil Corporation and its contractors shall ensure that all off-road construction equipment meet the exhaust emission standards and test procedures for heavy-duty off-road diesel cycle engines as presented in California Code of Regulations, Title 13, Section 2423(b)(1). The exhaust emissions from new off-road compression-ignition engines, sold in California, shall not exceed the exhaust emission standards set forth for each Tier and corresponding model year.

ExxonMobil Oil Corporation and its contractors will evaluate the feasibility of retrofitting existing off-road construction equipment for use on the proposed project with equipment such as diesel particulate filters/traps, oxidation catalysts, and air enhancement technologies.

In the event a Tier 3 engine is not available for any off-road engine larger than 100 horsepower (hp), ExxonMobil Oil Corporation and its contractors shall ensure that the engine be equipped with a diesel particulate filter, unless certified by engine manufacturers that the use of such devices is not practical for specific engine types.

Table 1. Mitigation Monitoring and Reporting Plan for ExxonMobil Rule 1105.1 Compliance Project

Mitigation Measure	1. Implementing Party 2. Monitoring/ Enforcement Agency	Monitoring Action	Monitoring Phase
AQ-1: Develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting individual truck idling in excess of five consecutive minutes or what is allowed under Title 13 California Code of Regulations §2485 (CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling).	1. ExxonMobil Oil Corporation 2. SCAQMD	MMAQ-1: Develop and submit a Construction Traffic Emission Management Plan to include the following: (1) a description of onsite construction traffic control methods; (2) worker and delivery entry/exit access; (3) construction worker schedules; (4) designated parking areas for workers; (5) designated route and anticipated schedule for delivery of materials by truck; (6) entry/exit security and safety protocols; and (7) a map showing the location of the construction site, lay down area, the gate entrance/exit, parking areas and truck route.	Prior to the beginning of construction.
AQ-2: Suspend the use of all construction equipment during first-stage smog alerts.	1. ExxonMobil Oil Corporation 2. SCAQMD	MMAQ-2: Suspend the use of all construction equipment if and when any first stage smog alert occurs, and record the date and time of the alert and the date and time the use of construction equipment are suspended.	If, and when, any first stage smog alert occurs.
AQ-3: Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.	1. ExxonMobil Oil Corporation 2. SCAQMD	MMAQ-3: Evaluate the use of electricity and alternative fuels for on-site mobile construction equipment. Include equipment that will use electricity or alternative fuels in the Construction Emission Management Plan.	Prior to the beginning of construction.

Table 1. Mitigation Monitoring and Reporting Plan for ExxonMobil Rule 1105.1 Compliance Project (Cont.)

Mitigation Measure	1. Implementing Party 2. Monitoring/ Enforcement Agency	Monitoring Action	Monitoring Phase
AQ-4: Maintain construction equipment by conducting regular tune-ups and retard diesel engine timing, to the extent feasible.	1. ExxonMobil Oil Corporation 2. SCAQMD	MMAQ-4: Maintain all construction vehicles and equipment in compliance with the manufacturer’s recommended maintenance schedule. Maintain vehicle and equipment maintenance records for the duration of the construction portion of the proposed project, and for a period of at least two years from completion of construction.	During construction activities, and keep records for a period of at least two years from completion of construction.
AQ-5: Use electric welders to avoid emissions from gas or diesel welders in portions of the project site where electricity is available.	1. ExxonMobil Oil Corporation 2. SCAQMD	MMAQ-5: Conduct a survey of the construction site and surrounding area within the refinery to locate existing electricity infrastructure that can support the electricity requirements of the proposed welding activities at the site. Identify construction areas where electricity is not available on a site plan in the Construction Emission Management Plan. Gasoline or diesel welders shall be prohibited in areas where electricity is available within the refinery. If gasoline or diesel welders must be used during construction activities, record and report such usage, and the duration of use.	Prior to the beginning of construction, and during construction activities, if necessary.
AQ-6: Use on-site electricity rather than temporary power generators in portions of the project site where electricity is available.	1. ExxonMobil Oil Corporation 2. SCAQMD	MMAQ-6: Conduct a survey of the construction site and surrounding area within the refinery to locate existing electricity infrastructure. Identify construction areas where electricity is available on a site plan and include in the Construction Emission Management Plan. Temporary power generators will be prohibited in areas where electricity is available at the refinery. Should temporary power generators be required during construction activities, record and report such usage, and the duration of use.	Prior to the beginning of construction, and during construction activities, if necessary.

Table 1. Mitigation Monitoring and Reporting Plan for ExxonMobil Rule 1105.1 Compliance Project (Cont.)

Mitigation Measure	1. Implementing Party 2. Monitoring/ Enforcement Agency	Monitoring Action	Monitoring Phase
<p>AQ-7: Diesel-power construction equipment shall use lower-sulfur diesel, as defined in SCAQMD Rule 431.2, to the maximum extent feasible. Low sulfur diesel was required to be used nationwide as of September 1, 2006.</p>	<p>1. ExxonMobil Oil Corporation 2. SCAQMD</p>	<p>MMAQ-7: Verify that all diesel fuel used for the proposed project qualifies as ultra low sulfur (i.e., 15 ppm sulfur) diesel pursuant to SCAQMD Rule 431.2.</p>	<p>Prior to the beginning of construction.</p>
<p>AQ-8: Prior to use in construction, the project applicant will evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., will be evaluated. These technologies will be required if they are certified by the California Air Resources Board and/or U.S. EPA and are commercially available and can feasibly be retrofitted onto construction equipment.</p>	<p>1. ExxonMobil Oil Corporation 2. SCAQMD</p>	<p>MMAQ-8: Ensure that all off-road construction equipment meet the exhaust emission standards and test procedures for heavy-duty off-road diesel cycle engines as presented in California Code of Regulations, Title 13, Section 2423(b)(1). Exhaust emissions from new off-road compression-ignition engines, sold in California, shall not exceed the exhaust emission standards set forth for each Tier and corresponding model year. Evaluate the feasibility of retrofitting existing off-road construction equipment with equipment such as diesel particulate filters/traps, oxidation catalysts, and air enhancement technologies.</p>	<p>Prior to the beginning of construction</p>