



South Coast Air Quality Management District

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FAXED: AUGUST 22, 2008

August 22, 2008

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SCAQMD -

Draft Supplemental Environmental Impact Statement/Report (Draft SEIS/SEIR)
for the Proposed Pacific L.A. Marine Terminal LLC Pier 400, Berth 408 Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff also would like to thank the lead agencies for allowing additional time in which to submit comments. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final Supplemental Environmental Impact Statement/Report.

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Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Statement/Report. The SCAQMD staff is willing to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist - CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

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Sincerely,

Steve Smith

Steve Smith
Program Supervisor - CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:GM

LAC080529-02
Control Number

Port of Los Angeles		Date	8/22/08	# of pages	7
Post-it® Fax Note 7671		From	Gordon Mize		
To	DR. Ralph Appy		Co	SCAQMD-CEQA	
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1. Under Local Regulations and Agreements in Volume I on page 3.2-23, the lead agencies have included applicable SCAQMD rules and regulations. In the Final EIR, the lead agencies should also cite compliance with the following SCAQMD rules and regulations:

- Rule 431.1 – Sulfur Content of Gaseous Fuels;
- Rule 1149 – Storage Tank and Pipeline Cleaning and Degassing; and
- Regulation XVII – Prevention of Significant Deterioration.

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2. On page 3.2-7 under Local Monitoring Levels, the lead agencies state, in part, in Footnote 2 that the SCAB is still considered a nonattainment area for CO until a petition for redesignation is submitted by the State and is approved by USEPA, etc. The lead agencies should note that effective June 11, 2007, the U.S. EPA re-designated the South Coast Air Basin as in attainment of the National Ambient Air Quality Standards (NAAQS) for CO. These references on page 3.2-7 should be revised in the Final SEIS/SEIR to reflect the Basin's current CO attainment status.

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3. SCAQMD staff recommends that Table 3.2-10 on page 3.2-35 be modified under the tank column to include the vapor destruction unit used since this device is expected to be used to control tank emissions

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4. On page 3.2-33 the lead agencies assume a fugitive dust control efficiency of 75 percent for earth-moving activities based on watering two times per day and use of other best available control measures (BACMs). Watering disturbed sites two times per day generally has a control efficiency of approximately 50 percent. Without specifying the actual BACMs to be used, a control efficiency of 50 percent should be used. Alternatively, the lead agencies should specify the BACMs that will be used to achieve the additional 25 percent reduction in fugitive dust emissions.

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5. On page 2-38 the lead agencies state, "For each construction site, most construction personnel would meet in one of the staging areas and go to the construction site in work trucks and buses. SCAQMD staff was unable to locate emission estimates for construction worker transport trucks or buses. Please include these emissions in the Final SEIS/SEIR. If these emissions are already included, please indicate where they may be found.

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6. When reviewing the construction air quality analysis results in appendix H.1, it was difficult to reconstruct many of the emission totals because assumptions and intermediate steps were not included. For example, unmitigated worker commute trip emissions are shown in Tables H.1 PP.Un.Const-1 and H.1.PP.Un.Const-1a. On page 2-38 the lead agencies state that during the construction period there will be approximately 732 full-time employees. Later in the same paragraph the lead agencies state that the peak construction workforce will be 523 construction workers. It is not clear whether or not the construction worker commute emissions are based on 732 or 523 workers, what the commute trip length is, average vehicle ridership (AVR), etc. SCAQMD staff recommends for the current project and future projects

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undergoing a CEQA/NEPA analysis that all assumptions used in the air quality analysis, for both construction and operation, as well as sample equations, be included as part of the CEQA/NEPA document.

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7 In the project description on page 2-42, the lead agencies state that heavy-duty trucks or railcars will be used to deliver materials onsite during construction of the marine terminal. Review of the relevant emission tables in Appendix H.1 indicates that the lead agencies included only heavy-duty haul truck emissions in the analysis. Please indicate whether or not this means railcars will not be used to deliver construction materials. Alternatively, please demonstrate that haul truck emissions provide a more conservative analysis of emissions related to construction materials delivery. If this is not the case, or if railcars will be used in addition to trucks, then the construction material delivery analysis should be revised in the Final SEIS/SEIR. The analysis should include the equations, emission factors, methodologies, etc., used to calculate the rail activity emissions.

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8. SCAQMD staff had trouble reconciling peak daily phase 1 unmitigated construction emissions in Table 3.2-11 in Chapter 3 and the peak daily phase 1 unmitigated construction emissions in summary Table H.1.PP.Un.Const-1 in Appendix H.1. Peak construction emissions differ substantially between these two tables. Also, it is unclear what emissions sources contribute to the peak daily construction emissions in Table 3.2-11.

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SCAQMD staff also had trouble reconciling peak daily mitigated construction emissions in Table 3.2-13 in Chapter 3 and the peak daily mitigated construction emissions in summary Table H.1.PP.Mit.Const-1 in Appendix H.1. Similar discrepancies apply to Phase 2 unmitigated construction and phase 2 mitigated construction emissions.

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Finally, comparing peak daily unmitigated phase 1 construction emissions in, for example, Table H.1.PP.Un.Const-1 to peak daily mitigated phase 1 construction emissions in, for example, Table H.1.PP.Mit.Const-1 in Appendix H.1 in Appendix H.1, the lead agencies simply listed the mitigated emissions without providing information on the mitigation measures used, control efficiencies associated with the mitigation measures, any assumptions used, etc. The same approach was used for mitigated phase 2 construction emissions. Without this additional information, staff could not confirm the mitigated construction emission results.

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Construction Mitigation Measures

MM AQ-3. Construction Equipment Standards

9. In MM AQ-3, the lead agencies commit to using Tiers 2 and 3 construction equipment. Given that it may take longer to obtain project approval than currently estimated and the fact that construction will last over a period of 30 months, SCAQMD staff recommends that the lead agencies include a commitment to use off-road equipment greater than 50 hp that meets Tier 4 interim/final off-road standards.

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MM AQ-5: Best Management Practices (BMPs)

10. SCAQMD staff recommends modifying point #3 of MM AQ-5 as follows.

3. Restrict idling of construction equipment and on-road heavy-duty trucks to a maximum of five minutes when not in use.

Other mitigations that could be considered by the lead agencies for incorporating into this mitigation measure to reduce exposure to diesel particulate matter from on-road heavy-duty trucks used during construction include the following:

- Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors;
- Improve traffic flow by signal synchronization;
- Enforce truck parking restrictions;
- Provide onsite services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria service, automated teller machines, etc.;
- Reroute construction trucks away from congested streets or sensitive receptor areas; and
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;

MM AQ-6: Additional Fugitive Dust Controls

11. In MM AQ-6 on page 3.2-47 of the Draft SEIS/SEIR, the lead agencies assume 90 percent control efficiency for uncontrolled PM10 fugitive dust emissions from soil disturbance. This control efficiency is based on the lead agencies' assumption that watering two times per day will achieve a 75 percent reduction (see comment #4 above) in addition to the fugitive dust control measures listed in the bullet points. A fugitive dust control efficiency of 90 percent is difficult to achieve. For example, according to the Western Regional Air Partnership, one additional watering per day, for a total of three waterings per day, achieves a control efficiency of 61 percent¹. Therefore, SCAQMD staff requests that the lead agencies document the control efficiencies for each fugitive dust control measure to demonstrate that 90 percent control efficiency can be achieved. In the event that 90 percent control efficiency cannot be demonstrated, the analysis of mitigated fugitive dust emissions should be revised accordingly. Alternatively, the lead agencies should describe and implement a process to select and implement additional BACMs to achieve the 90 percent control performance standard.

SCAQMD staff recommends that the second bullet point of MM AQ-6 be modified as follows.

¹ WRAP Fugitive Dust Handbook, September 7, 2006
(http://www.wrapaij.org/forums/def/fdh/content/FDHandbook_Rev_06.pdf)

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- Contractors shall apply approved non-toxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas or replace groundcover in disturbed areas (previously graded areas inactive for ten days or more).

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SCAQMD staff recommends that the fourth bullet point of MM AQ-6 be modified as follows.

- Trucks hauling dirt, sand, or gravel shall be covered ~~or shall maintain at least 2 feet of freeboard~~ in accordance with Section 23114 of the California Vehicle Code.

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Finally, SCAQMD staff also recommends for consideration by the lead agencies the following additional bullet points for incorporation into MM AQ-6 (see also MM 4G-12) or incorporate into other appropriate mitigation measures:

- Pave road and road shoulders;
- Require the use of clean-fueled sweepers pursuant to SCAQMD Rule 1186.1 and SCAQMD Rule 1186 certified street sweepers and sweep streets at the end of the each day if visible soil is carried onto paved roads onsite or roads adjacent to the site to reduce fugitive dust emissions;
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation;
- Traffic speeds on all unpaved roads to be reduced to 15 mph or less;
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow;
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable; and
- Require the use of electrified truck spaces for all truck parking or queuing areas

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MM AQ-10: Fleet Modernization for On-road Trucks

12. SCAQMD staff recommends revising MM AQ-10 to require use of trucks that meet or exceed the year 2007 truck emission standards for NOx and PM through one of the following approaches:

- Use of trucks that meet the 2007 emission standard; or
- Retrofit existing heavy-duty trucks with diesel particulate filters (DPFs) for PM control and NOx oxidation catalysts for NOx control verified by CARB to achieve Tier 3 standards; or

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- Use alternative fuels such as LNG.

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Operational Emissions

13. In the project description on page 2-9, the lead agencies state that the existing rail tracks located at the Terminal Island Site (Tank Farm Site 2) will continue to operate and that the future use of the site is expected to be for liquid bulk storage "either for the proposed Project or alternative or for some future, as yet unknown, project." These rail emission estimates are not included in the Draft SEIS/SEIR. If the existing rail tracks indicate that the proposed project will include the use of rail operations, any emissions generated by rail transport should be included in the Final SEIS/SEIR and the operation emission estimate tables should be revised. The Final SEIS/SEIR should also include the equations, emission factors, methodologies, etc., used to calculate the rail activity emissions.

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Operation Mitigation Measures

MM AQ-14: Low Sulfur Fuel Use in Main Engines, Auxiliary Engines and Boilers

14 As noted in other comment letters on Port projects, reducing fuel sulfur is one of the most significant and feasible means of expeditiously reducing particulate and sulfur oxides emissions from a shipping terminal. SCAQMD staff believes that, given the experience implementing low sulfur fuel use to date by Maersk, the phase-in schedule proposed in the DEIR can feasibly be accelerated. According to the CEQA document for the proposed Port of Long Beach Middle Harbor project, the lead agency has committed to using 0.2 percent low sulfur fuel upon project approval. In addition, all vessels should utilize 0.1 percent sulfur fuel by 2010.

Therefore, SCAQMD staff recommends that the lead agencies accelerate the implementation of low sulfur fuel in main and auxiliary engines of vessels calling at the Berth 408, as follows:

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- Within six months after approval of the proposed project, all vessels calling at the terminal shall use fuel with sulfur content no higher than 0.2 percent when they are within 40 nm of Point Fermin.
- On or before January 1, 2010, all vessels shall use fuel in main and auxiliary engines with sulfur content no higher than 0.1 percent within 40 nm of Point Fermin.

SCAQMD staff believes that accelerating the use of low sulfur fuel as suggested above is feasible and should be implemented by the lead agencies. This amendment would also help implement the South Coast AQMP control measure that calls for 0.1 percent sulfur fuel for marine vessels by 2010.

MM AQ-15: Alternative Maritime Power (AMP)

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- 15. MM AQ-15 provides a schedule for percentage of ships calling at berth 408 that would be required to AMP. SCAQMD staff believes that the AMP schedule can be accelerated as follows.

The Port will design and incorporate into Berth 408 all the necessary components to make full AMP available for those vessels capable of utilizing such facilities. During the last quarter of 2011, all ships retrofitted must utilize the AMP at a 100 percent compliance rate and all frequent caller ships shall be required use the AMP system or AMP-equivalent emission reduction at a 100 percent compliance rate.

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SCAQMD staff recommends that MM AQ-15 be revised to require the use of emission control technologies that can achieve the same or greater emission reductions as shore-side power for ships unable to use shore-side power.

MM AQ-16. Slide Valves

- 16. The SCAQMD recommends the following changes to MM AQ-16 on page 3.2-58 of the Draft SEIS/SEIR:

"Ships calling at Berth 408 shall be equipped with slide valves or a slide valve equivalent (an engine retrofit device designed to reduce the sac volume in fuel valves of main engines in Category 3 marine engines) in main engines by project operation start up date 2010 to achieve a compliance rate of 95 percent the maximum extent possible."

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Health Risk Assessment (HRA)

- 17. In the project description on page 2-9, the lead agencies state that the existing rail tracks located at the Terminal Island Site (Tank Farm Site 2) will continue to operate and that the future use of the site is expected to be for liquid bulk storage "either for the proposed Project or alternative or for some future, as yet unknown, project." The lead agencies, however, do not include a detailed description of the current rail activity at the Terminal Island site or the proposed activity alluded to on page 2-9 for the proposed project Tank Farm Site 2. In addition to not describing this rail activity in the existing setting or estimating potential rail emissions, the potential cancer risk from the diesel-powered railroad engines has not been calculated in the Draft SEIS/SEIR. The cancer risk from these engines should be estimated in the HRA and the HRA should be revised in the Final SEIS/SEIR to include the potential risk from the rail engine diesel-particulate emissions to any sensitive receptors affected by potential project rail operations.

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The SCAQMD has developed a methodology for estimating cancer risks from mobile sources in a document entitled Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions. This document can be downloaded from the AQMD's CEQA web pages at the following URL: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/diesel_analysis.doc