



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

August 3, 2010

Jeff Oliveira
San Luis Obispo County
Department of Planning & Building
Government Center
976 Osos St., Room 300
San Luis Obispo CA 93408

SUBJECT: APCD Comments Regarding the Las Pilitas Quarry Notice of Preparation.

Dear Mr. Oliveira,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at 6660 Calf Canyon Road in Santa Margarita. The applicant is proposing to operate an aggregate quarry and an asphalt and concrete recycling facility near Santa Margarita. This proposal will be implemented in stages.

Stage One will consist of installing a truck scale and portable office, construction of an access road and landscaping. Aggregate production will start with the removal and stockpiling of overburden for future use. Processing of granite will utilize portable crushing and screening equipment. This phase will yield up to 500,000 tons of material annually and last approximately 5 years. In the event that the material cannot be removed by heavy equipment, material will be loosened by blasting.

Stage Two will continue the yield maximum of 500,000 tons of material annually, and will include recycled concrete and asphalt that will be transported to the facility by truck. Rock and recycled material will be processed by portable and/or fixed plant equipment.

APCD Contact:

Gary Arcemont
Air Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401
(805) 781-5912

The following are APCD comments that are pertinent to this project.

1. Permit(s) or Approval(s) Authority:

The "2009 CEQA Air Quality Handbook" (the Handbook) is to be used as guidance for assessing the air quality impacts for this project and defining mitigation measures. It can be accessed on the APCD web page www.slocleanair.org

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Permits for Equipment

Portable equipment that is rated 50 horsepower (hp) or greater will require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Additionally, future developments may require APCD permits and/or applicants may need to apply for an Authority to Construct. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the APCD's 2009 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Internal combustion engines;
- Unconfined abrasive blasting operations;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

Fuel Storage

The EIR should include a description of on site fuel storage and procedures related to fuel handling and spillage.

2. Environmental Information:

The potential air quality impacts should be assessed in the Environmental Impact Report (EIR). This analysis should address both short-term and long-term emissions impacts (including traditional air pollutants and greenhouse gas emissions) and include the following information:

- a) A description of existing air quality and emissions in the impact area, including the attainment status of SLO County relative to State and Federal air quality standards and any existing regulatory restrictions to development. The most recent Clean Air Plan should be consulted for applicable information.
- b) A complete emission analysis should be performed on all relevant emission sources (e.g. vehicles, equipment and fugitive dust), using emission factors from the EPA document AP-42 "Compilation of Air Pollutant Emission Factors", the latest approved version of URBEMIS, EMFAC, OFF-ROAD or other approved emission calculator tools. Documentation of emission factors and all assumptions (include number of vehicle trips for each type of vehicle, indicate whether estimated trips are one way or round trip, trip length for each type of trip, vehicle and equipment emission factors, etc.) must be provided in the EIR. The quantitative analysis should address criteria pollutants, greenhouse gases, toxics, diesel particulate matter and fugitive dust and be compared to APCD's CEQA thresholds.

- c) A consistency analysis with the Clean Air Plan (CAP) will determine whether the emissions resulting from development under the project will be consistent with the emissions projected in the CAP. The qualitative analysis should be based upon criteria that include other proposed projects in the area and the cumulative impact on sensitive receptors in the area. The EIR author should contact the APCD if additional information and guidance is required. All assumptions used should be fully documented in the EIR.
- d) Assembly Bill 32, the California Global Warming Solution Act of 2006 and California Governor Schwarzenegger Executive Order S-3-05 (June 1, 2005), both require reductions of greenhouse gases (GHG) in the State of California. The Governor has recognized mitigation efforts will be necessary to reduce greenhouse gas emissions. In order to address these issues, greenhouse gas emissions should be evaluated in the EIR, and appropriate mitigation identified.
- e) A cumulative impact analysis should be performed to evaluate the combined air quality impacts of this project and impacts from existing and proposed future development in the area. This should encompass all planned emission producing activities within one mile of the project.
- f) Mitigation measures to reduce or avoid significant air quality impacts should be recommended. The EIR should address any proposed off-site mitigation measures and describe feasible mitigation measures to reduce air quality impacts on-site. Offsite mitigation may be required in the event that emissions cannot be reduced below APCD specified thresholds.

3. Permit Stipulations/Conditions:

See Section 1 for applicable permit requirements. It is recommended that you refer to the "2009 CEQA Air Quality Handbook" (the Handbook). The Handbook provides information on mitigating emissions from development. This information should be included in the EIR.

4. Alternatives:

Any alternatives described in the EIR should involve the same level of air quality analysis as described in section 2. The EIR should include a range of alternatives that could effectively minimize air quality impacts. A consistency analysis should be performed for each of the proposed alternatives identified, as described above. A quantitative analysis of the air quality impacts should be generated for each of the proposed alternatives.

5. Reasonably Foreseeable Projects, Programs, or Plans:

The 2009 version of the APCD's CEQA Air Quality Handbook provides guidance for preparing the EIR. The most appropriate standard for assessing the significance of potential air quality impacts for project EIRs is the preparation of a consistency analysis where the proposed project is evaluated against the land use goals, policies, and population projections contained in the CAP. The rationale for requiring the preparation of a consistency analysis is to ensure that the attainment projections developed by the APCD are met and maintained. Failure to comply with the CAP could result in long term air quality impacts. Inability to maintain compliance with the

state ozone standard could bear potential negative economic implications for the county's residents and business community.

6. Relevant Information:

The 2009 version of the APCD's CEQA Air Quality Handbook should be referenced in the EIR for determining the significance of impacts and level of mitigation recommended.

7. Further Comments:

Diesel/Toxics

Health Risk Assessment –Type A - New Toxic Source that Impacts Sensitive Receptors

This project will involve the use of numerous pieces of heavy-duty diesel equipment and trucks. Diesel particulate matter is listed as a toxic air contaminant by the California Air Resources Board with no identified threshold level below which there are no significant effects. This project has the potential to emit toxic or hazardous air pollutants in close proximity to sensitive receptors (such as diesel truck traffic near schools or residences). Sensitive receptor locations include schools, residential dwellings, parks, day care centers, nursing homes, and hospitals. Health impacts may be significant due to increased cancer risk for the affected population, even at a very low level of emissions. Such projects are required to prepare a health risk assessment to determine the potential level of risk associated with their operations.

In July 2009, the California Air Pollution Control officers Associations (CAPCOA) adopted a guidance document HEALTH RISK ASSESSMENTS FOR PROPOSED LAND USE PROJECTS to provide uniform direction on how to assess the health risk impacts from and to proposed land use projects. The CAPCOA guidance document focuses on how to identify and quantify the potential acute, chronic, and cancer impacts of sources under CEQA review. As defined in the CAPCOA guidance document there are basically two types of land use projects that have the potential to cause long-term public health risk impacts and are named Type A and Type B.

This project is considered a Type A project, a new proposed land use project that generate toxic air contaminants (such as the use of diesel trucks and equipment) that impact sensitive receptors. Air districts across California are uniform in their recommendation to use the significance thresholds that have been established under each district's "Hot Spots" and permitting programs. The APCD has defined the excess cancer risk significance threshold at 10 in a million for Type A projects in San Luis Obispo County.

A screening level health risk assessment should be performed prior to project approval to determine potential health risks to residents of the development. If the screening assessment is above 10 in a million, a more comprehensive health risk analysis shall be required. See Section 2.1.1 of the APCD 2009 CEQA Handbook for guidance.

Idling Restrictions near Sensitive Receptors for Diesel Equipment

Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling unit(s). **The location of the staging areas and diesel equipment operations near sensitive receptors needs to be identified in the EIR. The APCD recommends including a permit condition that restricts the siting of the staging areas at least 1000 feet away from sensitive receptors as defined in the conditions below:**

- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Use of alternative fueled equipment is recommended whenever possible; and,
- Signs that specify the no idling requirements must be posted and enforced.

Truck Routing

Proposed truck routes should be evaluated to define truck routing patterns that will have the least impact to residential communities and sensitive receptors, such as schools, daycare facilities, hospitals and senior centers. The project must utilize truck routes that have the least impact to sensitive receptors.

Fugitive dust

Private Unpaved Road and/or Driveway Mitigation:

If trucks will be driven on unpaved roads, fugitive dust impacts should be estimated and impacts compared with thresholds found in the 2009 CEQA Handbook. If the thresholds are exceeded, mitigation measures found in the CEQA Handbook must be implemented.

Implement and maintain design standards to ensure vehicles that use the private unpaved road and or driveway to the project location are physically limited to a posted speed limit of 15 mph or less.

If this measure does not adequately reduce the fugitive dust below the 20% opacity limit identified in APCD's 401 "Visible Emissions" rule or if dust is emitted offsite, the project proponent shall work with the APCD to define additional mitigation measures that are necessary to minimize nuisance impacts.

In addition to the unpaved road/driveway mitigation, this project may be subject to the following standard operational phase air quality mitigation measures:

1. Pave the road to meet County Public Improvement Standards. Prior to issuance of conditions of approval for the project, the applicant shall work with County Roads Division to ensure:
 - a. Their paving standards will be met; and
 - b. The County is prepared to maintain the new paved section of road; or
 - c. That the County is satisfied with an alternative maintenance mechanism that will meet County requirements.or,
2. For the life of the project, maintain the private unpaved road to the project location with a dust suppressant such that fugitive dust emissions do not exceed the 20% opacity limit identified in APCD's 401 "Visible Emissions" rule and such that offsite dust emissions

from the site do not occur. A list of Approved Dust Control Suppressants can be obtained from the APCD.

The applicant may propose other measures of equal effectiveness as replacements by contacting the APCD Planning Division at 781-5912.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any excavation activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine whether NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact the APCD Enforcement Division at 781-5912.

Thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Gary Arcemont
Air Quality Specialist

GJA/AJM/arr

cc: Las Pilitas Resources LLC
Gary Willey, Engineering Division, APCD

Attachment: Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

3433 Roberto Court, San Luis Obispo, CA 93401
805-781-5912 – FAX: 805-781-1002

**Naturally Occurring Asbestos
Construction and Grading Project Form**

Applicant Information/Property Owner		Project Name	
Address		Project Address and/or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Email		Email	
Phone Number	Date Submitted	Agent	Phone Number
Check Applicable	DESCRIPTION (attach applicable required information)	APCD REQUIREMENT 1	APCD REQUIREMENT 2
	Project is subject to NOA requirements but NOT disturbing NOA	Geological Evaluation	Exemption Request Form
	Project is subject to NOA requirements and project is disturbing NOA – more than one acre	Geological Evaluation	Dust Control Measure Plan
	Project is subject to NOA requirements and project is disturbing NOA – one acre or less	Geological Evaluation	Mini Dust Control Measure Plan

Please note that the applicant will be invoiced for any associated fees

REQUIRED APPLICANT SIGNATURE:

Legal Declaration/Authorized Signature	Date
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APCD OFFICE USE ONLY				
Geological Evaluation	Exemption Request Form	Dust Control Measure Plan		Monitoring, Health and Safety Plan
Approved Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>		Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>
Comments:	Comments:	Comments:		
APCD Staff:	Intake Date:	Date Reviewed	OIS Site #	OIS Proj #
Invoice No.	Basic Fee	Additional Fees	Billable Hrs	Total Fees