

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AFFIRMING THE LONG BEACH
HARBOR COMMISSION'S CERTIFICATION OF THE
ENVIRONMENTAL IMPACT REPORT FOR THE WORLD
OIL PROJECT IN THE CITY OF LONG BEACH

WHEREAS, the City of Long Beach ("COLB"), acting by and through its
Board of Harbor Commissioners ("Board"), has authority over the City of Long Beach
Harbor District, commonly known as the Port of Long Beach;

WHEREAS, on August 14, 2019, Ribost Terminal, LLC, *dba* World Oil
Terminals ("Ribost") submitted an application for a Harbor Development Permit ("HDP")
for the World Oil Tank Installation Project located within COLB's Harbor District ("the
Project");

WHEREAS, Ribost's Project involves constructing and operating two new
25,000 barrel-capacity internal floating roof petroleum storage tanks with tank
foundations, pumps, and connections to existing pipelines in the vacant northwest corner
within the existing 12.5- to 13-foot-tall containment wall of the petroleum bulk station;

WHEREAS, pursuant to California Public Resources Code Section 21067
and the State California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs.,
Tit. 14, Sec. 15000, et seq.), Section 15051, COLB is the lead agency for the Project, and
the Board is the decision-making body for the Harbor Department;

WHEREAS, the Harbor Department prepared a Draft Initial Study (IS),
which concluded that there is no substantial evidence, in the light of the whole record,
that any aspect of the Project would cause a significant environmental impact and no
mitigation measures are required; therefore, a Negative Declaration (ND), dated October
2020, was prepared. In October 2021, the Harbor Department provided a Notice of Intent

1 to Adopt and Notice of Public Hearing for the Final IS/ND, which was prepared pursuant
2 to CEQA Guidelines and in accordance with the State of California Public Resources
3 Code;

4 WHEREAS, on October 28, 2021, the Board, pursuant to Resolution No.
5 HD-21-537, adopted the Final IS/ND in accordance with CEQA and approved the Project
6 and issuance of the HDP for the Project;

7 WHEREAS, two appeals were filed in November 2021 for the City Council's
8 review and determination of the Board's adoption of the Final IS/ND;

9 WHEREAS, on January 18, 2022, before the appeal hearing scheduled to
10 be heard by the City Council that day, Ribost stipulated that the Harbor Department
11 prepare an Environmental Impact Report ("EIR") for the proposed Project. The City
12 Council voted to dismiss the appeal hearing, sending the Project back to the Port for
13 environmental review and preparation of an EIR, and the Negative Declaration was
14 withdrawn;

15 WHEREAS, the Harbor Department prepared an EIR to assess the
16 environmental impacts associated with the construction and operation of the Project;

17 WHEREAS, on January 30, 2023, the Harbor Department issued a Notice
18 of Preparation (NOP) of a Draft Environmental Impact Report and Initial Study and Notice
19 of Public Scoping Meetings to public agencies, organizations, and persons likely to be
20 interested in the potential impacts of the proposed Project, initiating a 30-day public
21 review and comment period through February 28, 2023;

22 WHEREAS, one virtual scoping meeting was held on February 8, 2023, and
23 one in-person scoping meeting was held at the Port of Long Beach Administration
24 Building on February 15, 2023;

25 WHEREAS, the Board thereafter caused the Draft EIR to be prepared,
26 which took into account the comments received on the NOP; and

27 WHEREAS, on October 25, 2023, the Harbor Department issued a Notice
28 of Completion and Availability of the Draft EIR and Application Summary Report (NOC)

1 and Notice of Public Hearings for the proposed Project, initiating a 45-day public review
2 period (not including holidays) originally set to end on December 11, 2023; the public
3 review period was extended an additional four days for a total of 52 days, ending on
4 December 15, 2023;

5 WHEREAS, one virtual public hearing was held on November 8, 2023, and
6 one in-person public hearing was held on November 9, 2023, at the Port of Long Beach
7 Administration Building;

8 WHEREAS, the comments received on the Draft EIR were reviewed and
9 full and complete responses thereto were prepared and distributed in accordance with
10 Public Resources Code section 21092.5;

11 WHEREAS, on September 23, 2024, the Final EIR for the Project was
12 presented to the Board for certification as having been completed in compliance with the
13 provisions of CEQA and the State and local CEQA Guidelines; and

14 WHEREAS, the Board carefully reviewed and considered all environmental
15 documentation comprising the Final EIR, including the Draft EIR and the comments and
16 responses thereto, and found that there is no substantial evidence, in light of the whole
17 record, that any aspect of the Project would cause a significant environmental impact and
18 no mitigation measures are required, and that the Final EIR is complete and adequate,
19 and fully complies with all requirements of CEQA and the State and local CEQA
20 Guidelines; and

21 WHEREAS, on September 23, 2024, the Board, pursuant to Resolution No.
22 HD-24-3224 certified the Final EIR, made certain findings and determinations relative
23 thereto, approved the Project, adopted the application summary report for the Project,
24 and approved issuance of a HDP for the Project; and

25 WHEREAS, on October 4, 2024, the Coalition for Clean Air, Communities
26 for a Better Environment, Center for Biological Diversity, Earthjustice, and Sierra Club –
27 Angeles Chapter, appealed the certification of the Final EIR by the Board pursuant to
28 California Public Resources Code section 21151(c) and Long Beach Municipal Code

1 section 21.21.507; and

2 WHEREAS, on November 6, 2024, the Coalition for Clean Air, Communities
3 for a Better Environment, Center for Biological Diversity, Earthjustice, and Sierra Club –
4 Angeles Chapter received notice pursuant to Long Beach Municipal Code section
5 21.21.507 that their appeal of the certification of the Final EIR would come before the
6 Long Beach City Council on November 19, 2024.

7 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
8 follows:

9 Section 1. Based on its independent review and consideration of
10 Resolution No. HD-24-3224, the Final EIR, the appeal filed by the Coalition for Clean Air,
11 Communities for a Better Environment, Center for Biological Diversity, Earthjustice, and
12 Sierra Club – Angeles Chapter, and all written communications and oral testimony
13 regarding the Project which have been submitted to and received by the City Council, the
14 City Council finds as follows:

15 1.1 Recitals. The foregoing recitals are true and correct.

16 1.2 Scope of Appeal. California Public Resources Code Section
17 21151(c) provides that if a nonelected decisionmaking body of a local agency certifies an
18 environmental impact report, that certification may be appealed to the agency's elected
19 decisionmaking body, if any. Pursuant to Long Beach Municipal Code Section
20 21.21.507, any person who appeared before the Board and objected to the Board's
21 certification of the Final EIR may appeal that determination to the City Council. Following
22 the hearing, the City Council may either (1) deny the appeal and affirm the certification of
23 the Final EIR, or (2) grant the appeal, set aside the certification of the Final EIR and
24 remand to the Board.

25 1.3 Certification. The Final EIR for the Project has been completed in
26 compliance with CEQA and the State and local CEQA Guidelines. The Board, having
27 final approval authority over the Project, properly adopted and certified as complete and
28 adequate the Final EIR, which reflected the independent judgment and analysis of the

Board. The Board further certified that the Final EIR was presented to the Board and the Board reviewed and considered the information contained in it prior to approving the Project.

1.4 The Challenges by Appellants Are Without Merit. All grounds raised during the appeal process have been adequately addressed in the Final EIR. Attachments 6 and 9 to the Staff Report to the City Council fully address the issues raised by the appeal.

Section 2. Based upon its independent review and consideration of the Final EIR, all grounds raised during the appeal process, all written communications and oral testimony regarding the appeal, the transcript of the October 23, 2024 Board meeting, the reports, written communications and presentations by Harbor Department Staff, and the findings and determinations set forth above, the City Council of the City of Long Beach hereby:

2.1 Affirms the Board's certification by the Board that the Final EIR for the Project has been completed in compliance with CEQA and the State and local CEQA Guidelines promulgated pursuant thereto.

2.2 Affirms the certification by the Board that the Final EIR was presented to the Board, that the Board reviewed and considered the information contained in it prior to approving the Project, and that the Final EIR reflects the Board's independent judgment and analysis.

2.3 Affirms that the City Council has independently reviewed and considered the information contained in the Final EIR and that the Final EIR reflects the City's independent judgment and analysis.

2.4 Adopts the Final EIR, finding in exercising its own independent judgment and review, in light of the record as a whole, that there is no substantial evidence that the project may have any significant effect on the environment.

Section 3. The Harbor Department Director of Environmental Planning, whose office is located at 415 W. Ocean Blvd., Long Beach, California 90802, is hereby

1 designated as the custodian of the documents and other materials which constitute the
2 record of proceedings upon which the City Council's decision is based, which documents
3 and materials shall be available for public inspection and copying in accordance with the
4 provisions of the California Public Records Act (Cal. Government Code Sec. 7931.000, *et*
5 *seq.*), and Cal. Code Regs., Tit. 14, Sec. 15091.

6 Section 4. The Harbor Department Director of Environmental Planning
7 shall file a notice of determination with the County Clerk of the County of Los Angeles
8 and with the State Office of Planning and Research within five (5) working days after
9 adoption of this resolution.

10 Section 5. This resolution shall take effect immediately upon its adoption by the City
11 Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2024 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Legislation Text

File #: HD-24-427, **Version:** 1

DATE: 9/23/2024
TO: Board of Harbor Commissioners
FROM: Renee Moilanen, Director of Environmental Planning
SUBJECT Public Hearing: World Oil Tank Installation Project Certification of CEQA Final
: Environmental Impact Report State Clearinghouse No. 2020100119; Level III
Harbor Development Permit Application No. 19-066

REQUESTED ACTION

Receive and File Supporting Documentation and Conduct a Public Hearing for the World Oil Tank Installation Project; Adopt a Resolution Certifying the Final Environmental Impact Report pursuant to the California Environmental Quality Act; Approve the Application Summary Report; Approve the Project and Issue Level III Harbor Development Permit 19-066. (Environmental Planning - R. Moilanen)

KEY POINTS

- Ribost Terminal LLC doing business as (dba) World Oil Terminals (Ribost) submitted a Harbor Development Permit (HDP) application to the Port of Long Beach (Port) to construct and operate two new 25,000 barrel-capacity petroleum storage tanks at their privately-owned facility at 1405 Pier C Street.
- The Port prepared an Initial Study and Environmental Impact Report (EIR) to evaluate the potential environmental impacts associated with construction and operation of the new petroleum storage tanks.
- Potential environmental impacts to Air Quality and Health Risk, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Hydrology and Water Quality are determined to be less than significant; therefore, no mitigation measures are required. For other environmental resource areas, the Initial Study determined that the Project would pose either no impacts or less than significant impacts, therefore it was not necessary to evaluate any other environmental resource areas further in the EIR.
- A 45-day public review period for the Draft EIR was originally set for October 25, 2023 through December 11, 2023 (not including holidays). The comment period was extended an additional 4 days through December 15, 2023 for a total public review period of 52 days. All comments received on the Draft EIR were considered and responses to each are available in the Final EIR.

DISCUSSION

Background

Ribost privately owns and operates the Ribost Terminal petroleum storage facility located at 1405 Pier C Street, Long Beach, on Pier C in the Northeast Planning Harbor Planning District of the Port. The existing 6-acre site has been privately-owned and operated as a petroleum storage facility since 1964.

The terminal contains seven petroleum tanks within an approximately 12.5 to 13-foot containment wall; two tanks have a capacity of approximately 43,000 barrels each, two tanks have capacities of approximately 67,000 barrels each, and three have a capacity of approximately 94,000 barrels each. Four of the seven existing tanks at Ribost Terminal are leased to customers to store fuel oils transported by pipeline, while three existing tanks are used to store crude oil received by pipeline and transported by trucks to and from Lunday-Thagard Company's World Oil Refining facility located approximately 14 miles away in South Gate, California, where paving and roofing asphalts are produced. Ribost Terminal's operations at Pier C do not involve ships or waterside activities.

In August 2019, the Port received a Harbor Development Permit (HDP) application from Ribost proposing to construct and operate two new 25,000 barrel-capacity internal floating roof petroleum storage tanks in the vacant northwest corner within the existing containment wall of the petroleum bulk station. Crude oil currently stored in two larger, underutilized tanks would be moved to the two new, smaller tanks. The two existing larger tanks would then be made available to lease by customers for storage of marine fuels and marine fuel blending components, as is currently done for four of the existing tanks at the facility.

Previously Adopted Initial Study/Negative Declaration

In 2021, the Port prepared an Initial Study in accordance with the California Environmental Quality Act (CEQA), concluding that there would be no significant environmental effects on the environment associated with construction and operation of the proposed Project; therefore, a Negative Declaration was prepared. An Application Summary Report was also prepared in accordance with the Port's certified Port Master Plan. The Board of Harbor Commissioners (Board) adopted the Final Initial Study/Negative Declaration at a public hearing on October 28, 2021. The Board's determination was appealed to the Long Beach City Council. Prior to the Long Beach City Council's January 18, 2022 appeal hearing, Ribost stipulated that the Port prepare an EIR for the proposed Project. The Long Beach City Council voted to dismiss the appeal hearing, sending the Project back to the Port for environmental review and preparation of an EIR, and the Negative Declaration was withdrawn.

Current Issues

The Board of Harbor Commissioners is requested to hold a public hearing, adopt a Resolution to certify the Final EIR and approve the proposed Project in accordance with CEQA; approve the Application Summary Report, and issue Level III HDP 19-066 in accordance with the certified Port Master Plan. The Resolution is provided as Attachment 1.

Environmental Review

The issuance of an HDP is a discretionary action subject to CEQA. In accordance with CEQA, the Port prepared

an Initial Study to assist in the identification of the potential environmental effects of the proposed Project and to identify which (if any) environmental resource areas would not need further analysis in the EIR. As a result of the Initial Study, the Port prepared an EIR to evaluate the potential environmental impacts associated with the proposed Project to Air Quality and Health Risk, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Hydrology and Water Quality. Impacts to all other environmental resource areas were determined have no impact or less-than-significant impacts, therefore are not evaluated further in the EIR. Environmental impacts associated with the construction and operation of the proposed Project are discussed in Chapter 3 of the Final EIR and summarized below.

Air Quality & Health Risk - The Project would comply with all applicable air quality regulations and management plans. Air emissions, objectionable odors, and health risk during construction and operations of the proposed Project would be below significance thresholds. No mitigation measures are required.

Geology & Soils - Compliance with grading permits, Stormwater Pollution Prevention Plan, and design of the proposed Project to comply with all applicable State and local building codes would render the proposed Project less than significant, and no mitigation measures are necessary.

Greenhouse Gas Emissions - The Project's greenhouse gas emissions associated with construction and operations would not exceed the SCAQMD's significance threshold or conflict with an applicable greenhouse gas emissions reduction plan, strategy, policy, or regulation. No mitigation is required.

Hazards & Hazardous Materials - Potential for the proposed Project to create hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant with the implementation and compliance with existing plans, protocols, and trainings. No mitigation measures are required.

Hydrology & Water Quality - Impacts to hydrology and water quality would be less than significant due to existing design features of the site such as the 12.5 to 13- foot containment wall; mitigation measures are not required.

Public Review and Comments

The Notice of Completion and Availability of the Draft EIR (NOC) - Notice of Public Hearings and Application Summary Report for the proposed Project was sent to approximately 400 agencies, stakeholder, and interested members of the public on October 25, 2023 initiating a 45-day public review period originally set to end on December 11, 2023; the public review period was extended an additional four days for a total of 52 days, ending on December 15, 2023. The Draft EIR and Application Summary Report were made available for public review on the Port's website at www.polb.com/ceqa <http://www.polb.com/ceqa>, the Port Administration Building, and select local libraries in Long Beach, and communities of San Pedro and Wilmington.

During the public review period, the Port received written comments on the Draft EIR from a total of 15 organizations, agencies, and individuals, and 7 letters of support. Comments from public agencies were received from the California Transportation Commission (CATC), South Coast Air Quality Management District (SCAQMD), California Department of Conservation Geologic Energy Management Division (CalGEM) Southern District, and California State Water Resources Control Board Division of Drinking Water (SWRCB). The CATC confirmed receipt of the NOC and have no comment on the Draft EIR; the SCAQMD acknowledged the coordination between the SCAQMD and the Port and acknowledged its role as a Responsible Agency for the

issuance of air permits for the new tanks; CalGEM provided the location of three abandoned oil and gas wells on the Project site and provided notification procedures to follow if any wells are damaged or discovered during project construction or operation; and SWRCB requested notification of any existing and proposed oil and gas facilities located within 1,000 feet from any existing potable water production wells.

At the virtual public hearing on November 8, 2023, verbal comments were received from five individuals and a representative from one organization. A representative of one organization provided verbal comments at the in-person public hearing on November 9, 2023. Comments made by individuals include general questions regarding the project description.

Written comments on the Draft EIR were received from environmental and community groups including Earthjustice, Communities for a Better Environment, Los Cerritos Wetlands Task Force - Sierra Club, Center for Biological Diversity, Coalition for Clean Air, Communities for a Better Environment, East Yard Communities for Environmental Justice, Long Beach Environmental Alliance, and Nancy Wallace. These organizations and individuals assert that the EIR does not provide an accurate project description, does not adequately evaluate hazards associated with earthquakes, tsunamis, storm flooding, and potential oil spills, and fails to properly disclose and analyze impacts associated with handling and disposal of sludge tank bottoms. In addition, the comments contend that the Project runs counter to statewide, regional, and local strategies to protect communities' health and reduce greenhouse gas emissions, and the Project objectives are narrow, thus making any project alternative infeasible.

Staff has prepared detailed responses to each comment received during the public review period for the Draft EIR, which are provided in Chapter 9 of the Final EIR. The responses to comments in Chapter 9 of the Final EIR also provide references to discussions in the Final EIR where each environmental area evaluated is fully analyzed with substantial information to support the conclusion that there would be no significant impacts associated with the construction or operation of the Project and no mitigation measures are required.

Final EIR

The Notice of Public Hearing and Notice of Availability of the Final EIR and Application Summary Report were issued on September 12, 2024. The Final EIR and Application Summary Report are available on the Port's web site at www.polb.com/ceqa <<http://www.polb.com/ceqa>>; copies of the documents are also available for public review in the Environmental Planning Division on the 7th Floor of the Port Administration Building and at select local libraries in Long Beach, and Los Angeles communities of San Pedro and Wilmington.

The Final EIR reflects changes to the Draft EIR following the public review period to clarify, amplify, or make insignificant modifications. Staff have determined that no new significant environmental impacts to any environmental resource areas are identified, nor did any issues raised in the comments received necessitate recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5.

Consistency with the Certified Port Master Plan

An Application Summary Report for the issuance of Level III HDP 19-066 for the proposed Project was prepared in accordance with the Guidelines for the Implementation of the certified Port of Long Beach Port Master Plan. The proposed Project is consistent with the certified Port Master Plan, as amended, and conforms to the permitted uses of the Northeast Planning District (District 2), and Chapter 8 of the California Coastal Act. The EIR concludes that there would be no significant impacts associated with construction or operation of the proposed Project; therefore, the project would be consistent with Section 30708.

On December 27, 2023, the Port received a letter from California Coastal Commission (CCC) staff commenting on the proposed Project's consistency with the California Coastal Act, which requires new development to be located, designed, and constructed to minimize substantial adverse environmental impacts. The CCC staff's comment letter and the Port's corresponding responses to each comment are included in Section 7 of the Final Application Summary Report (Attachment 3).

Special Conditions

Special Conditions for issuance of the HDP would include Special Condition SC-AQ-1 (Air Quality Best Management Practices) requiring use of fuels meeting low carbon fuel standards, EPA Tier 4 Off-road emission standards, on-road heavy-duty trucks meeting EPA 2010 engine standards, and control of fugitive dust emissions. Special Condition SC-WQ-1 (Stormwater Best Management Practices) would require the control of runoff during construction activities and ensure trash cans and/or dumpsters have lids and remain covered; and pans are installed below all portable toilets. Special Condition SC-BR-1 (Nesting Bird Surveys) would require nesting bird surveys by a qualified avian biologist prior to the commencement of construction activities. Special Condition SC-GEO-1 (Geotechnical Report and Structural Calculations) would require the permittee to incorporate design standards into the Project's final design as recommended by the geotechnical investigation prepared for the Project and ensure the designs are confirmed in a letter signed by a qualified geotechnical engineer to be submitted to the Port's Director of Environmental Planning. Special Condition SC-CalGEM-1 would require the permittee to contact the CalGEM Southern District if any wells are damaged or discovered during construction or operation activity to obtain requirements and approval to perform remedial operations.

Selection Process

Support for preparation of the EIR was provided by the Environmental Planning Division's CEQA/NEPA Professional Services consultant, Aspen Environmental Group (Aspen). Aspen was selected through the Port's competitive Request for Statement of Qualifications process. The Board approved Aspen's current CEQA/NEPA Professional Services agreement HD-9680 in June 2023.

Contract Compliance and SBE Information

The requested action does not require Contract Compliance or SBE review.

CEQA Determination

The EIR was prepared in accordance with CEQA. If the Board certifies the EIR and approves the proposed Project, a Notice of Determination will be filed with the Los Angeles County Clerk and California Office of Planning and Research State Clearinghouse in accordance with State CEQA Guidelines Section 15075. Filing of the Notice of Determination starts a 30-day statute of limitations on court challenges to the approval under CEQA.

FINANCIAL IMPACT

A Reimbursable Work Order with Ribost in the amount of \$253,142 was executed in May 2022 for the

estimated costs associated with the preparation of the environmental documentation. The costs of Project implementation are the responsibility of Ribost. Aside from minimal staff time and CEQA filing fees, there are no other anticipated financial impacts to the Port associated with the requested action.

PREVIOUS BOARD ACTION(S)

Date of Action	HD #	Action Taken	Explanation for the Requested Action
05/23/2022	HD-22-223	Approved	Reimbursable Work Order with Ribost Terminal LLC dba World Oil Terminals in the amount of \$253,142 for costs associated with the preparation of an Environmental Impact Report and Application Summary Report for the proposed World Oil Tank Installation Project (Environmental Planning - M. Arms)
10/28/2021	HD-21-537	Approved	Adopt a Final IS/ND for the World Oil Tank Installation Project and approved the Application Summary Report

STRATEGIC PLAN

The requested action aligns with the following strategic goal and objective.

<input type="checkbox"/> Goal #1- Strengthen the Port's competitive position through secure and efficient movement of cargo while providing outstanding customer service. Select an Objective >>
<input type="checkbox"/> Goal #2- Maintain financial strength and security of assets. Select an Objective >>
<input checked="" type="checkbox"/> Goal #3- Develop and maintain state-of the-art infrastructure that enhances productivity and efficiency in goods movement. Objective - Engage local, regional, state and federal agencies to ensure the Harbor Department evaluates, designs and implements projects that align with the priorities of regional planning agencies.
<input type="checkbox"/> Goal #4- Improve the environment through sustainable practices and the reduction of environmental impacts from Port operations and development. Select an Objective >>
<input type="checkbox"/> Goal #5- Broaden community access to Port-related opportunities and economic benefits. Select an Objective >>
<input type="checkbox"/> Goal #6- Attract, develop and retain a diverse, high-performing workforce. Select an Objective >>

ATTACHMENT(S)

1. Resolution
2. Final Environmental Impact Report
3. Application Summary Report

4. PowerPoint Presentation

World Oil Tank Installation Project

Harbor Development Permit Application 19-o66
State Clearinghouse No. 2020100119

Board of Harbor Commissioners
Public Hearing
September 23, 2024



Port of
LONG BEACH
THE GREEN PORT

Jennifer Blanchard
Environmental Specialist

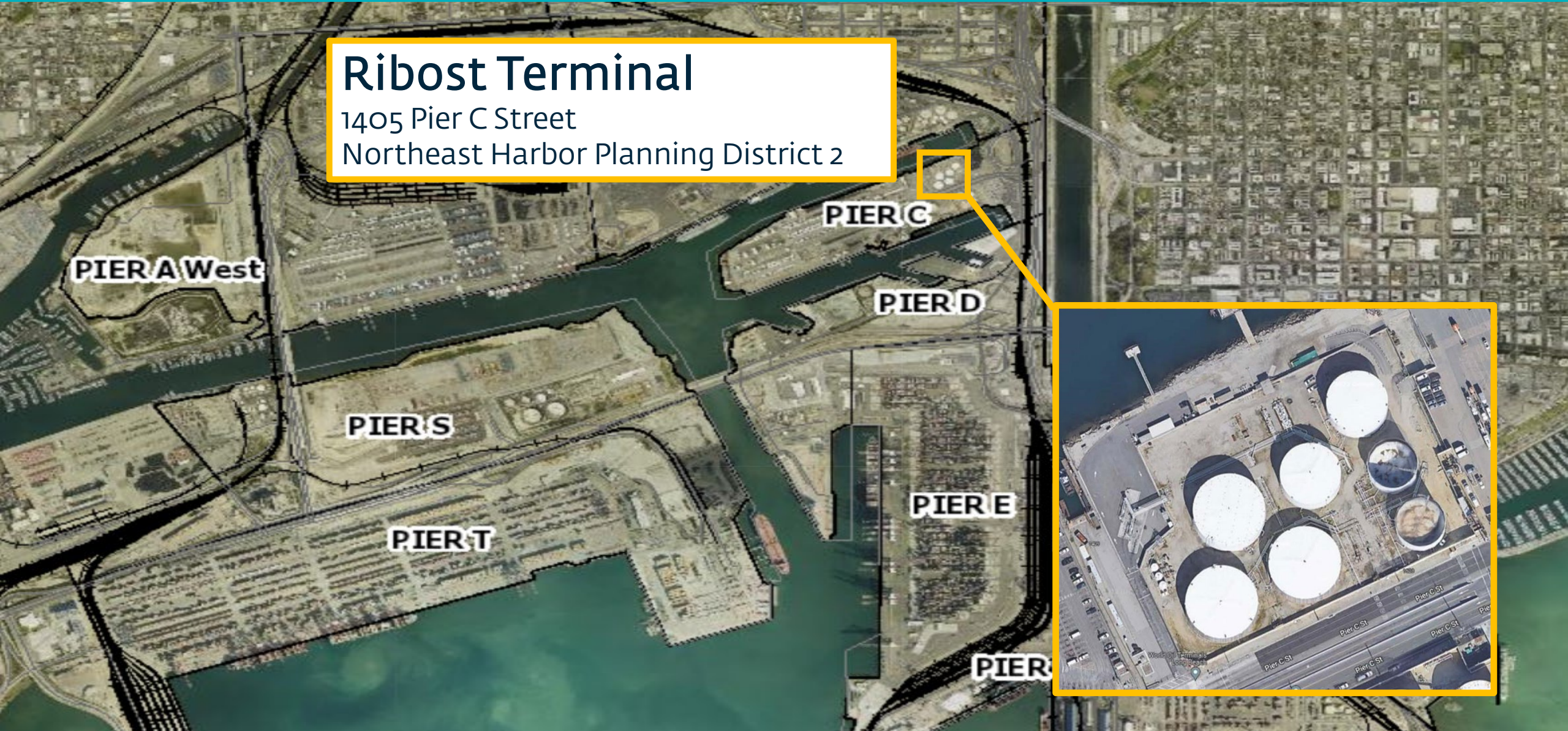
Overview

- 2021 Initial Study/Negative Declaration Adopted, Appealed to City Council
- 2022 Appeal Withdrawn, Stipulation for Port Staff to Prepare EIR
- 2023 Notice of Preparation of EIR and Initial Study, Public Scoping Meetings, Draft EIR Released for Public Review
- 2024 **Public Hearing for Board of Harbor Commissioners to Consider Final EIR, Approve Project, Issue Harbor Development Permit**

Project Location

Ribost Terminal

1405 Pier C Street
Northeast Harbor Planning District 2



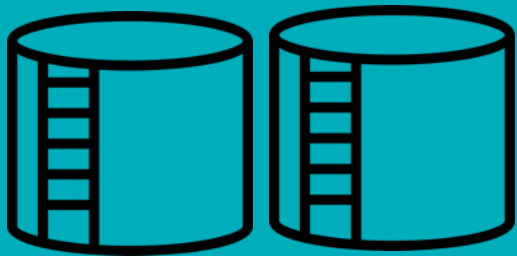
Proposed Project

Construction and Operation of:

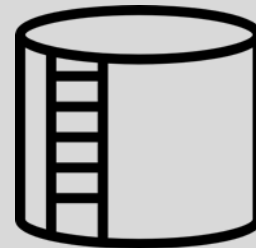
- Two 25,000 Barrel-Capacity Storage Tanks and Foundations within existing containment wall
- Tank Pumps
- Pipeline Connections
- Electrical Conduit

Alternatives to Proposed Project

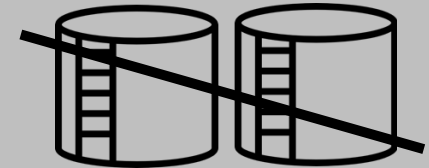
**Proposed
Project**



**Single Tank
Alternative**



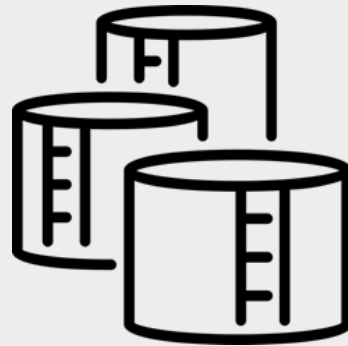
**No Project
Alternative**



Project Objectives



Increase
Terminal
Operational
Efficiency



Realign
Storage Tank
Capacities



Make Existing
Storage Tanks
Available
for Lease

CEQA Environmental Review



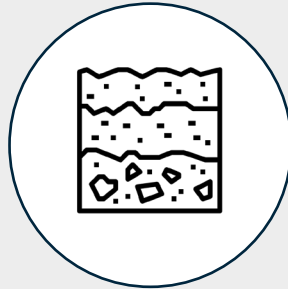
- **Notice of Preparation of EIR and Initial Study**
 - 30-Day Public Scoping Period
 - Two Public Scoping Meetings | In-person and Virtual
- **Draft EIR**
 - 52-Day Public Review and Comment Period (Extended 4-days)
 - Two Public Meetings | In-person and Virtual
- **Public Comments**
 - 16 agencies, groups/organizations, and individuals; 7 Letters of Support
 - Detailed responses to all comments; Provided in Final EIR;
No new significant impacts; Recirculation of Draft EIR not required
- **Notice of Public Hearing/Availability of Final EIR**
 - Issued September 12, 2024

Environmental Impacts

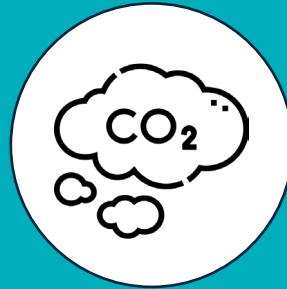
Air Quality &
Health Risk



Geology &
Soils



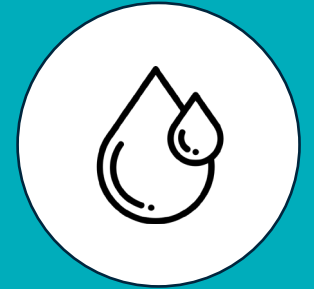
Greenhouse
Gas Emissions



Hazards &
Hazardous
Materials



Hydrology &
Water Quality



Less than Significant

Application Summary Report

- **Project is consistent with the:**
 - **Certified Port Master Plan**
 - Harbor Planning District 2 – Northeast Planning District
 - Risk Management Plan
 - **California Coastal Act**
 - Project is not appealable to the California Coastal Commission
 - *No significant impact on state or national oil and gas supply*

Special Conditions



Air Quality Best Management Practices for Construction Activities



Stormwater Best Management Practices



Nesting Bird Surveys Prior to Construction Activities



Geotechnical Report and Structural Calculations



Notification for Damaged or Discovered Oil and Gas Wells

Requested Actions



Conduct
Public
Hearing



Receive and File
Documentation



Adopt Resolution:
Certify Final EIR,
Approve Project &
Application Summary
Report



Issue
Level III
Harbor Development
Permit
19-066

World Oil Tank Installation Project

Harbor Development Permit Application 19-o66
State Clearinghouse No. 2020100119

Public Comments



Port of
LONG BEACH
THE GREEN PORT

Board of Harbor Commissioners
Public Hearing
September 23, 2024

RESOLUTION NO. HD-24-3224

A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WORLD OIL TANK INSTALLATION PROJECT (SCH NO. 2020100119) IN THE CITY OF LONG BEACH HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES, MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO, AND APPROVING THE PROJECT AND HARBOR DEVELOPMENT PERMIT

WHEREAS, the City of Long Beach ("COLB"), acting by and through its Board of Harbor Commissioners ("Board"), has authority over the COLB's Harbor District, commonly known as the Port of Long Beach (the "Harbor District");

WHEREAS, on August 14, 2019, Ribost Terminal, LLC, *dba* World Oil Terminals ("Ribost") submitted an application for a Harbor Development Permit ("HDP") to construct and operate the World Oil Tank Installation Project, located on privately-owned property on Pier C within COLB's Harbor District ("the Project");

WHEREAS, the COLB, acting by and through the Board, is the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and is the permitting authority under the California Coastal Act;

WHEREAS, the Harbor Department prepared an Initial Study (IS) in accordance with the CEQA, which determined that there would be no significant effects on

1 the environment resulting from construction and operation of the proposed Project;
2 therefore, a Negative Declaration (ND) was prepared. An Application Summary Report
3 (ASR) was also prepared in accordance with the Port's certified Port Master Plan (PMP),
4 as amended;

5 WHEREAS, on October 28, 2021, the Board held a properly noticed public
6 hearing on the Project at which time all interested parties had the opportunity to present
7 evidence and be heard. Thereafter, the Board, pursuant to Resolution No. HD-21-537,
8 adopted the Final IS/ND in accordance with CEQA, finding that based on the IS, evidence
9 presented, and all comments received, there was no substantial evidence that the Project
10 would have any significant effect on the environment, and approved the Project and
11 issuance of the HDP for the Project;

12 WHEREAS, two appeals were subsequently filed for the City Council's review
13 and determination of the Board's adoption of the Final IS/ND;

14 WHEREAS, prior to the appeal hearing proceedings scheduled to be heard
15 at the Long Beach City Council's meeting on January 18, 2022, Ribost stipulated to have
16 an EIR prepared for the proposed Project. The Long Beach City Council voted to dismiss
17 the appeal hearing as moot, sending the Project back to the Harbor Department for
18 environmental review and preparation of an EIR, as stipulated by Ribost, and the Final
19 IS/ND was withdrawn;

20 WHEREAS, on January 30, 2023, the Harbor Department released a Notice
21 of Preparation (NOP) and IS, which indicated the Harbor Department's intent to prepare a
22 Draft EIR, and Notice of Public Scoping Meetings, initiating a 30-day public review and
23 comment period ending on February 28, 2023. The updated IS describes the proposed
24 Project and provides initial evaluation of the Project's potential environmental impacts;

25 WHEREAS, the Harbor Department hosted two public scoping meetings –
26 one online meeting on February 8, 2023, and one in-person meeting at the Port
27 Administration Building on February 15, 2023, to seek input on the scope and content of
28 the EIR for the proposed Project;

1 WHEREAS, the Notice of Completion and Availability of the Draft EIR and
2 Notice of Public Hearings and ASR for the proposed Project was issued on October 25,
3 2023, initializing a 45-day public review period originally set to end on December 11, 2023.
4 Based on the request of commenters, the public review period was extended an additional
5 four days, ending on December 15, 2023;

6 WHEREAS, Harbor Department staff and consulting experts reviewed all
7 comments received on the Draft EIR, and prepared full and complete responses thereto
8 and distributed them on September 12, 2024, to all public agency commenters and written
9 notice of public availability of the responses was provided to all other commenters in
10 accordance with California Public Resources Code section 21092.5;

11 WHEREAS, the Final EIR included all comments received and responses to
12 the public comments;

13 WHEREAS, the Final EIR reflects the independent judgment of the City,
14 acting by and through the Board, as the lead agency under CEQA as to the potential
15 environmental impacts of the Project;

16 WHEREAS, on September 12, 2024, the Final EIR for the Project was
17 presented to the Board for certification as having been completed in compliance with the
18 provisions of CEQA and the State and local CEQA Guidelines;

19 WHEREAS, on September 23, 2024, the Board held a properly noticed public
20 hearing to consider the Final EIR and the proposed Project, at which time, all interested
21 parties had the opportunity to present evidence and be heard; and

22 WHEREAS, the Board has thoroughly reviewed and considered the Final EIR
23 and the written communications and oral testimony regarding the same.

24 NOW, THEREFORE, the Board of Harbor Commissioners of the City of Long
25 Beach resolves as follows:

26 Section 1. Findings – Preparation and Review of Final EIR and ASR. The
27 Board finds as follows:
28

1.1 On January 30, 2023, the Harbor Department circulated an NOP for a Draft EIR and IS for the Project and Notice of Public Scoping Meetings, initiating a 30-day public review and comment period ending on February 28, 2023. During the public review and comment period seven (7) written comment letters were received on the scope of the EIR, and five (5) letters of support.

1.2 The Harbor Department hosted two public scoping meetings – one online meeting on February 8, 2023, and one in-person meeting at the Port Administration Building on February 15, 2023, to seek input on the scope and content of the EIR for the proposed Project. No people spoke at the in-person meeting; one person spoke at the virtual meeting. Environmental issues identified during the public scoping process were addressed in the Draft EIR.

1.3 On October 25, 2023, the Harbor Department issued the Notice of Completion and Availability of the Draft EIR and Notice of Public Hearings and ASR for the proposed Project, initiating a 45-day public review period originally set to end on December 11, 2023. Based on the request of commenters, the public review period was extended an additional four days, ending on December 15, 2023. During the public review, period nine (9) written comments letters on the Draft EIR were received from organizations, agencies, and individuals, and seven (7) letters of support.

1.4 Harbor Department staff and consulting experts reviewed all comments received on the Draft EIR, and prepared full and complete responses thereto and distributed them on September 12, 2024 to all public agency commenters and written notice of public availability of the responses was provided to all other commenters in accordance with California Public Resources Code section 21092.5.

1.5 The Final EIR included all comments received and responses to the public comments.

1.6 The Final EIR reflects the independent judgment of the City, acting by and through the Board, as the lead agency under CEQA as to the potential environmental impacts of the Project.

Sec. 2 Findings – Project Description.

2.1 On August 14, 2019, the Harbor Department received a Harbor Development Permit application from Ribost proposing to construct and operate two new 25,000 barrel-capacity internal floating roof petroleum storage tanks in the vacant northwest corner within the existing containment wall of the petroleum bulk station.

2.2 Crude oil currently stored by Ribost in two existing larger, underutilized tanks at the site would be moved to the two new, smaller tanks, which would provide more adequate storage for Ribost's operations. The two existing larger tanks would then be made available to lease by customers for storage of marine fuels and marine fuel blending components, as is currently done for four of the existing tanks at the facility.

Sec. 3 Findings – Environmental Impacts.

3.1 Based on the IS, and comments received during the public scoping period, the following environmental resource areas, including related cumulative effects, are addressed in the Final EIR: Air Quality and Health Risk, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Hydrology and Water Quality.

3.2 The Board adopts the findings regarding the Project's environmental impacts contained in Section 3.0 of the Final EIR, which is incorporated by reference herein.

3.3 The Final EIR concludes that there would be no significant impacts associated with the operation or construction of the project. Therefore, no mitigation measures are required.

Sec. 4 Certification.

4.1 The Board hereby certifies that the Final EIR for the Project has been completed in compliance with CEQA and the State and local CEQA Guidelines.

4.2 The Board further certifies that the Final EIR was presented to the Board and that the Board reviewed and considered the information contained in it and the written communications and oral testimony regarding the same prior to approving the Project.

4.3 The Board further certifies that the Final EIR reflects the Board's and the Harbor Department's independent judgment and analysis.

Sec. 5 Project Approval. Based on the conclusions set forth in Section 4, the Project and Level III Harbor Development Permit No. 19-066 are hereby approved.

Sec. 6 Location and Custodian of Record Proceedings. The Harbor Department Director of Environmental Planning, whose office is located at 415 W. Ocean Blvd., Long Beach, California 90802, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Cal. Government Code Sec. 7920, *et seq.*).

Sec. 7 Notice of Determination. The Harbor Department Director of Environmental Planning shall file a Notice of Determination with the County Clerk of the County of Los Angeles and with the State Office of Planning and Research within five (5) working days after adoption of this resolution.

Sec. 8 Certification, Posting, and Filing. This resolution shall take effect immediately upon its adoption by the Board of Harbor Commissioners, and the Secretary of the Board shall certify the vote adopting this resolution and shall cause a certified copy of this resolution to be filed forthwith with the City Clerk. The City Clerk shall post the resolution in three conspicuous places in the City of Long Beach.

I hereby certify that the foregoing Resolution was adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting of September 23, 2024, by the following vote:

Ayes: Commissioners: Overa, Weissman, Neal, Colonna

Noes: Commissioners: _____

Absent: Commissioners: Lowenthal

Not Voting: Commissioners: _____


Secretary

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AUDIO TRANSCRIPTION

Long Beach Board of Harbor Commissioners Meeting

Item 1H

Audio Labeled:

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Transcribed from: 9:38 to 1:11:00

September 23, 2024

Transcribed by:
Natalie Fagan, CSR 13993

1 VICE PRESIDENT COLONNA: All right. So we'll
2 now move into Item Number 1H which is hearing.

3 MARIO: Receive and file supporting
4 documentation and conduct a public hearing for the World
5 Oil Tank Installation Project. Adopt a resolution
6 certifying the Final Environmental Impact Report
7 pursuant to the California Environmental Quality Act.
8 Approve the application summary report. Approve the
9 Project and issue level III Harbor Development Permit
10 19-066.

11 VICE PRESIDENT COLONNA: Thank you, Mario. So
12 good afternoon. I'm officially opening the public
13 hearing for Harbor Development Permit Application number
14 19-066 for the World Oil Tank installation project. The
15 applicant is the Ribost Terminal, LLC, Doing Business --
16 world wide -- Doing Business As World Wide Oil
17 Terminals.

18 During the hearing, the Board will offer an
19 opportunity for members of the public to provide
20 comments. We ask that those who wish to comment on this
21 item fill out a speaker card which is available at the
22 back of the room. We also have a Spanish language
23 translation service available for any members of the
24 audience who would like to use them. Translation
25 devices are also available in the back of the room. We

1 will begin with the presentation from Jennifer
2 Blanchard, Environmental Specialist for the summary of
3 the World Oil Tank Installation Project.

4 MS. BLANCHARD: Good afternoon, Vice President
5 Colonna.

6 VICE PRESIDENT COLONNA: Welcome.

7 MS. BLANCHARD: Commissioners. My name is
8 Jennifer Blanchard. I am an Environmental Specialist
9 here at the Port. I am pleased to present to you the
10 World Oil Tank Installation Project, which I will refer
11 to as "the Project" throughout this presentation. This
12 afternoon, staff requests that the Board of Harbor
13 Commissioners: Adopt a resolution to certify the
14 Environmental Impact Report, or EIR, in accordance with
15 the California environmental Quality Act or "CEQA."
16 Approve the Project and approve the application summary
17 report and issue Level III Harbor Development Permit
18 Number 19-066 in accordance with the certified Port
19 Master Plan to the applicant Ribost Terminal, LLC, Doing
20 Business As, World Oil Terminals, which I will refer to
21 as "Ribost" throughout the presentation. Next slide.

22 First, I want to provide a brief overview of
23 the environmental review for the Project. In August
24 2019, the Port received a Harbor Development Permit
25 Application from Ribost proposing to install two

1 25,000-barrel storage tanks at their privately-owned
2 facility on Pier C. In accordance with CEQA, in 2021,
3 the Port prepared an initial study to assist in
4 identifying the Projects potentially significant effect
5 on the environment and the appropriate environmental
6 document to be prepared.

7 The 2021 initial study concluded that
8 there would be no significant environmental effects on
9 the environment associated with construction and
10 operation of the Project. Therefore, a negative
11 declaration was prepared. The Board of Harbor
12 Commissioners adopted the Final Negative Declaration at
13 a public hearing in October 2021. The Board's decision
14 was appealed to the Long Beach City Council. Prior to
15 the Long Beach City Council's appeal hearing in January
16 2022, Ribost stipulated that the Port prepare an EIR for
17 the Project. The Long Beach City Council voted to
18 dismiss the appeal hearing, sending the Project back to
19 the Port for environmental review and preparation of an
20 EIR. And the 2021 negative declaration was withdrawn.

21 Since then, a new initial study and draft EIR
22 have been prepared and were released on January 30, 2023
23 and October 25, 2023 respectively. That brings us to
24 today's public hearing where we are requesting the Board
25 of Harbor Commissioners to consider the Final EIR,

1 approve the Project, and issue a Level III Harbor
2 Development Permit. Next slide.

3 Ribost operates a Petroleum storage facility on
4 their privately-owned property at 1405 Pier C Street, on
5 Pier C, in the Northeast portion of the Long Beach
6 Harbor District. The existing six-acre site has been
7 privately-owned and operated as a Petroleum storage
8 facility since 1964. The terminal contains seven
9 existing Petroleum tanks within an approximately 12.5 to
10 13-foot high containment wall for a total storage
11 capacity of 502,000 barrels. Three of the seven
12 existing tanks are used to store crude oil received via
13 pipeline and transmitted through the truck loading racks
14 to and from World Oil Refinery in South Gate to produce
15 paving and roofing asphalts. Four of the seven existing
16 tanks are leased to customers for off-site storage of
17 fuel oils and are transmitted by pipeline. Next slide.

18 Ribost is proposing to construct and operate
19 two new 25,000 barrel-capacity internal floating roof
20 Petroleum storage tanks with tank foundation, pumps, and
21 connections to existing utilities, such as electrical
22 lines and Petroleum piping within the existing
23 containment wall. This infill development would
24 increase the storage capacity at the terminal by less
25 than ten percent. Ribost is not proposing any other

1 modifications or improvements at the Ribost terminal or
2 the World Oil Refinery facility in South Gate or to
3 customer facilities. Next slide.

4 CEQA requires that an EIR describe a range of
5 reasonable alternatives to the Project, including to the
6 location of the Project which would feasibly attain most
7 of the basic objectives of the Project but would avoid
8 or substantially lessen any of the significant effects
9 of the Project. Alternatives to the Project considered
10 in detail in the EIR include the single 25,000-barrel
11 tank alternative and the No Project alternative required
12 by CEQA. The single 25,000-barrel tank alternative
13 would result in slightly less construction emissions and
14 approximately half as much operational emissions
15 compared to the Project. However, this alternative
16 would not provide for enough of an efficiency
17 improvement for Ribost and severely limit opportunities
18 to lease the one existing tank that would be available
19 under this alternative, as most lessees want at least
20 two tanks.

21 While the single tank alternative is considered
22 the environmentally superior alternative, there are no
23 significant impacts associated with the construction and
24 operation of the Project, even if incrementally higher
25 than the single tank alternative. The project better

1 meets the objective, and thus, there is no environmental
2 basis or reason to adopt the single tank alternative,
3 which does not meet all the objectives. Next slide.

4 The project would realign and provide more
5 adequate storage capacity for Ribost operations by
6 moving the crude oil currently stored for World Oil
7 Refinery from two of the three existing larger tanks at
8 the site. The two existing tanks would then be made
9 available to lease by customers for storage of fuel
10 oils, such as marine fuels and marine fuel blending
11 components, as is currently done at the facility. Next
12 slide.

13 Issuance of a Harbor Development Permit is a
14 discretionary action subject to CEQA. In accordance
15 with State CEQA guidelines, the Port conducted an
16 updated initial study to determine the Project's
17 potential to affect the environment. Based on the
18 initial study, potential significant environmental
19 impacts associated with the construction and operation
20 of the Project to air quality and health risks, geology
21 and soils, greenhouse gas emissions, hazards and
22 hazardous materials and hydrology and water quality
23 would be further evaluated in the EIR. The notice of
24 preparation for an EIR and initial study was issued on
25 January 30, 2023, beginning the CEQA process. Two

1 scoping meetings were held in February; one virtual and
2 one in-person.

3 The draft EIR was issued for a 45-day public
4 review and comment period, not including holidays on
5 October 25, 2023. Excuse me. The Port granted a
6 four-day extension to the public review period extending
7 it to December 15, 2023, for a total 50-day public
8 review period -- 52-day public review period. Two
9 public hearings were held in November; one virtual and
10 one in-person. Following the public review period,
11 comments were received from a total of 16 agencies,
12 groups, organizations, and individuals. Of the 16
13 comment letters, nine addressed the draft EIR and seven
14 were letters of support for the Project. One letter was
15 received from the Coastal Commission addressing the
16 California Coastal Act and Port Master Plan consistency
17 analysis. Responses to all comments received, written
18 and verbal, were prepared and are provided in Chapter
19 Nine of the final document. Responses to the letter
20 received from the Coastal Commission is provided in the
21 application summary report.

22 The EIR evaluates the Project's potential
23 environmental impacts to air quality and health risk,
24 geology and soils, greenhouse gas emissions, hazards and
25 hazardous materials, and hydrology and water quality,

1 which were determined to be less than significant. The
2 air quality and health risk analysis shows that the
3 Project would not conflict or obstruct implementation of
4 an air quality plan and would not exceed South Coast
5 AQMD significance thresholds. Health risk screening
6 shows emissions from the new tank operations would be
7 well-below south coast AQMD health risk thresholds and
8 odors would disperse below objectionable levels at the
9 nearest sensitive receptors. The combined effects of
10 construction and operation would also remain less than
11 the South Coast AQMD health risk thresholds.

12 Geology and soils analysis shows that impacts
13 associated with earthquake faults, ground shaking
14 seismic related effects, unstable geological units,
15 erosion or expansive soils would be less than
16 significant. Greenhouse gas emissions analysis shows
17 the Project would not conflict with applicable
18 greenhouse gas emission reduction plans, strategies,
19 policies, or regulations. The combined effects of
20 construction and operation of the Project would not
21 exceed South Coast AQMD GHD significance threshold.

22 The project's impact associated with routine
23 transport use disposal or accidental release of hazards
24 and hazardous materials would be less than significant
25 with the implementation and compliance with existing,

1 plans, protocols, and trainings. And lastly -- oh, can
2 you forward the slide. Sorry. Thank you.

3 And lastly, the EIR shows impacts would be less
4 than significant for hydrology and water quality due to
5 the existing design features of the site, such as the
6 twelve and a half to 13-foot tall containment wall.
7 Next slide.

8 Staff is also requesting approval of the
9 application summary report, which discusses the
10 Project's consistency with the Certified Port Master
11 Plan and California Coastal Act. The project is located
12 in the Northeast harbor planning district, which
13 includes hazardous cargo facilities as an allowable use.
14 With implementation of the new tanks, Ribost would
15 continue to operate under the hazardous cargo facility
16 category. The project is also consistent with the
17 Port's Certified Risk Management Plan. After the
18 implementation of the Project, marine diesel oil would
19 remain the most volatile material stored at the
20 terminal. Therefore, the largest hazard footprint and
21 subsequent vulnerability zone remains the same and would
22 remain in conformance with the Risk Management Plan.

23 The guidelines for implementation of the
24 Certified Port Master Plan identifies categories of
25 project that may be appeals to the California Coastal

1 Commission. The project is not amongst the categories
2 in the Coastal Act that are appealable to the Coastal
3 Commission. Next slide.

4 The project would also be subject to special
5 conditions for issuance of the Harbor Development
6 Permit. Ribost would be required to include these
7 requirements in their construction contractor
8 specifications or other documents governing the
9 construction activities for the Project. Special
10 conditions would include implementation of best
11 management practices for air quality, such as the use of
12 fuels that meet low carbon fuel standards and equipment
13 that meet EPA Tier IV off-road engine standards. Use of
14 on-road heavy duty trucks that meet at least EPA 2010
15 emission standards and control of fugitive dust
16 emissions.

17 Storm water best management practices in
18 accordance with California Storm Water Quality
19 Association handbook shall be implemented to control
20 run-off during construction activities. Trash cans and
21 Dumpsters at the site would also need to be covered at
22 all times and portable toilets would need to have
23 containment trays placed beneath them. A nesting bird
24 survey would be performed prior to the commencement of
25 construction activities to prevent disturbance of any

1 active bird nest during nesting season. To ensure
2 impacts from ground shaking, liquefaction, unstable
3 soils and expansive soils would be reduced to the extent
4 feasible. The final project design shall implement the
5 geotechnical recommendations provided in the 2018
6 geotechnical update report. Lastly, Ribost would be
7 required to contact the California Geologic Energy
8 Management Division if any wells are damages or
9 discovered during construction or operation activity.

10 Next slide.

11 Before I conclude, I want to acknowledge
12 e-mails submitted to the Port Environmental planning
13 staff on Thursday, September 19, from Earthjustice,
14 Communities for a Better Environment, and Center for
15 Biological Diversity seeking an extension to review the
16 Final EIR for the Project and to postpone the public
17 hearing to a later date. State CEQA guideline section
18 15088 B requires that a lead agency provide written
19 responses to a public agency on comments made by that
20 public agency at least ten days prior to certifying an
21 EIR. Staff have followed this requirement. While not
22 required under CEQA, the public and commenting agencies
23 were provided the same amount of time to review the
24 Final EIR as public agencies.

25 Prior to today's public hearing, as required by

1 CEQA, on September 12, 2024, eleven days prior to the
2 public hearing date, the Port issued the Notice of
3 Public Hearing and Notice of Availability of the Final
4 Environmental Impact Report. Prior to the EIR process,
5 Earthjustice, Communities for a Better Environment, and
6 Center for Biological Diversity reviewed and provided
7 comment during the extended public review and comment
8 period of the Negative Declaration, which was released
9 in October 2020. While not required under CEQA, the
10 Port responded to all comments received which were
11 included in Chapter 8 of the Final Negative Declaration.
12 In addition, the Port provided responses to issues
13 raised by earth justice, Communities for a Better
14 Environment, and Center for Biological Diversity in
15 their November 2021 appeal of the Board of the Harbor
16 Commissioners adoption of the 2021 Negative Declaration.
17 All responses were included in the Long Beach City
18 Council staff report for the appeal hearing. As
19 mentioned earlier in the presentation, ahead of the
20 January 2022 Long Beach City Council appeal hearing,
21 Ribost agreed to have an EIR prepared by the Port for
22 the Project and the Final Negative Declaration was
23 withdrawn.

24 Based on all comments received on the draft
25 EIR, including from Earthjustice, Communities for a

1 Better Environment, and Center for Biological Diversity
2 no new information or concerns have been presented. The
3 EIR sufficiently and adequately addresses all comments
4 verbal and written. No significant environmental
5 impacts, increase in severity of environmental impacts,
6 or other new information has been added. Updates to the
7 Final EIR are merely to clarify or make insignificant
8 modifications to the EIR. Therefore, the EIR is not
9 required to be recirculated.

10 On Friday, September 20, 2024, staff provided
11 an e-mail response to Earthjustice, Communities for a
12 Better Environment, and Center for Biological Diversity
13 that we do not see grounds justifying granting an
14 extension and postponement of the public hearing and
15 that the public hearing would be proceeding as
16 scheduled.

17 Therefore, in summary, this afternoon staff
18 requests the Board to receive and file supporting
19 documentation into the record and conduct a public
20 hearing for the World Oil Tank Installation Project.
21 Adopt the resolution to certify the Final EIR and
22 approve the Project. Approve the application summary
23 report and issue Level III Harbor Development Permit
24 Number 19-066 to Ribost Terminal, LLC. Next slide.

25 Vice President Colonna, Commissioners, this

1 concludes the staff report. We would be happy to answer
2 any questions following the public comment portion of
3 the hearing. Thank you.

4 VICE PRESIDENT COLONNA: Thank you. And thank
5 you, Ms. Blanchard.

6 I will now open this portion of the hearing for
7 public comments. For those who submitted a comment
8 card, Mr. Gonzalez will call your names in the order the
9 cards were received. As a reminder, please state your
10 name clearly for the record, and make sure your comments
11 are no more than three minutes long. And we also please
12 kindly avoid repeating comments made by speakers prior
13 to your speaking.

14 Mr. Gonzalez.

15 MARIO: Okay. I will call folks in groups of
16 threes. So we have Oscar Espino Padron, Jay Parapali,
17 Adam Frankel.

18 MR. PADRON: Hi, good afternoon. My name is
19 Oscar Espino Padron, and I'm with Earthjustice. As this
20 Commission knows, right, and the EIR for this project
21 confirms, our region has some of the worst air quality,
22 but you wouldn't know from reviewing the Final EIR is
23 that our region is also home to over a thousand storage
24 tanks that can store billions of gallons of Petroleum
25 product. These massive storage tanks spew toxic

1 pollution into our region and have negative cumulative
2 effects, not only on air quality but also on public
3 health. Today, along with several other environmental
4 justice organizations, environmental groups, we
5 submitted additional data to staff showing where some of
6 these storage tanks are located in the region to better
7 assess the cumulative impacts of approving this project.

8 Many of the tanks that were admitted by the
9 EIR, not addressed in the cumulative impact analysis,
10 are feet away from these proposed tanks. So given the
11 significant new information presented, all that we ask
12 is that the Commission continue this hearing by another
13 30 days and direct staff to review this information and
14 potentially revise the EIR to assess cumulative impacts.
15 There's no urgency or immediate need for these tanks.
16 There's no shortage of storage tanks in the region.
17 Community members are simply asking for more
18 transparency and for this Commission to make an informed
19 decision, as required under CEQA, about the
20 environmental and the public health consequences of
21 approving this project. Thank you.

22 VICE PRESIDENT COLONNA: Thank you. May we
23 have the next speaker, Mario? Thank you.

24 JAY PARAPALI: Good afternoon, Commissioners.
25 My name is Jay Parapali, a legal fellow at Communities

1 for a Better Environment. The environmental specialist
2 mentioned that there's no need for recirculated EIR if
3 there are minor modifications or nothing substantial
4 that has changed. That's true. But the draft EIR
5 itself is extremely flawed and the Port's response to
6 comments is, as far as we can tell within the last ten
7 days in an abbreviated review insufficient on many
8 grounds. The Port basically says, we are right. You,
9 the environmental groups, and communities, and we can so
10 no faults in our EIR. And there are plenty that are out
11 of compliance with California Case Law largely around
12 the Project descriptions, project objectives being
13 defined so narrowly as to preclude any other alternative
14 outcome other than to realign storage capacity needs or
15 increase terminal efficiency. For customers that have
16 not ever been identified in the draft form of the EIR or
17 in the FEIR, there was no concrete need for this
18 project.

19 In terms of air quality impacts that are
20 supposedly less than significant, as are all
21 environmental impacts less than significant with no
22 mitigation required, which is amazing. There's an
23 elementary school point five miles from the World Oil
24 Ribost site, and the EIR basically just says the
25 objectionable odors with dissipate magically before

1 they get to the school. And it's not just about odors.
2 The VOCs are cancer causing. They are smog precursor in
3 the air basin, and that is the dirtiest in the nation.
4 Environmental groups are not anti--industry entirely.
5 We will support clean energy, renewable energy products.
6 Many of which will be coming up to the Port in the near
7 future, maybe around Pier Wind and some other projects.
8 But we do not need to cement fossil fuel infrastructure
9 in an arena of Los Angeles Long Beach that already has
10 plenty of it. The Port calls itself the green port.
11 There's nothing about this project that's green, other
12 than green washing. And the Final Environmental Impact
13 Report must be extended in terms of being recirculated
14 with adequate responses that are more than just
15 conclusory statements of: We disagree. This is
16 adequately addressed as such. We will be approving this
17 project and this permit.

18 These two new tanks will increase the overall
19 capacity at the Ribost terminal to 552,000 barrels of
20 oil. It's already at 502,000 barrels. That's
21 23,000,184,000 gallons of crude oil storage. While the
22 Port also recognizes and Ribost recognizes that the
23 existing tanks are under utilized, and there's actually
24 not a full need for these because there are, again,
25 customers defined who actually need to accept this oil.

1 Throughput limits are also incorrect. There's a variety
2 of faults that I can't lay out in three minutes, but
3 thank you.

4 VICE PRESIDENT COLONNA: Thank you. May we
5 have the next speaker, please.

6 ADAM FRANKEL: Good afternoon. Adam Frankel,
7 Earthjustice. Public participation has been severely
8 constrained in the development of this EIR. Many
9 community members who wish to speak on this item today
10 were unable to be here. It's extremely difficult for
11 working folks to attend hearings in the middle of the
12 workday on a Monday; that being one of the reasons that
13 we requested additional time for comment.

14 Furthermore, when the EIR was posted on the
15 Port's website on September 12th, we alerted Port staff
16 that the document was not available to download, and the
17 issue was not corrected until 5:00 p.m. This alone
18 should have been sufficient grounds to extend the public
19 comment period.

20 The EIR's cumulative impacts analysis is
21 woefully inadequate. As further detailed in our written
22 comments, the EIR fails to consider various related oil
23 storage and oil refining operations within the vicinity
24 of the Project. Additionally, the EIR artificially
25 narrowed the geographic scope of the cumulative impacts

1 analysis to exclude large portion of the affected
2 communities.

3 Lastly, the EIR relied on outdated and
4 defective cumulative impacts guidance from the South
5 Coast AQMD which the air district itself has recognized
6 for it's profound flaws and begun the public process of
7 redrafting that guidance accordingly. We respectfully
8 ask that the Commission return the Project to the Port's
9 environmental staff with instructions to revise the EIR
10 and recirculate for further comment. Without an
11 accurate cumulative impacts analysis, the public cannot
12 adequately evaluate the Project's impacts and the need
13 for mitigation. Thank you for considering these
14 comments.

15 VICE PRESIDENT COLONNA: Thank you. Do we have
16 another speaker, please?

17 MARIO: Yes. We have -- there's three more.
18 Thomas Gelinic, Tommy Vave, and John Edmond.

19 Go ahead, Tom -- Tommy.

20 MR. VAVE: Good afternoon, everyone. Harbor
21 Commission, Port staff, and the public today, I want all
22 the trades to stand up that's here today from LA OC
23 Building Trades Council. And we're here in full support
24 of the Ribost terminal, doing business as, World Oil.
25 We're supportive of the Project. We know how important,

1 you know, these types of projects are when it comes to
2 industrial related. We have a lot of our members that
3 work in these settings, especially in the industrial
4 field. And this will bring a lot of electrical jobs.
5 Not just electrical jobs, but building trades jobs, and
6 we hope that the Commission can do the right thing today
7 and move this -- finalize the EIR and move this project
8 forward. Thank you.

9 VICE PRESIDENT COLONNA: Thank you.

10 MR. EDMOND: Good afternoon, Honorable Vice
11 President Colonna, Honorable Commissioners, chief
12 executive team, and Port staff. Thank you for the
13 opportunity to speak today. My name is John Edmond. I
14 represent the Long Beach area Chamber of Commerce, which
15 has more than 800 members. I also stand in support of
16 this project alongside other organizations including the
17 Downtown Long Beach Alliance, Future Ports, the Harbor
18 Association of Industry and Commerce, and the South Bay
19 Association Chamber of Commerce and Bizfed. I'm here to
20 voice the business community's overwhelming support of
21 the World Oil Ribost Terminal Project.

22 This initiative is critical to the continued
23 success of world oil, a family-owned business with over
24 80 years of responsible business practices and to
25 advance our community's economic and environmental

1 priorities. Why this project matters? Jobs. This
2 project is vital to sustain local jobs at the terminal
3 and will create new construction jobs for our local
4 workforce through partnerships with the LA Orange County
5 Building Trade. World Oil is already a major employer
6 in Southern California with over 720 employees, 47
7 percent reside right here in Los Angeles County.

8 This project ensures ongoing employment while
9 generating new opportunities during the construction
10 phase and beyond. Environmental responsibility -- the
11 findings are clear. After a rigorous environmental
12 review, this project will not negatively impact air
13 quality or public health. World Oil is committed to
14 using the best available controlled technology to
15 minimize emissions and ensure that safety remains a top
16 priority. Additionally, as California transitioned
17 cleaner energy, World Oil is exploring opportunities to
18 use these tanks for alternative fuels as demand
19 increases in the private markets. This forward-thinking
20 approach to sustainability positions businesses, like
21 World Oil, to lead in the shift towards cleaner energy.
22 By building this project now, we not only address
23 immediate needs but also create critical bridge to the
24 future where tanks will support the widespread adoption
25 of alternative fuels as the market evolves.

1 In closing, I and the seven other business
2 associations I mentioned earlier, respectfully urge you
3 to support this project which aligns with both our
4 economic and environmental goals. Together we can move
5 Long Beach and Southern California forward to a
6 sustainable and prosperous future. Thank you for your
7 time and consideration.

8 VICE PRESIDENT COLONNA: Thank you. Next
9 speaker, please.

10 MARIO: Yeah. Vice President, just wanted to
11 make a correction. Thomas Gelinic is speaking on item
12 1R not on 1H. So I just wanted to make that
13 correction.

14 VICE PRESIDENT COLONNA: Thank you.

15 MARIO: Our next three I have is Andrew
16 Gonzalez, Ray Camacho, and John Munoz.

17 MR. GONZALEZ: Good afternoon. Andrew Gonzalez
18 with the Los Angeles and Orange County Building and
19 Construction Trades Council, representing over 150,000
20 men and women in the building construction trades.

21 We're standing here in support of staff's
22 recommendation and the Project, Item Number 1H, World
23 Oil. This project will be constructed under our project
24 labor agreement. That agreement ensures the highest
25 quality and standards for construction in its time. It

1 also ensures the employees who do the work are paid the
2 best and proper wages possible here in Los Angeles and
3 Orange County. It's expensive to live here and having
4 high quality jobs is highly important, especially for
5 the people of Long Beach. And where does Long Beach
6 come involved? This project labor agreement also
7 ensures that the local residents, Long Beach residents
8 are prioritized during the construction phase of this
9 project. We've got a number of agreements or
10 pre-apprenticeship programs to help people find jobs in
11 the construction trades. And having local jobs and
12 projects available to them is vital to that work, to
13 make sure that people have opportunity for these
14 construction -- these construction careers.

15 Lastly, after two years of study and two of
16 progress, two years of looking at this. I think the
17 Project has been studied, researched, and looked at
18 enough. It's time to move forward. It's time to move
19 forward on a project that helps us reach that just
20 transition that everyone's looking for. And it's time
21 to approve the Project to get people to work. Thank you
22 so much.

23 VICE PRESIDENT COLONNA: Thank you.

24 MR. CAMACHO: Good afternoon, Harbor Commission
25 Members. My name is Ray Camacho. I'm here on behalf of

1 the 6,500 plus members of the United States Association
2 Pipefitters Local 250, Los Angeles. We're here today --
3 I don't want to repeat what all our brothers -- had
4 great points on support of this project. And I just
5 wanted to say for our members, we want the Commission to
6 ratify the EIR and approve this project to go forward.
7 Thank you.

8 VICE PRESIDENT COLONNA: Thank you.

9 MR. MUNOZ: Good afternoon, Commissioners.
10 Well, my name is John Munoz, and I am also here on
11 behalf of over 6,500 members out of Local 250. And also
12 a 35-year Long Beach resident. So I've lived in Long
13 Beach for quite a while, and I am here in support of all
14 of our industrial welders, pipefitters, apprentices and
15 hope that you will back us, as well. This project will
16 create immediate jobs for construction of building
17 trades and help train many of our local apprentices.
18 I'm the apprentice coordinator for Local 250, so we have
19 over 500 apprentices that are ready to come out, ready
20 to learn, and this is the perfect project that will get
21 them into those options where local work is here,
22 employed, operations maintenance, ensuring a stable
23 livelihood for our union family and households that live
24 in the City of Long Beach and surrounding areas.

25 World Oil is committed to working with unions

1 through PLAs, like I heard earlier. Agreements ensuring
2 the best trades building together. We're the strongest
3 skill safety standards and pride above all. Like I he
4 had is, as a 35-year Long Beach resident, I'm glad to
5 see this project come to us, and I hope that you guys
6 will stand with us whether you have spoke tonight.
7 Appreciate it.

8 VICE PRESIDENT COLONNA: Thank you.

9 MARIO: Okay. Next two speakers, Rick Garcia
10 and Tyler Byrd.

11 MR. GARCIA: Good afternoon. My name is Rick
12 Garcia. I'm here representing over 6500 sheet metal
13 workers. We're here in favor of this project, hoping
14 you guys will pull this project through. I don't want
15 to repeat what everybody else has already said. They
16 pretty much said it before I can get up here, but we
17 approve this project, and hopefully you guys do, too.
18 Thank you.

19 VICE PRESIDENT COLONNA: Thank you.

20 MR. BYRD: Good afternoon, Commission. My name
21 is Tyler Byrd, president of Iron Workers 416. I'm also
22 a lifelong resident. Born and raised here in Long
23 Beach. Same thing, 3,200 members. We love to work
24 where we live and spend our money where we live. Thank
25 you.

1 VICE PRESIDENT COLONNA: Thank you.

2 MARIO: Okay. Our last two speakers. We have
3 Sue Gornick and Brian Germain.

4 MS. GORNICK: Good afternoon, Vice President
5 Frank Colonna, Commissioners, Chief Executive Officer
6 Mario Cadero, and Port Staff. Thank you for the
7 opportunity to speak today. My name is Sue Gornick, and
8 I serve as vice president of environment, health, and
9 safety at World Oil. I lead our environmental and
10 safety initiatives focusing on strategic planning and
11 regulatory compliance to ensure world class performance
12 across the company. As a family-owned business with
13 over 720 employees, 47 percent of whom live in Los
14 Angeles County, we are proud to be a responsible and
15 trusted part of this community. We thank the staff for
16 all their hard work, and your unanimous vote to support
17 this project in late 2021.

18 After the approval, environmental and community
19 groups appealed to the City Council for further review.
20 When it came to the council, we agreed to conduct a full
21 Environmental Impact Report. During this process we
22 collaborated closely with the community and Port staff.
23 We are pleased that the conclusion of the full EIR
24 confirms the original finding that this project presents
25 no significant environmental impacts. We are committed

1 to the safety of this project. Have provided
2 opportunities for public comment, and during this
3 process, we strengthened our commitment to local job
4 creation by partnering with the Building and
5 Construction Trades ensuring quality jobs for local
6 workers.

7 World Oil with over 80 years of experience is
8 committed to responsible business practices. Our core
9 lines of business include collection, treatment, and
10 recycling of automotive waste including used motor oil,
11 oily water, and antifreeze, as well as manufacturing a
12 roofing and asphalt paving products. This project is
13 crucial to the continued success and efficiency of a
14 Ribost terminal where we currently employ six full-time
15 workers and to its tenants. At the terminal we store
16 material used for the blending of low sulfur marine
17 fuels and crude oil, which is only used to produce
18 paving and roofing asphalts at our South Gate plant.

19 Adding two new smaller storage tanks will
20 enhance our operational flexibility and efficiency.
21 Looking to the future, we're also evaluating the
22 potential to store alternative fuels at the terminal.
23 This will help us adapt as California transitions to
24 cleaner energy, ensuring that we can meet both current
25 and future energy needs efficiently and responsibly.

1 Thank you for your continued consideration throughout
2 this process. We are proud of the work we've done with
3 the community and our labor partners, and we look
4 forward to bringing this project to fruition. We truly
5 appreciate your time, and we ask for your support and
6 vote to bring this project to life. Thank you.

7 VICE PRESIDENT COLONNA: Thank you. And our
8 next speaker, please.

9 MR. GERMAIN: Good afternoon. My name is Brian
10 Germain. I'm a member of Sheet Metal Workers, Local
11 105. Good afternoon, esteemed Members of the Board. I
12 wanted to reflect our support for such a project that's
13 going to grow infrastructure -- local infrastructure and
14 continue to maintain skilled and trained workers to
15 provide a good product for the community, as well.

16 But I'm going to shorten up my time. But I
17 stand here with my other building trade members, as
18 well, and we support this project. Hope you do, too --
19 urge you to. Thank you.

20 VICE PRESIDENT COLONNA: Thank you, sir.

21 Mr. Gonzalez, any other speakers, please?

22 MARIO: Vice President, that concludes our
23 public comments.

24 VICE PRESIDENT COLONNA: Okay. Seeing no one
25 from the public. Any comments from Staff on the item?

1 STAFF: None from staff.

2 VICE PRESIDENT COLONNA: None? All right. We
3 have no additional comments. We'll turn it over now to
4 the Commissioners. Commissioners, are there any
5 questions or comments?

6 MARIO: Vice President?

7 VICE PRESIDENT COLONNA: Commissioner?

8 MARIO: Vice President, Staff is asking for 15
9 minutes.

10 STAFF: Vice President Colonna, if we may
11 request 15 minutes to collectively discuss the comment
12 letter that we received from the environmental groups
13 while the next item is -- the next presentation is being
14 heard.

15 VICE PRESIDENT COLONNA: So you're asking for a
16 15-minute -- what are we looking for, Sam, here?
17 They're going to have a --

18 SAM JOUMBLAT: I think what they're
19 asking is to continue to the next item --

20 STAFF: To the next item.

21 SAM JOUMBLAT: -- while they discuss
22 amongst themselves and come back in 15 minutes.
23 Continue with the discussion of the remaining items of
24 the agenda.

25 ALLYSON TERAMOTO: That's correct.

1 VICE PRESIDENT COLONNA: I'm getting consensus
2 here that the Commission -- it's a little unusual. I
3 don't understand why we would ask for that.

4 COMMISSIONER OLVERA: Vice President Colonna,
5 I'm concerned. We have a lot of both community groups
6 and, you know, labor unions that are speaking on this
7 item, so I'm uncomfortable skipping this item. This is
8 democracy. We're here to talk about this item, and
9 let's put it on the floor and be done with it. If Staff
10 needs additional time, you're free to go back to the
11 office. I'm just uncomfortable moving the agenda around
12 like that. We have people in the audience that have
13 taken time out of their day to be here.

14 VICE PRESIDENT COLONNA: Commissioner Weissman.

15 COMMISSIONER WEISSMAN: We received a 53-page
16 document a little after 12:30, and I don't know that
17 it's reasonable that Staff would have had the
18 opportunity to review the whole -- that whole document.
19 And I think out respect to the people who submitted,
20 Staff is asking for a little opportunity to discuss it.
21 I would be in favor of that. I think for the people who
22 are here, the environmentalists, I think it gives them
23 the respect to be able to respond to a document that was
24 sent to us not long before this meeting started.

25 VICE PRESIDENT COLONNA: You know, the issue is

1 that this has been a public hearing, and there's been
2 plenty of time to respond and submit anything to this
3 Commission. I find it a little bit unusual that we
4 would take the time -- especially a 53-page document
5 that just was received? That's the document you want to
6 review? I don't think you can even read it in 15
7 minutes.

8 SUDHIR LAY: Commissioner, if I can weigh in here.
9 We did receive a document. It's 11 -- an 11-page letter
10 with attachments. If we include the attachments it's 53
11 pages. I believe the attachments are a number of
12 tables. Staff was requesting if they could have a
13 15-minute break while the agenda continues on to Item
14 Two and the other items, and when staff has finished
15 convening and reviewing that document and able to
16 formulate their response, they would return and provide
17 a response thereto, and then continue the hearing
18 afterwards.

19 VICE PRESIDENT COLONNA: Let me ask you a
20 question. Did this -- did Staff get this information
21 before we opened this hearing? If so, why would you not
22 have asked for that 15-minute delay before we invited
23 all the public to make their comments?

24 ALLYSON TERAMOTO: Commissioner, we received it
25 just a few minutes before the hearing. If I may, I think,

1 perhaps, we can just touch on the key points that were
2 made in the letter.

3 VICE PRESIDENT COLONNA: All right.

4 ALLYSON TERAMOTO: We are prepared to do that
5 now, if possible.

6 VICE PRESIDENT COLONNA: Okay. Sam, you know,
7 this is a little bit out of the ordinary. I have never
8 had a hearing, you know, where we're breaking right in
9 the middle to have discussions. In all fairness to
10 those who came in support of the Project, as well as
11 with respect to those who were against it. The fact of
12 the matter is everything has been submitted here. Is
13 there anything legal that we are -- if we disregard this
14 staff request, is there a problem, Counsel?

15 BILL BAERG - COUNSEL: Well, I think they've
16 requested the recess -- the brief recess so they can respond
17 on the record to what these comments are. Otherwise,
18 I think they might need to do a subsequent written response,
19 which would prolong the matter.

20 VICE PRESIDENT COLONNA: All right. Well,
21 we're going to take the recess, then, because I'm not
22 going to jump to the next item. We're going to -- we
23 got an open hearing. We're going to close it, and so
24 we'll take a ten-minute --

25 SAM JOUMBLAT: Mr. Vice President, I think staff

1 would only need like five minutes, and they will address
2 the items in the letter that they respond so that it enters
3 into the record, and then we can continue the agenda.

4 So maybe five minute --

5 VICE PRESIDENT COLONNA: Okay. So Staff is
6 going to review the item, provide their comments, and
7 we're going to conclude the hearing --

8 SAM JOUMBLAT: Yes.

9 VICE PRESIDENT COLONNA: With their comments of
10 record.

11 SAM JOUMBLAT: Yes.

12 VICE PRESIDENT COLONNA: All right. We'll take
13 a -- what's the break, did you say? You're already
14 familiar with what got submitted to you?

15 ALLYSON TERAMOTO: Yes, sir. So if we can just
16 take five minutes.

17 VICE PRESIDENT COLONNA: Okay. We'll take a
18 five-minute break.

19 (Recess was taken.)

20 ALLYSON TERAMOTO: -- Of the information related
21 to storage tanks, indicated that very few of the
22 applications submitted as it relates to the regional
23 storage tanks were for the construction of new Petroleum
24 product tanks. And most of these applications were for
25 the change of ownership or the alteration or

1 modification of those storage tanks and change of permit
2 conditions. And prime -- those -- only a few of
3 those -- in fact, 67, were just for new construction,
4 and a few of those were for above-ground Petroleum
5 storage tanks. And few of those were for new
6 construction, and therefore, our analysis was adequate
7 for cumulative impacts.

8 The next item relates to -- there was a comment
9 regarding the cumulative impact relying on flawed AQMD
10 guidance referring to the AQMD's proposed policy
11 development for cumulative impact analyses from air
12 toxics for CEQA projects. The AQMD is currently going
13 through the process of updating and developing their
14 guidance. In fact, the Port -- the Port of Long Beach
15 staff is actively following that process, and they --
16 the AQMD has had five working group meetings since 2022
17 on updating their guidelines -- the AQMD's guidelines on
18 determining the cumulative impacts. The AQMD has not
19 adopted those guidelines, and in our document we are
20 currently using the AQMD's existing methodology which
21 uses localized significance thresholds and health risk
22 screening. And in the EIR we are showing that the risks
23 are less than 0.3 per million, and that's the maximum
24 incremental cancer risk versus a threshold of ten in a
25 million.

1 The next item is that the groups alleged that
2 the EIR's alternatives analysis remains deficient and
3 fails to properly consider the reduced size tank
4 alternative. We note that each of the proposed tanks is
5 sized to receive one crude oil shipment. Two tanks
6 smaller than 25,000 barrels would require a single crude
7 delivery to be divided amongst two tanks. Because crude
8 oil contains a small amount -- less than one percent --
9 of emulsified water -- if that's not removed prior to
10 delivery to refineries, it can instantly flash to steam
11 at a refinery operating temperature and pressure, and
12 that can cause equipment damage. So therefore, typical
13 operation would require resting the deliveries to allow
14 for water and oil to separate and to pump out the water
15 layer. So this would alter the terminals operations,
16 and therefore, that would require a fourth tank to be in
17 service, so that would limit the terminal's efficiency
18 and the ability to lease tanks to customers, which are
19 two critical objectives of the proposed project.
20 Therefore, that reduced size tank alternative would not
21 meet the Project objectives, and therefore, it's been
22 eliminated from further consideration.

23 Lastly, the letter indicates that the EIR's
24 assertion that existing tanks would be leased to third
25 parties for non-crude oil storage is misleading. We

1 would note that while the applicant has not identified
2 the potential customers in relation to the use of the
3 tanks, it's -- again, it's -- the operations at the
4 facility would not change. The leased tanks would
5 continue to primarily store and ship the same or similar
6 fuel oils, and this is discussed in the Final EIR.
7 Again, it would -- historical -- it has historically
8 stored different grades of marine fuel. Crude oil is
9 related to historical operations at World Oil.

10 And that concludes our responses.

11 VICE PRESIDENT COLONNA: Thank you. Thank you
12 for taking the time to have unusual request like that.
13 I believe that much of what you had to review is a bit
14 speculative from what was in that letter, but those are
15 verifiable comments, and I appreciate your reviewing
16 them all. So thank you.

17 So we had public comment. We had Staff review
18 those items, so now we'll move to our Commissioners.
19 Commissioners, any particular comments from any
20 Commissioners? Commissioner Steve.

21 COMMISSIONER NEAL: Thank you, Vice President
22 Colonna. First of all, thank you to everyone that came
23 out and testified either in for or against this project.
24 And I just want to say, first of all, that I really
25 appreciate Port staff. It was stated earlier in the

1 comments that for well over a year the Staff has
2 actively engaged the community. They responded and
3 addressed the concerns of the community, I believe, in
4 an accurate way. I feel like the Port has done a
5 thorough analysis of the potential environmental
6 impacts, and the findings have been proven over the
7 course of this project to be insignificant in regards to
8 the environmental project and the regulatory
9 requirements that we have meet.

10 I'm in firm support of this project. I think
11 the Project supports high-quality good jobs. And I
12 believe the minimal impact on the community, so I
13 would -- I would move, Vice President Colonna, that we
14 receive and file.

15 VICE PRESIDENT COLONNA: Thank you. Do I have
16 other Commissioner's comments at all?

17 COMMISSIONER WEISSMAN: Yeah.

18 VICE PRESIDENT COLONNA: Commissioner Weissman.

19 COMMISSIONER WEISSMAN: Thank you. First of
20 all, I want to say that I take very seriously the
21 comments by the environmentalist, and I appreciate your
22 being here today. But I also take very seriously the
23 comments of our Staff. I have been on the Commission
24 for a little over four years, and during that time, I
25 have to say I have always found our environmental

1 staff -- in fact all of our staff -- to be very
2 committed to us getting to zero, to us operating in the
3 most environmentally positive way that we can. I always
4 say we're moving as fast to zero as technology and
5 finances will allow.

6 But one of the questions that I had was
7 answered by the presentation by World Oil, and that is
8 fuels of the future. I -- you know, a number of
9 shipping companies -- carriers -- shipping the carriers
10 have said that we will bring our clean ships to the
11 ports that bunker clean fuel. And without increasing
12 our capacity for the storage of clean fuels -- and
13 obviously, we don't have them yet -- we will not see
14 those ships coming to the Port of Long Beach. And so I
15 will vote in favor of this project because we've heard
16 today that one of the things World Oil is looking for --
17 is planning for is alternative fuels. And all though
18 none of us know exactly what those fuels will be, the
19 market is still making a decision. As you may know, the
20 first zero emissions ship called at the San Pedro Bay
21 Port complex within the last few weeks. But if we're
22 not able to have the capacity to bunker these clean
23 fuels, then those ships will not be coming here. And so
24 I realize this decision may be disappointing to the
25 environmentalists today. I think in the long term this

1 will get us faster to where we want to be than if we
2 don't approve this project.

3 So for those reasons, I will be voting in favor
4 of the Project. Thank you.

5 VICE PRESIDENT COLONNA: Thank you. Any other
6 Commissioners? Commissioner Olvera.

7 COMMISSIONER OLVERA: Thank you, vice
8 president. First, I want to thank everybody that
9 appeared today to give comments. And I'll also make a
10 couple comments of my own and for the record. Listen,
11 there's no question that the Port of Long Beach and our
12 commitment and our progress on environmental impacts --
13 there's just no question about it. No where in the
14 world, no where in the nation can you find a Port
15 Authority that has the vision, the action that has been
16 done right here. And that's a testament to our Port
17 executive team and all the staff members and the
18 teammates within the Port of Long Beach and this
19 Commission. Actions that we've taken right here in this
20 chamber have put us at the forefront of every Port
21 Authority in the world. People look to us to see what
22 we're doing in environmental issues. So there can be no
23 question as far as our commitment and our progress and
24 our achievements on the environmental front.

25 I think what troubles me or gives me cause to

1 pause is just as a community member, is to see
2 environmental groups and labor groups standing on
3 opposite sides of the aisle. And I think that's
4 indicative of some of the things in this country that we
5 deal with; different in views. Unwillingness to accept
6 final results or findings. Unwillingness to find common
7 ground. And all too often that paralyzes
8 decision-making. That paralyzes movement forwards. And
9 as my colleague -- as Commissioner Weissman said,
10 sometimes the vote doesn't go your way. And I think if
11 you were to ask workers in all types of trades and
12 unions and even non-union workers how many project this
13 Commission hasn't moved forward on or that the Port has
14 not addressed because they were not environmentally
15 sensitive. Because they didn't fit the Port Master
16 Plan.

17 I think the number strongly outweighs -- I
18 think there's been a lot of projects, a lot of endeavors
19 that have not been taken up because of this Port's
20 commitment to the environment. So in this case, the
21 findings are in, and to use the word transparency after
22 two years I think is a cliché, and I think we've done
23 our due diligence. We've heard from the community. The
24 findings are in, and this will not be the first time nor
25 the last time that there's one side that feels the vote

1 didn't go in their favor. But I would hope that there's
2 more communication between those sides, because at the
3 end of the day we all live in the community. We work in
4 the community. We go home. Our kids are here. Our
5 families are here, and we all want what's best for Long
6 Beach, and that's clean air and a paycheck to be able to
7 go home and pay for a house.

8 So I would encourage both sides here today,
9 regardless of the result and your feelings toward the
10 result, to have some conversations out in the hallways.
11 Find that common ground between you because the Port is
12 committed to moving forward, and I won't always agree
13 with some of the direction that this Port takes, but
14 that's the beauty of democracy, that there's a
15 Commission and a great executive team and staff that
16 does their due diligence. So I appreciate everybody
17 being here today, and with that, Vice President, I would
18 like to second the motion, and I will ask for a role
19 call vote.

20 VICE PRESIDENT COLONNA: Thank you. And my
21 final comment is my Commission -- my fellow colleagues
22 here behind Ms. Diaz pretty well covered it all.
23 There's respect for everything that we try to
24 accomplish, but there's also a time to move on, and
25 today's the time to move on.

1 So with that, Commissioner Neal made the motion
2 to receive the Staff report documentation and public
3 comments received on the World Oil Tank Installation
4 Project. And Commissioner Olvera seconded that motion.

5 So will we have an all in -- well, do we need a
6 role call vote on this --

7 MARIO: No, we don't.

8 VICE PRESIDENT COLONNA: We don't. Okay. All
9 in favor.

10 ALL: I.

11 VICE PRESIDENT COLONNA: Any opposed? Hearing
12 none, item passes unanimously.

13 There's two other items of a process here that
14 we have to complete. So we have a motion to adopt the
15 resolution. Now, do we have a motion to adopt the
16 resolution to certify the Environmental Impact Report
17 and approve the Project pursuant to California
18 Environmental Quality Act.

19 COMMISSIONER OLVERA: So moved.

20 COMMISSIONER NEAL: Second.

21 VICE PRESIDENT COLONNA: I have a motion from
22 Commissioner Olvera. A second from Commissioner Neal.

23 All in favor?

24 ALL: I.

25 VICE PRESIDENT COLONNA: I. All right. That

1 passes unanimously. Lastly, for this item I will
2 entertain a motion to approve the application summary
3 report and issue Level III Harbor Development Permit
4 Number 19-066 in accordance with the certified Port
5 Master Plan and Section 1215 of the Long Beach City
6 Charter.

7 Do we have a second? I'm sorry. Is there --

8 COMMISSIONER WEISSMAN: So moved.

9 VICE PRESIDENT COLONNA: I'm sorry. I need a
10 motion first.

11 COMMISSIONER WEISSMAN: So moved.

12 VICE PRESIDENT COLONNA: Then we have a second?

13 MR. GOLDEN: Olvera -- second.

14 VICE PRESIDENT COLONNA: All in favor?

15 ALL: I.

16 VICE PRESIDENT COLONNA: I. Motion passes
17 unanimously. Thank you. I will note -- last comments.
18 Are there any other comments, Council, that we need or
19 any items missing?

20 UNIDENTIFIED SPEAKER: No.

21 UNIDENTIFIED SPEAKER: No.

22 VICE PRESIDENT COLONNA: No? Thank you.

23 Hearing is close. Thank you.

24 (End of item 1H.)

25

REPORTER'S CERTIFICATE

I, the undersigned, a Certified Shorthand
Reporter of the State of California, do hereby certify:

That the foregoing electronically-recorded
proceedings were transcribed by me to the best of my
ability.

I further certify I am neither financially
interested in the action nor a relative or employee of
any attorney or party to this action.

IN WITNESS WHEREOF, I hereunto subscribe my
name this 14th day of October, 2024.



Natalie Fagan
CSR NO. 13993

**Comment Letter - Center for Biological Diversity, Coalition for Clean Air,
Communities for a Better Environment, Earthjustice, (CCA)
September 23, 2024**



September 23, 2024

VIA: ELECTRONIC MAIL ONLY (*bhc@polb.com*)

**Re: Comments on the Final Environmental Impact Report for the World
Oil Tank Installation Project (SCN 2020100119)**

Dear Long Beach Board of Harbor Commissioners:

We write to express concerns about the final environmental impact report (EIR) prepared for the construction of two 25,000-barrel petroleum internal floating roof storage tanks (the Project) proposed by Ribost Terminal LLC. For the reasons detailed here and in previous comments, the EIR remains deficient and fails to comply with the substantive requirements of the California Environmental Quality Act (CEQA). Compliance with CEQA and adequate mitigation are especially critical here, given that these storage tanks would be constructed near sensitive receptors and would contribute to the environmental burdens and poor air quality already experienced by nearby communities.

CCA1-1

**I. The EIR's Cumulative Impact Analysis Remains Deficient and
Omits Critical Information for Informed Decisionmaking.**

CCA1-2

Under CEQA, a lead agency must review the proposed project's cumulative impacts, which are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."¹ A project's individual impacts may be cumulatively considerable, and therefore significant, "when added to other closely related past, present, and reasonably foreseeable probable future projects."² To assess cumulative impacts, an EIR may use the list of projects approach to evaluate "past, present, and probable future projects producing related or cumulative impacts."³

• The List of Projects Omits Related Storage Tanks and Other Oil Infrastructure

CCA1-3

The EIR evaluates the Project's cumulative impacts using the list of projects approach that considers "past, present, or reasonably foreseeable future projects in the geographic location of the Project."⁴ The EIR adjusts the geographic area based on the specific environmental issue—for air quality, the EIR considers projects within a one-

¹ CEQA Guidelines, § 15355.

² CEQA Guidelines, § 15355(b).

³ CEQA Guidelines, § 15130(b)(1)(A).

⁴ EIR at 3.1-29.

mile radius to assess localized cumulative impacts from criteria pollutants, and for toxic air contaminants, it looks at projects within 500 feet.⁵ Table 2-1 in the EIR lists various related past, present, and reasonably foreseeable future projects in that area that could contribute to the Project's cumulative impacts.⁶

**CCA1-3,
cont.**

Table 2-1, however, largely ignores other projects in the vicinity that are substantially similar to the proposed Project. Other than noting the construction of one storage tank at Phillips 66 Carson and the conversion of an existing gasoline storage tank to ethanol service at the Shell Carson Facility, the list omits existing or proposed oil industry storage tank projects in the surrounding area. Indeed, when using the list of projects approach, consideration of project types is important under CEQA "when the impact is specialized, such as a particular air pollutant" ⁷ As detailed in the EIR, the Project would release pollutants unique to crude oil storage, such as hydrogen sulfide and other toxic volatile organic compounds (VOCs) that are known to cause cancer and other health risks.⁸

CCA1-4

In particular, the list ignores seven other existing storage tanks previously constructed at the Ribost terminal.⁹ The EIR's cumulative impacts analysis also fails to account for the 31 permit applications submitted to the Port of Long Beach from 2010 to 2020 for the construction of dozens of additional above-ground petroleum product storage tanks at the Port.¹⁰ Additionally, the EIR ignores several existing storage tanks in the area. Indeed, the South Coast Air Basin alone has at least 1,108 stationary tanks that can store well over 3 billion gallons of petroleum product.¹¹ Over 70 percent of these tanks are large capacity, meaning that they can store over 1 million gallons of petroleum product.¹² The orange dots on Table 1 below confirm that many of these storage tanks are located near the proposed Project.¹³

CCA1-5

⁵ EIR at 3.1-29.

⁶ EIR at 2-2 to 2-7.

⁷ CEQA Guidelines, § 15130(b)(2).

⁸ EIR at 3.1-2 to 3.1-4; *see also* Office of Environmental Health Hazard Assessment (OEHHA), Analysis of Refinery Chemical Emissions and Health Effects (Mar. 2019), <https://oehha.ca.gov/media/downloads/faqs/refinerychemicalsreport032019.pdf>.

⁹ EIR at 1-2.

¹⁰ EIR at 9-250.

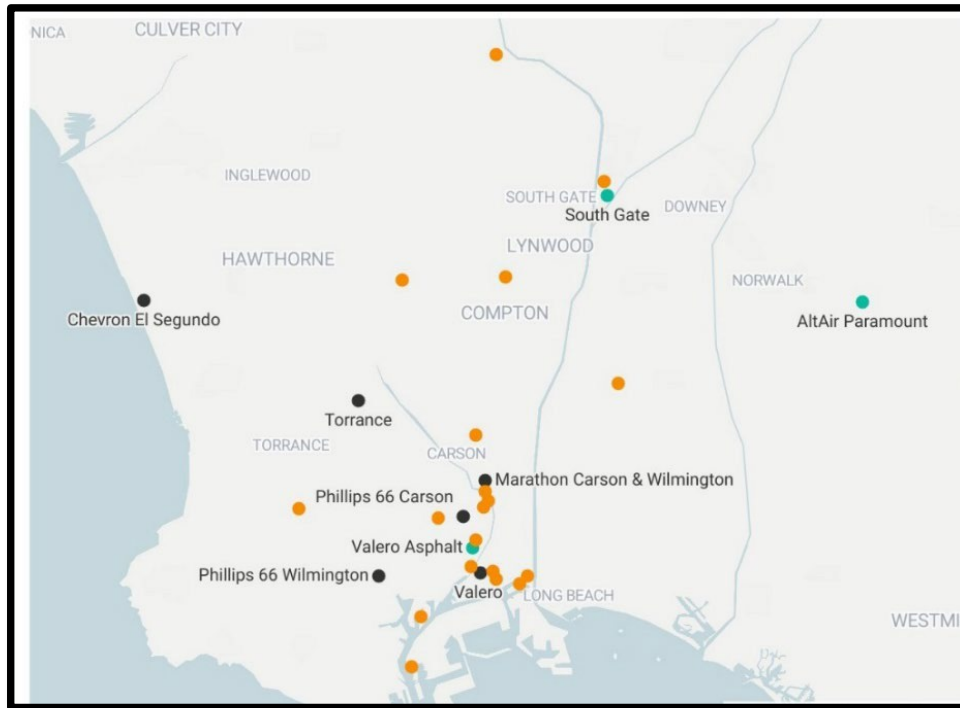
¹¹ South Coast AQMD, Presentation re Proposed Amended Rule 1178, Working Group Meeting 2, at 18 (July 15, 2021), https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1178/par1178-wgm2_final.pdf?sfvrsn=12 [archived at <https://perma.cc/G5M8-UK4F>].

¹² *Id.*

¹³ See also **Attachment 1: List of Storage Tank Operations in South Coast Air Basin**. For additional background on storage tank operations adjacent or contiguous to oil refineries, see South Coast AQMD, Final Staff Report for Proposed Amended Rule 1180 and Proposed Rule 1180.1 (Jan. 2024), <https://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2024/2024-Jan5-014.pdf?sfvrsn=6> [archived at <https://perma.cc/3ZXV-5P3V>].

Table 1. Refinery-Related Storage Farms in the South Coast Air Basin

CCA1-5,
cont.



Finally, the EIR refused to consider oil refineries in the region because the “site is a crude oil and petroleum product storage site, not a refinery.”¹⁴ This assertion is contradicted by the list of projects compiled in the EIR that includes many unrelated projects—such as residential and retail projects, as well as the construction of an outdoor amphitheater—that have nothing to do with crude oil and petroleum product storage. In fact, unlike those projects, oil refineries often have their own on-site storage tanks that release air pollutants similar to those that will be emitted by the Project. For instance, the Valero (Ultramar Inc.) refinery in Wilmington has 39 storage tanks and is located about 5,000 feet from the Project (see Figure 1).¹⁵ In 2023, the refinery released over 5,500 pounds of hydrogen sulfide and 98.563 tons of VOCs.¹⁶

CCA1-6

¹⁴ EIR at 9-249.

¹⁵ See, e.g., Attachment 2: List of Storage Tanks at Valero (Ultramar Inc.) Refinery; *see also* Attachment 3: List of Storage Tanks at Marathon Refinery in Carson. The Ribost Terminal ships and receives fuel oils through inbound and outbound pipelines serving the Marathon Refinery Carson, which is less than 3 miles from the Project. EIR at ES-3.

¹⁶ See Attachment 4: Ultramar Inc. 2023 Air Emissions Reporting, also available at <https://xappprod.aqmd.gov/find/facility/AQMDsearch?facilityID=800026>

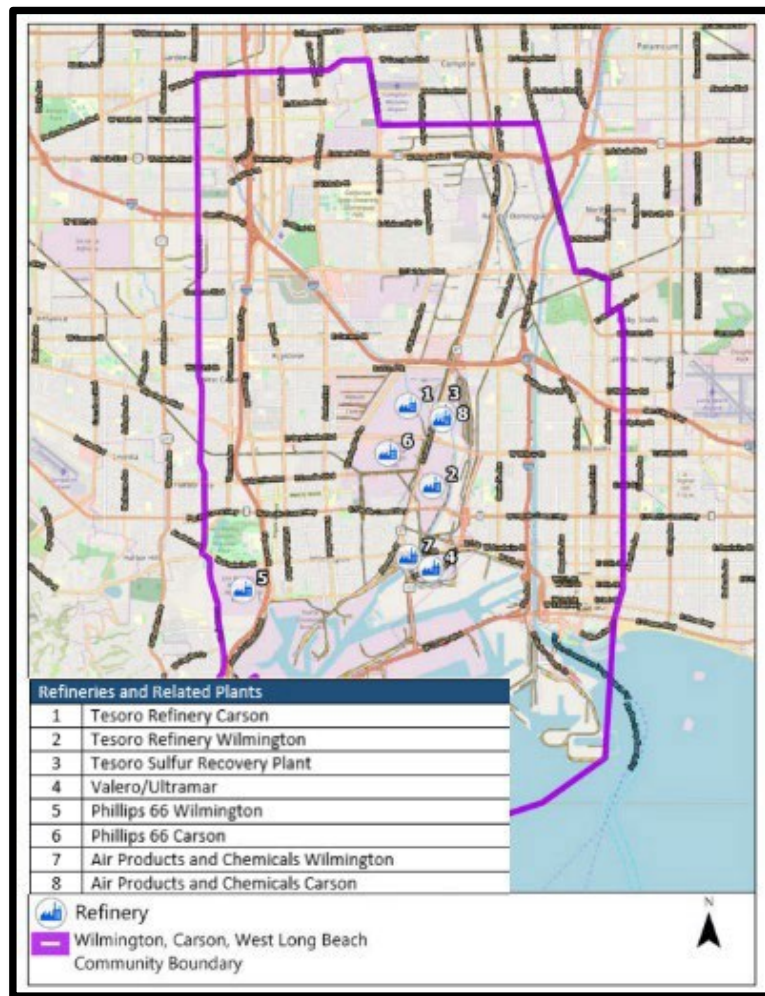
**CCA1-6,
cont.**



CCA1-7

¹⁸ South Coast AQMD, Community Emissions Reduction Plan for Wilmington, Carson, and West Long Beach (Sept. 2019), <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/ceerp/final-cep-wcwl-b.pdf?sfvrsn=8> [archived at <https://perma.cc/X8VD-CKHT>].

Figure 2. Oil Refineries and Related Facilities in AB 617 Communities



CCA1-7,
cont.

In assessing cumulative air quality impacts, however, the EIR restricted the geographic area to “one mile from the Project site for the localized cumulative criteria pollutants effects analysis and 500 feet for TACs effects analysis.”¹⁹ Under CEQA, the geographic area considered for cumulative impacts analysis “cannot be so narrowly defined that it necessarily eliminates a portion of the affected environmental setting.”²⁰ By narrowing the geographic area to 500 feet or one mile from the Project,

¹⁹ EIR at 3.1-29.

²⁰ See, e.g., *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1216.

the EIR eliminated large portions of the affected community and avoided disclosing other related projects producing similar impacts.

**CCA1-7,
cont.**

Additionally, toxic air contaminants from the Project include several harmful VOCs, including cancer-causing benzene, that are known to travel long distances after being released and can have high atmospheric lifetimes.²¹ As a result, harmful toxic air contaminants released by the Project could travel long distances from the original source and impact community members and the environment well beyond the 500-foot radius used in the EIR. The EIR fails to consider the Project's contribution to cumulative impacts affecting residents, sensitive receptors, and the environment within the AB 617 communities that are outside the EIR's narrow geographic area.

CCA1-8

- *The Cumulative Impacts Analysis Relies on Flawed SCAQMD Guidance*

CCA1-9

The EIR acknowledges that regional and localized cumulative air quality impacts are significant in the South Coast Air Basin and highlights the elevated cancer risk and other health effects impacting areas in close proximity to the Port of Long Beach.²² Yet, the EIR concludes that regional and localized impacts would not be cumulatively considerable because "projects that do not exceed the [South Coast Air Quality Management District (South Coast AQMD)] project-specific thresholds are *not* considered to result in cumulatively considerable effects."²³ This conclusion is misleading for several reasons.

First, The EIR's approach deviates from CEQA's substantive cumulative impacts analysis requirement that the Port analyze the Project's incremental contribution to the existing environmental burdens from past, existing, and probable future projects in the surrounding area. The Port cannot avoid this requirement by focusing solely on the Project's individual air emissions and relying on project-specific significance thresholds—as several courts have concluded, even when a project does not have

CCA1-10

²¹ Aiswarya Ragothaman & William A. Anderson, *Air Quality Impacts of Petroleum Refining and Petrochemical Industries*, 4 *Environments* at 4–5 (Sept. 2017), <https://doi.org/10.3390/environments4030066>; see also, Regina Montero-Montoya et al., *Volatile Organic Compounds in Air: Sources, Distribution, Exposure and Associated Illnesses in Children*, 84 *Annals of Global Health*, 225, 226 (July 2008), <https://annalsofglobalhealth.org/articles/10.29024/aogh.910> (discussing how VOCs' "physical and chemical properties and mean lifetime in the atmosphere, which ranges from a few minutes to several months, allow them to travel large distances from the source of emission and to enter the body").

²² EIR at 3.1-30.

²³ EIR at 3.1-31.

significant project-specific impacts, it can create cumulatively considerable impacts in the vicinity of the project.²⁴

**CCA1-10,
cont.**

Moreover, the EIR fails to disclose that South Coast AQMD reopened its flawed CEQA cumulative impact guidance on February 17, 2022, in response to California Department of Justice litigation challenging the environmental review prepared for a proposed warehouse project.²⁵ In that case, the City of Fontana approved a 205,000 square-foot warehouse project in an area near schools and already overburdened with logistics-related pollution.²⁶ Among other issues, the lawsuit noted the City's failure to disclose and account for other warehouse developments near the project and to account for emissions from those warehouses within the project's cumulative air quality impacts.

CCA1-11

The lawsuit also challenged the City's assertion that "the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant [under South Coast AQMD thresholds]."²⁷ The Department of Justice alleged that in contrast to the City's "project-level air quality impact analysis, which used significance thresholds that are identical across the entire South Coast Air Basin, whether [a project] has a significant cumulative air quality impact depends on the extent of the existing cumulative impact in the Project's vicinity."²⁸

The EIR makes the same legal and substantive errors here. The EIR omits several other past, present, and probable future storage tank projects in the area surrounding the Project. The EIR relies on outdated, flawed guidance called into question by the California Department of Justice and that South Coast AQMD itself acknowledges needs updating. And the EIR uses project-specific significance thresholds to assess

²⁴ See, e.g., *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720 (finding that "EIR improperly focused upon the individual project's relative effects and omitted facts relevant to an analysis of the collective effect this and other sources will have upon air quality.").

²⁵ South Coast AQMD, CEQA Policy Development (NEW), [https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-\(new\)](https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new)) [archived at <https://perma.cc/MA9Y-9GN7>]; Cal. Office of the Attorney General, Press Release: Attorney General Bonta Announces Innovative Settlement with City of Fontana to Address Environmental Injustices in Warehouse Development (Apr. 18, 2022), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-innovative-settlement-city-fontana-address> [archived at <https://perma.cc/WG39-XSRL>].

²⁶ People's Petition for Writ of Mandate at pp. 2, 7, CIVSB2121829 (San Bernardino Super. Ct., July 23, 2021) <https://oag.ca.gov/system/files/attachments/press-docs/Final%20Slover%20and%20Oleander%20CEQA%20Petition%20%28signed%29.pdf> [archived at <https://perma.cc/XJH2-P6MZ>] (People's Petition).

²⁷ *Id.* at p. 9.

²⁸ *Id.* at p. 12.

cumulative impacts while failing to consider how the Project’s individual emissions would contribute to emissions from other related projects in the area, which the EIR fails to quantify and disclose.

**CCA1-11,
cont.**

II. The EIR’s Alternatives Analysis Remains Deficient and Fails to Properly Consider the Reduced Size Tank Alternative.

CCA1-12

Under CEQA, an EIR is required to “consider and analyze project alternatives that would reduce adverse environmental impacts.”²⁹ These alternatives should include options that “would feasibly attain *most* of the basic objectives of the project but would avoid or substantially lessen” the project’s impacts.³⁰ Here, the EIR initially proposed four alternatives to the Project, including a reduced size tanks alternative that would construct “two new tanks equal in capacity, but less than 25,000 bbl each” at the site.³¹ The EIR refused to evaluate the reduced size tanks alternative, concluding “the alternative does not meet Project objectives and has been eliminated from consideration.”³²

According to the EIR, “[c]rude oil contains a small amount (~1 percent) of emulsified water” that requires “resting new deliveries of crude oil to allow for water and oil to separate and to pump out the water layer.”³³ After completing this dewatering process, crude can be delivered to refineries for further processing.³⁴ The EIR speculated—without any evidentiary support or further analysis—that this alternative may “*possibly* require a fourth tank to be in crude oil service to ensure adequate dewatering is accomplished.”³⁵ As a result, this alternative might impede the Project’s objectives to increase “terminal efficiency and the ability to lease tanks to customers.”³⁶

CCA1-13

The EIR’s conclusions are not supported by the facts. The EIR notes that crude oil deliveries “at the Project site are typically approximately 25,000 bbl each.”³⁷ Based on the estimated emulsified water content, each shipment produces about 250 bbl or 10,500 gallons of water. The EIR confirms that the “terminal contains an on-site [Wastewater Treatment Plant] (WWTP) that collects, stores, and treats dewatered wastewater from the existing crude tanks and stormwater” from various sources.³⁸

²⁹ *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1163.

³⁰ *Id.*

³¹ EIR at 1-14.

³² EIR at 1-14.

³³ EIR at 1-14.

³⁴ EIR at 1-14.

³⁵ EIR at 1-14.

³⁶ EIR at 1-14.

³⁷ EIR at 1-14.

³⁸ EIR at 1-14.

According to the operating permits for these two holding tanks, each tank has a capacity to hold up to 10,000 gallons of water and can process up to 14,800 gallons of wastewater daily.³⁹

**CCA1-13,
cont.**

The onsite wastewater treatment system contains more than enough capacity to handle dewatered wastewater from the reduced size tanks. The EIR's failure to consider and further analyze the reduced size tanks alternative undermined informed decisionmaking and the consideration of an alternative the EIR concedes "would potentially reduce construction air quality emissions" and presumably other environmental impacts from the proposed Project.⁴⁰

III. The EIR's Assertion that Existing Tanks Would Be Leased to Third Parties for Non-Crude Oil Storage is Misleading.

CCA1-14

Currently, Ribost utilizes tanks 43015 (43,000 bbl), 43016 (43,000 bbl), and 67011 (67,000 bbl) for its operations—specifically, crude oil is transferred to and from these tanks by a receive-only pipeline and daily truck deliveries to and from the terminal and World Oil Refining in South Gate.⁴¹ The proposed Project would free "two of the three existing tanks which currently store crude oil" and "would then be available for lease by customers for storage of fuel oils."⁴² The EIR acknowledges that "customers for this additional petroleum storage capacity have not yet been identified and are unknown."⁴³

The EIR's assertion that these tanks would be leased for marine fuel storage is purely speculative. The permits to operate tanks 43015 and 43016 note that the "operator shall only store petroleum products having a Reid vapor pressure not to exceed 11 psia" but do not otherwise contain petroleum product limits.⁴⁴ The permit to operate tank 67011 authorizes both crude oil and non-gasoline petroleum products with a vapor pressure below 8 psia.⁴⁵ Despite the EIR's claim that these tanks would be used to store marine fuel and related blending components, the operating permits would also allow for crude oil storage.⁴⁶

CCA1-15

³⁹ Attachment 5: Ribost Terminal LLC Permit to Operate Wastewater and Stormwater Collection and Treatment System

⁴⁰ EIR at 1-14.

⁴¹ EIR at 1-2 to 1-5.

⁴² EIR at 1-2. Based on a review of the EIR, it is unclear which two of the three tanks would be leased to third parties.

⁴³ EIR at 1-2.

⁴⁴ Attachment 6: Permits to Operate Tanks 43015, 43016, and 67011.

⁴⁵ *Id.*

⁴⁶ The EIR does not appear to contain a requirement that Ribost seek a modification of its current operating to restrict the use of these tanks to storage of marine fuel and related blending components.

Tanks 43015, 43016, and/or 67011 could be used by third parties, including oil refineries, to store crude oil beyond the current 25,000 bbl crude oil deliveries the site receives that would now be shifted to the two new tanks.⁴⁷ The EIR's assertion underestimated impacts and tainted the entire analysis. For instance, the EIR's air quality analysis concluded that because the "two existing tanks would be converted to leased tanks, primarily for fuel oil product storage and removed from Ribost's dedicated paving/roofing asphalt refinery service," it "would not be likely to increase VOC emissions from the two existing tanks because true vapor pressure properties of fuel oils are much lower than those of crude oils."⁴⁸

**CCA1-15,
cont.**

Given the significant new information presented in this letter, the Harbor Commission should direct planning department staff to revise the environmental impacts analysis and recirculate an updated EIR for public review and input. In its current form, the EIR is misleading and undermines both public participation and informed decision making. Without accurate cumulative impacts and alternatives analyses, decisionmakers and the public cannot adequately evaluate the Project's significant environmental impacts and the corresponding opportunities for mitigation. We thank you for considering the issues raised in this letter.

CCA1-16

Sincerely,

Oscar Espino-Padron
Sr. Attorney
Earthjustice

Christopher Chavez
Deputy Policy Director
Coalition for Clean Air

David Pettit
Senior Attorney
Center for Biological Diversity

Jay Parepally
Legal Fellow
Communities for a Better Environment

List of Attachments**CCA1-17**

Attachment 1: South Coast AQMD: List of Storage Tanks

Attachment 2: List of Valero (Ultramar) Storage Tanks

Attachment 3: List of Marathon Carson Storage Tanks

Attachment 4: Ultramar Inc. Emissions Inventory 2023

⁴⁷ EIR at 1-14.

⁴⁸ EIR at 3.1-19.

Attachment 5: Ribost Terminal LLC Permit to Operate Wastewater and Stormwater Collection and Treatment System

Attachment 6: Ribost Permits to Operate Tank Nos. 4315, 4316, and 67011

**CCA1-17,
cont.**

CCA1-17,
cont.

ATTACHMENT 1

South Coast AQMD: Storage Tanks with Active Operating Permits

CCA1-17,
cont.

No. of Tank Permits	Facility Name	Contents
51	Kinder Morgan Liquids Terminals LLC	Gasoline; Pet. Mid. Dis.; Crude; Waste Oil; Wastewater; Waste fuels
29	Tesoro Logistics Marine Terminal 2	Pet. Mid. Dis.; Crude; Pet. Dis.; Gasoline, Hydrocarbons; Misc. Organic Materials
28	Tesoro Logistics East Hynes Terminal	Crude, Hydrocarbons; MTBE; Gasoline
22	Torrance Logistics Company LLC	Fuel Oil; Hydrocarbons; Pet. Mid. Dis.; Gasoline; Wastewater; Residual Oil; Misc. Materials; Crude
22	Phillips 66 Pipeline LLC	Solvents; Crude; Fuel Oil; Gasoline
14	Torrance Logistics Company LLC	Gasoline; Wastewater; Diesel; Pet. Dis.; Misc. Materials; Hydrocarbons; Alcohols
14	Phillips 66 Pipeline LLC	Gasoline; Hydrocarbons; Naphtha; Diesel; Pet. Mid. Dis.
11	Tesoro Logistics Vinvale Terminal	Misc. Organic Materials; Hydrocarbons
10	Tesoro Logistics, Colton Terminal	Pet. Mid. Dis.; Wastewater; Pet. Dis.; Gasoline
8	Ultramar Inc.	Gasoline; Misc. Materials
7	Tesoro Ref. & Mktg. Co. LLC, Calciner	Diesel; Asphalt, Coke
7	Ribost Terminal LLC	Crude; Pet. Dis.; Gasoline
6	Tesoro Logistics Long Beach Terminal	Crude; Misc. Materials
6	Tesoro Logistics Carson Crude Terminal	Crude; Jet-A
5	Tesoro Logistics, Wilmington Terminal	Hydrocarbons; Wastewater
5	Phillips 66 Colton Terminal - West	Diesel; Gasoline
3	Phillips 66 Colton Terminal - East	Gasoline; Hydrocarbons

CCA1-17,
cont.

ATTACHMENT 2

List of Storage Tanks at Valero (Ultramar Inc.) Refinery

**CCA1-17,
cont.**

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOL	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
800026	Ultramar Inc Wilmington Refinery	94-tk-9011	265	JET FUEL (JPA), FCC GASOLINE BLEND	WELDED	PONTOON	SHOE	CAT A WIPER			90	48	50000
800026	Ultramar Inc Wilmington Refinery	94-tk-9004	258	NAPHTHA, HYDROTREATED GAS OIL, GAS OIL, JET FUEL, CRUDE OIL, GASOLINE, DIESEL FUEL	WELDED	PONTOON	SHOE	WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9003	257	DIESEL FUEL, CRUDE OIL	WELDED	PONTOON	SHOE	WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9012	266	NAPHTHA, HYDROTREATED GAS OIL, GAS OIL, JET FUEL, CRUDE OIL, GASOLINE, DIESEL FUEL	WELDED	PONTOON	LIQ MOUNT	WIPER	SLOTTED	COVER FLOAT WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9006	260			PONTOON	SHOE	CAT A WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	156	48	150000
800026	Ultramar Inc Wilmington Refinery	94-tk-9005	259			PONTOON	SHOE	CAT A WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	156	48	150000
800026	Ultramar Inc Wilmington Refinery	94-tk-9007	261	CRUDE OIL	WELDED	PONTOON	LIQ MOUNT	WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	201	48	250000
800026	Ultramar Inc Wilmington Refinery	94-tk-9009	263		WELDED	PONTOON	SHOE	CAT A WIPER	SLOTTED	COVER POLE WIPER SLEEVE FLOAT WIPER	210	48	250000
800026	Ultramar Inc Wilmington Refinery	94-tk-9002	256		WELDED	PONTOON	SHOE	WIPER	SLOTTED	COVER FLAOT SLEEVE WIPER	221	48	300000
800026	Ultramar Inc Wilmington Refinery	94-TK-9001	255	CRUDE OIL	WELDED	PONTOON	SHOE	WIPER TYPE	SLOTTED	COVER FLAOT SLEEVE WIPER	221	48	300000
800026	Ultramar Inc Wilmington Refinery	94-TK-9008	262		WELDED	PONTOON	LIQ MOUNT	Type not specified			127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-TK-9010	264			PONTOON	SHOE	CAT A			90	48	50000
800026	Ultramar Inc Wilmington Refinery	82-TK-7	272			PONTOON	WIPER	WIPER			36	32	5000
800026	Ultramar Inc Wilmington Refinery	82-TK-8	273			PONTOON	WIPER	WIPER			36	32	5000
800026	Ultramar Inc Wilmington Refinery	81-TK-3	274			PONTOON	WIPER	WIPER			90	48	50000
800026	Ultramar Inc Wilmington Refinery	94-TK-901	276		WELDED	PONTOON	WIPER	WIPER			57	47	20000
800026	Ultramar Inc Wilmington Refinery	94-TK-902	277			PONTOON	SHOE	WIPER			54	52	20000
800026	Ultramar Inc Wilmington Refinery	82-8k-11	D1460		W	PONTOON	SHOE	CAT A FLEX A SEAL SINGLE WIPER	SLOTTED	GASKETED COVER, FLOAT, SLEEVE, WIPER	150	58	150000
800026	Ultramar Inc Wilmington Refinery	21-8k-1000	D253	wastewater	W			CAT B WIPER			156	48	150000
800026	Ultramar Inc Wilmington Refinery	94-8k-9013	267		WELDED	PONTOON	SHOE	CAT A DOUBLE WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	70	48	30000
800026	Ultramar Inc Wilmington Refinery	94-8k-903	278		WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	71	52	35000
800026	Ultramar Inc Wilmington Refinery	82-8k-4	271		WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	91	48	50000
800026	Ultramar Inc Wilmington Refinery	94-8k-900	275		WELDED	PONTOON	SHOE	CAT A DOUBLE WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	98	44	55000
800026	Ultramar Inc Wilmington Refinery	81-8k-1	268	MTBE, GASOLINE, RAFFINATE, ALKYLATE	WELDED	PONTOON	SHOE	CAT A DOUBLE WIPER	SLOTTED	GASKETED COVER, FLOAT, SLEEVE, WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	82-8k-3	270	GASOLINE, GASOLINE BLENDING PRODUCTS	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	82-8k-2	269	GASOLINE BLENDING PRODUCTS, GASOLINE	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	82-8k-9	448	RAFFINATE, ALKYLATE, GASOLINE	WELDED	DOUBLE DECK	SHOE	CAT B WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	130	48	100000
800026	Ultramar Inc Wilmington Refinery	94-8k-9030	864	GASOLINE, CRUDE, GAS OIL, NAPHTHA	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	140	56	150000
800026	Ultramar Inc Wilmington Refinery	94-8k-9031	868	GASOLINE, CRUDE, GAS OIL, NAPHTHA	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	140	56	150000
800026	Ultramar Inc Wilmington Refinery	94-TK-909A	219			25	24	2000					
800026	Ultramar Inc Wilmington Refinery	94-TK-909B	220			25	24	2000					
800026	Ultramar Inc Wilmington Refinery	48-TK-1	221			50	58	20000					
800026	Ultramar Inc Wilmington Refinery	95-TK-1	222	emulsified oil/sour water, fuel gas blanketed		48	31	10000					

List of Storage Tanks at Valero (Ultramar Inc.) Refinery

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOL	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLS)
800026	Ultramar Inc Wilmington Refinery	95-TK-950	223	emulsified oil/sour water, fuel gas blanketed		48	31	10000					
800026	Ultramar Inc Wilmington Refinery	81-TK-1	217			64	45	25000					
800026	Ultramar Inc Wilmington Refinery	81-TK-4	218			64	48	25000					
800026	Ultramar Inc Wilmington Refinery	95-TK-952	224	wet slop/sour water, fuel gas blanketed		48	31	10000					
800026	Ultramar Inc Wilmington Refinery	95-TK-9017	1663	treated sour water		30	24	3000					
800026	Ultramar Inc Wilmington Refinery	83-TK-5	252		vented to vapor recovery	36	30	5000					

CCA1-17,
cont.

CCA1-17,
cont.

ATTACHMENT 3

List of Storage Tanks at Marathon Refinery - Carson

CCA1-17,
cont.

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesoro Refining & Marketing Company LLC	13	2153	crude	WELDED	PONTOON	SHOE	CAT B			230	69	460000
174655	Tesoro Refining & Marketing Company LLC	152	1187		WELDED	DOUBLE DECK	SHOE	Type not specified			40	40	9000
174655	Tesoro Refining & Marketing Company LLC	187	1193		WELDED	DOUBLE DECK	SHOE	CAT B			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	2	1142		WELDED		SHOE	CAT B			120	48	96700
174655	Tesoro Refining & Marketing Company LLC	3	1144		WELDED	DOUBLE DECK	SHOE	CAT B			120	42	84700
174655	Tesoro Refining & Marketing Company LLC	394	1143	slop oil, sludge	WELDED		SHOE	WIPER			30	39	32900
174655	Tesoro Refining & Marketing Company LLC	4	1145			PONTOON	SHOE	CAT B			117	41	4910
174655	Tesoro Refining & Marketing Company LLC	40	1165	jet fuel	RIVETED	DOUBLE DECK	SHOE	CAT B			135	41	80000
174655	Tesoro Refining & Marketing Company LLC	5	1146		RIVETED	DOUBLE DECK	CAT A	CAT A			117	41	100000
174655	Tesoro Refining & Marketing Company LLC	57	1175			PONTOON	SHOE	CAT B WIPER			134	40	80000
174655	Tesoro Refining & Marketing Company LLC	6	1147		WELDED	PONTOON	SHOE	CAT B			176	58	97650
174655	Tesoro Refining & Marketing Company LLC	8	1148		WELDED	PONTOON	SHOE	CAT B			176	58	240000
174655	Tesoro Refining & Marketing Company LLC	96	1185		WELDED	DOUBLE DECK	SHOE	Type not specified			60	40	240000
174655	Tesoro Refining & Marketing Company LLC	97	1186		WELDED	DOUBLE DECK	SHOE	Type not specified			60	40	24000
174655	Tesoro Refining & Marketing Company LLC	33	1159		RIVETED		SHOE	CAT B WIPER			117	42	24000
174655	Tesoro Refining & Marketing Company LLC	39	1164		WELDED	DOUBLE DECK	SHOE	CAT B	UNSLOTTED	GAS,COVER,WIPER	70	48	80000
174655	Tesoro Refining & Marketing Company LLC	14	1150	GASOLINE, SOUR NAPHTHA, ISOCTANE, ALKYLATE, TOLUENE, GAS OIL, UNTREATED WSTEWATER	W	PONTOON	SHOE	CAT A	SLOTTED	GASKETED COVER, POLE SLEEVE, WIPER	200	64	360000
174655	Tesoro Refining & Marketing Company LLC	21	1199		W	PONTOON	SHOE	CAT A WIPER	SLOTTED	GASKETED COVER, POLE SLEEVE, WIPER	186	69	333731
174655	Tesoro Refining & Marketing Company LLC	37	1163				SHOE	CAT B WIPER			60	32	15000
174655	Tesoro Refining & Marketing Company LLC	36	1162				SHOE	CAT B WIPER			60	48	24000
174655	Tesoro Refining & Marketing Company LLC	19	1000	WASTE WATER	WELDED	PONTOON	SHOE	CAT B	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	160	40	143400

List of Storage Tanks at Marathon Refinery - Carson

CCA1-17,
cont.

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesororo Refining & Marketing Company LLC	20	1001	WASTE WATER	WELDED	PONTOON	SHOE	CAT B	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	160	40	143400
174655	Tesororo Refining & Marketing Company LLC	153	2850	SLOP OIL, RECOVERED OIL, GASOLINE BLENDSTOCK	WELDED	DOUBLE DECK	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	40	40	9000
174655	Tesororo Refining & Marketing Company LLC	164	1190		WELDED	DOUBLE DECK	SHOE	CAT A WIPER			30	30	3750
174655	Tesororo Refining & Marketing Company LLC	91	1184		RIVETED	PONTOON	SHOE	CAT A MATRIX FLEX A			117	42	80000
174655	Tesororo Refining & Marketing Company LLC	69	1181		WELDED	DOUBLE DECK	SHOE	CAT B WIPER			135	48	122400
174655	Tesororo Refining & Marketing Company LLC	154	1188		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			40	40	9000
174655	Tesororo Refining & Marketing Company LLC	70	1182		WELDED	DOUBLE DECK	SHOE	CAT A WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122400
174655	Tesororo Refining & Marketing Company LLC	188	1194		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesororo Refining & Marketing Company LLC	71	1183		WELDED	DOUBLE DECK	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122400
174655	Tesororo Refining & Marketing Company LLC	189	1195		WELDED	PONTOON	SHOE	CAT A WIPER			60	48	24170
174655	Tesororo Refining & Marketing Company LLC	190	1196		WELDED	DOUBLE DECK	SHOE	CAT A WIPER			80	48	42970
174655	Tesororo Refining & Marketing Company LLC	27	1153		WELDED	DOUBLE DECK	CAT A	CAT A			60	48	24170
174655	Tesororo Refining & Marketing Company LLC	28	1154		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesororo Refining & Marketing Company LLC	29	1155		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesororo Refining & Marketing Company LLC	30	1156		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesororo Refining & Marketing Company LLC	31	1157		RIVETED	DOUBLE DECK	SHOE	CAT A			117	42	78700
174655	Tesororo Refining & Marketing Company LLC	32	1158		RIVETED	DOUBLE DECK	SHOE	CAT A WIPER			117	41	75600

List of Storage Tanks at Marathon Refinery - Carson

CCA1-17,
cont.

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLS)
174655	Tesororo Refining & Marketing Company LLC	35	1161		RIVETED	DOUBLE DECK	SHOE	CAT B WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE FLOAT AND FLOAT WIPER	135	41	100000
174655	Tesororo Refining & Marketing Company LLC	42	1167		WELDED	DOUBLE DECK	SHOE	CAT A WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	117	48	91400
174655	Tesororo Refining & Marketing Company LLC	45	1168		RIVETED	DOUBLE DECK	SHOE	CAT A MATRIX FELX A			134	40	99600
174655	Tesororo Refining & Marketing Company LLC	50	1169		WELDED	DOUBLE DECK	SHOE	CAT B			134	48	120000
174655	Tesororo Refining & Marketing Company LLC	51	1170		RIVETED	DOUBLE DECK	SHOE	CAT B WIPER			134	40	100000
174655	Tesororo Refining & Marketing Company LLC	52	1171	GASOLINE	WELDED	DOUBLE DECK	SHOE	CAT B WIPER			135	48	122400
174655	Tesororo Refining & Marketing Company LLC	53	1172		WELDED	PONTOON	SHOE	CAT B			134	40	112735
174655	Tesororo Refining & Marketing Company LLC	54	1173			PONTOON	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	155	55	164330
174655	Tesororo Refining & Marketing Company LLC	55	1174		RIVETED	PONTOON	SHOE	CAT B			134	40	102800
174655	Tesororo Refining & Marketing Company LLC	65	1177		WELDED	PONTOON	SHOE	CAT B WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	150	55	152650
174655	Tesororo Refining & Marketing Company LLC	66	1178		WELDED	PONTOON	SHOE	CAT B	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122400
174655	Tesororo Refining & Marketing Company LLC	67	1179		WELDED	PONTOON	SHOE	CAT B SINGLE WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122000
174655	Tesororo Refining & Marketing Company LLC	68	1180		WELDED	PONTOON	SHOE	CAT B					122400
174655	Tesororo Refining & Marketing Company LLC	41	1166	GASOLINE	WELDED	DOUBLE DECK	SHOE	CAT A WIPER					120000
174655	Tesororo Refining & Marketing Company LLC	64	1176		RIVETED	DOUBLE DECK	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER			100200

List of Storage Tanks at Marathon Refinery - Carson

CCA1-17,
cont.

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLS)
174655	Tesororo Refining & Marketing Company LLC	102	1134	process water							60	30	15000
174655	Tesororo Refining & Marketing Company LLC	17	1141								120	48	93667
174655	Tesororo Refining & Marketing Company LLC	16	1075								120	48	96690
174655	Tesororo Refining & Marketing Company LLC	18	1089								117	41	80000
174655	Tesororo Refining & Marketing Company LLC	191	1072								60	48	24192
174655	Tesororo Refining & Marketing Company LLC	192	1098								60	48	24192
174655	Tesororo Refining & Marketing Company LLC	24	1071								117	41	80000
174655	Tesororo Refining & Marketing Company LLC	101	1127	recovered ground water							60	30	15000
174655	Tesororo Refining & Marketing Company LLC	288	1102								30	30	3780
174655	Tesororo Refining & Marketing Company LLC	289	1074								30	30	3780
174655	Tesororo Refining & Marketing Company LLC	18	1089								117	41	80000
174655	Tesororo Refining & Marketing Company LLC	43	1083								117	40	80000
174655	Tesororo Refining & Marketing Company LLC	610	1136	lean media							22	16	1080
174655	Tesororo Refining & Marketing Company LLC	62	1092								135	40	100600
174655	Tesororo Refining & Marketing Company LLC	614	1106	oily sludge							25	13	1200
174655	Tesororo Refining & Marketing Company LLC	63	1093								135	40	100600
174655	Tesororo Refining & Marketing Company LLC	917	801								20	20	1120
174655	Tesororo Refining & Marketing Company LLC	25	1140								120	48	94507
174655	Tesororo Refining & Marketing Company LLC	620	1138								50	36	125000
174655	Tesororo Refining & Marketing Company LLC	680	1110								50	48	16800
174655	Tesororo Refining & Marketing Company LLC	679	1109								50	48	16800
174655	Tesororo Refining & Marketing Company LLC	678	1108								50	48	16800
174655	Tesororo Refining & Marketing Company LLC	677	1107								25	13	16800
174655	Tesororo Refining & Marketing Company LLC	426	1103	wastewater, recovered oil							76	30	244400
174655	Tesororo Refining & Marketing Company LLC	23	1091								117	41	80000
174655	Tesororo Refining & Marketing Company LLC	22	1090								117	41	74600

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLS)
174655	Tesororo Refining & Marketing Company LLC	84	1070								90	48	55000
174655	Tesororo Refining & Marketing Company LLC	83	1067	lean media							90	48	55000
174655	Tesororo Refining & Marketing Company LLC	700	1111	lean media, recovered oil							30	30	15000
174655	Tesororo Refining & Marketing Company LLC	R-58	1123	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesororo Refining & Marketing Company LLC	773	1069								134	40	100000
174655	Tesororo Refining & Marketing Company LLC	TK-824	80	slop							20	20	1100
174655	Tesororo Refining & Marketing Company LLC	90	1079								117	41	80000
174655	Tesororo Refining & Marketing Company LLC	93	1078								117	41	80000
174655	Tesororo Refining & Marketing Company LLC	957	1117								160	42	150000
174655	Tesororo Refining & Marketing Company LLC	958	1084								160	42	150000
174655	Tesororo Refining & Marketing Company LLC	959	1085								150	52	164000
174655	Tesororo Refining & Marketing Company LLC	968	1086								160	42	150000
174655	Tesororo Refining & Marketing Company LLC	969	1139								150	52	164000
174655	Tesororo Refining & Marketing Company LLC	R-11	1119								117	41	80200
174655	Tesororo Refining & Marketing Company LLC	R-12	1120	recovered oil							117	41	79800
174655	Tesororo Refining & Marketing Company LLC	R-399	1130								30	30	3750
174655	Tesororo Refining & Marketing Company LLC	R-49	1122								134	40	102800
174655	Tesororo Refining & Marketing Company LLC	R-58	1124	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesororo Refining & Marketing Company LLC	R-59	1125	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesororo Refining & Marketing Company LLC	R-60	1126	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesororo Refining & Marketing Company LLC	R-157	1128								60	30	12000
174655	Tesororo Refining & Marketing Company LLC	913	599								30	30	3750
174655	Tesororo Refining & Marketing Company LLC	1	1087								117	41	80200
174655	Tesororo Refining & Marketing Company LLC	277	1099								15	41	500
174655	Tesororo Refining & Marketing Company LLC	44	1081								134	40	100000
174655	Tesororo Refining & Marketing Company LLC	103	1135	process water							60	30	15000

**CCA1-17,
cont.**

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLS)
174655	Tesoro Refining & Marketing Company LLC	284	1073								40	40	8950
174655	Tesoro Refining & Marketing Company LLC	61	1080								134	40	100000
174655	Tesoro Refining & Marketing Company LLC	619	1137	sulfur							50	36	

CCA1-17,
cont.

CCA1-17,
cont.

ATTACHMENT 4

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17
,cont.

AER Year: 2023.

Facility Information

Business Name

ULTRAMAR INC

Facility ID

800026

Address

2402 E ANAHEIM ST, WILMINGTON, CA 90744

Notes:

1. The emission values listed here represent the latest submission by the facility and may not reflect values that are under revision/verification.
2. Data for 2007 represents the six-month transitional period, July through December 2007, when the rule requiring annual emissions reporting changed from a fiscal year to a calendar year basis.

Criteria Pollutants (Tons per Year)

CO

Carbon Monoxide

Annual Emissions: 66.626

NOX

Nitrogen Oxides

Annual Emissions: 280.814

PM

Particulate Matter

Annual Emissions: 95.932

SOX

Sulfur Oxides

Annual Emissions: 116.519

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17
cont.

VOC

Volatile Organic Compounds

Annual Emissions: 98.563

Toxic Pollutants (Pounds per Year):

79345

1,1,2,2-Tetrachloroethane

Annual Emissions: 0.000

95636

1,2,4TRIMEBENZE

Annual Emissions: 275.986

96128

1,2-Dibromo-3-chloropropane

Annual Emissions: 0.000

106990

1,3-Butadiene

Annual Emissions: 139.917

91576

2-Methyl naphthalene [PAH, POM]

Annual Emissions: 0.085

56495

3-Methylcholanthrene

Annual Emissions: 0.000

57976

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17
, cont.

7,12-Dimethylbenz[a]anthracene

Annual Emissions: 0.000

83329

ACENAPHTHENE

Annual Emissions: 0.063

208968

ACENAPHTHYLENE

Annual Emissions: 0.052

120127

ANTHRACENE

Annual Emissions: 0.915

75070

Acetaldehyde

Annual Emissions: 6386.591

107028

Acrolein

Annual Emissions: 33.857

7664417

Ammonia

Annual Emissions: 72901.6

62533

Aniline

Valero (Ultramar Inc.) Emissions Inventory 2023

Annual Emissions: 3.027

7440382

Arsenic

Annual Emissions: 5.337

191242

B[GHI] PERYLENE

Annual Emissions: 2.406

56553

Benz[a]anthracene

Annual Emissions: 0.072

71432

Benzene

Annual Emissions: 1326.994

50328

Benzo[a]pyrene

Annual Emissions: 0.026

205992

Benzo[b]fluoranthene

Annual Emissions: 0.023

192972

Benzo[e]pyrene [PAH, POM]

Annual Emissions: 0.008

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17,
cont.

205823

Benzo[j]fluoranthene

Annual Emissions: 0.005

207089

Benzo[k]fluoranthene

Annual Emissions: 0.015

7440417

Beryllium

Annual Emissions: 0.146

7440473

CHROMIUM

Annual Emissions: 11.663

110827

CYCLOHEXANE

Annual Emissions: 206.549

7440439

Cadmium

Annual Emissions: 1.123

75150

Carbon disulfide

Annual Emissions: 342.818

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17,
cont.

463581

Carbonyl sulfide

Annual Emissions: 3411.692

108907

Chlorobenzene

Annual Emissions: 0.014

18540299

Chromium (VI)

Annual Emissions: 2.65

218019

Chrysene

Annual Emissions: 0.061

7440508

Copper

Annual Emissions: 7.772

1319773

Cresols

Annual Emissions: 11.885

53703

Dibenz[a,h]anthracene

Annual Emissions: 0.016

9901

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17,
cont.

Diesel engine exhaust, particulate matter

Annual Emissions: 215.127

100414

ETHYL BENZENE

Annual Emissions: 311.031

74851

ETHYLENE

Annual Emissions: 259.914

107211

ETHYLENE GLYCOL

Annual Emissions: 5.316

206440

FLUORANTHENE

Annual Emissions: 0.17

86737

FLUORENE

Annual Emissions: 7.374

50000

Formaldehyde

Annual Emissions: 4322.337

110543

HEXANE

Valero (Ultramar Inc.) Emissions Inventory 2023

Annual Emissions: 4084.462

7647010

Hydrochloric acid

Annual Emissions: 671.288

74908

Hydrocyanic acid

Annual Emissions: 2672.718

7664393

Hydrogen fluoride

Annual Emissions: 9.378

7783064

Hydrogen sulfide

Annual Emissions: 5507.973

193395

Indeno[1,2,3-cd]pyrene

Annual Emissions: 0.005

1125

Isocyanates

Annual Emissions: 0.000

7439921

Lead (inorganic)

Annual Emissions: 9.998

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17,
cont.

108383

M-XYLENE

Annual Emissions: 120.638

7439965

Manganese

Annual Emissions: 26.825

7439976

Mercury

Annual Emissions: 5.347

67561

Methanol

Annual Emissions: 0.123

74873

Methyl chloride {Chloromethane}

Annual Emissions: 0.125

78933

Methyl ethyl ketone

Annual Emissions: 317.007

91203

Naphthalene

Annual Emissions: 33.257

Valero (Ultramar Inc.) Emissions Inventory 2023

CCA1-17,
cont.

7440020

Nickel

Annual Emissions: 47.168

106423

P-XYLENE

Annual Emissions: 120.634

1151

PAHs, total, with components not reported

Annual Emissions: 1.778

85018

PHENANTHRENE

Annual Emissions: 19.057

129000

PYRENE

Annual Emissions: 0.151

198550

Perylene [PAH, POM]

Annual Emissions: 0.006

108952

Phenol

Annual Emissions: 1419.677

7723140

Valero (Ultramar Inc.) Emissions Inventory 2023

Phosphorus

Annual Emissions: 0.01

115071

Propylene

Annual Emissions: 828.753

75569

Propylene oxide

Annual Emissions: 79.074

91225

Quinoline

Annual Emissions: 0.016

7782492

Selenium

Annual Emissions: 3.341

100425

Styrene

Annual Emissions: 2.875

7446719

Sulfur trioxide

Annual Emissions: 1321.066

7664939

Sulfuric Acid

Valero (Ultramar Inc.) Emissions Inventory 2023

Annual Emissions: 12357.29

108883

Toluene

Annual Emissions: 2107.736

75694

Trichlorofluoromethane {Freon 11}

Annual Emissions: 36.831

1330207

Xylenes

Annual Emissions: 974.544

7440666

Zinc

Annual Emissions: 175.627

1314132

Zinc oxide

Annual Emissions: 3.153

95476

o-Xylene

Annual Emissions: 41.041

106467

p- Dichlorobenzene

Annual Emissions: 39.948

CCA1-17,
cont.

ATTACHMENT 5

CCA1-17,
cont.



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 21865 Century Drive, Diamond Bar, CA 91765

PERMIT TO OPERATE

Page 1
 Permit No.
 G21107
 A/N 533826

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
 If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

Legal Owner
 or Operator: RIBOST TERMINAL, LLC.
 9302 GARFIELD AVE
 SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

WASTEWATER AND STORMWATER COLLECTION AND TREATMENT SYSTEM CONSISTING OF:

1. STORMWATER COLLECTION SUMP, 10'-0" W. BY 40'-0" L. BY 5'-0" D, OPEN TOP
2. TWO (2) HOLDING TANKS (NOS. 10001 AND 10002), WASTEWATER AND STORMWATER, 10,000 GALLONS EACH, PASSIVELY VENTED TO CARBON ADSORBERS
3. OIL/WATER SEPARATOR, 2'-6" W. BY 7'-0" L. BY 8'-0" D., CLOSED TOP, PASSIVELY VENTED TO CARBON ADSORBERS.
4. OIL COLLECTION DRUM (NO. 4), 200 GALLON, PASSIVELY VENTED TO CARBON ADSORBERS
5. DISSOLVED AIR FLOTATION VESSEL, 8'-0" W. BY 14'-0" L., COVERED, PASSIVELY VENTED TO CARBON ADSORBERS
6. EFFLUENT WATER POLISHING FILTER (OPTIONAL)
7. SLUDGE TANK (NO. 5), 500 GALLON, PASSIVELY VENTED TO CARBON ADSORBERS
8. HOLDING TANK (NO. 10003), TREATED WATER, 10,000 GALLON
9. TWO (2) CARBON ADSORBERS, EACH CONTAINING A MINIMUM OF 4000 POUNDS OF ACTIVATED CARBON, LOCATED IN SERIES

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.



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CCA1-17,
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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 21865 Coy Drive, Diamond Bar, CA 91765

PERMIT TO OPERATE

Page 2
 Permit No.
 G21107
 A/N 533826

3. THE OPERATOR SHALL NOT TREAT MORE THAN 14,800 GALLONS PER DAY OF WASTEWATER AND/OR STORMWATER IN THIS SYSTEM.
4. THE OPERATOR SHALL MONITOR THE HYDROCARBON CONCENTRATION AT THE INLET, MIDPOINT AND FINAL OUTLET OF THE CARBON ADSORBERS ACCORDING TO THE FOLLOWING:
 - A. THE OPERATOR SHALL MONITOR THE HYDROCARBON CONCENTRATIONS ONCE PER WEEK.
 - B. THE OPERATOR SHALL USE A DISTRICT APPROVED PRGANIC VAPOR ANALYZER (OVA) WHICH MEETS THE REQUIREMENTS OF EPA METHOD 21.
 - C. THE OPERATOR SHALL CALIBRATE THE OVA IN PPMV AS METHANE.
5. THE OPERATOR SHALL REPLACE THE CARBON ADSORBER CANISTER(S) WHENEVER BREAKTHROUGH OCCURS. FOR THE PURPOSE OF THIS CONDITION, BREAKTHROUGH OCCURS WHEN THE HYDROCARBON CONCENTRATION READING IS 500 PPM OR GREATER AT THE OUTLET OF A CARBON ADSORBER CANISTER.
6. THE OPERATOR SHALL KEEP ALL SPENT CARBON CANISTERS STORED AT THIS FACILITY TIGHTLY CLOSED UNTIL THEY ARE PROPERLY DISPOSED.
7. THIS EQUIPMENT SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS OF RULES 464 AND 1173.
8. THE OPERATOR SHALL MAINTAIN THE FOLLOWING RECORDS FOR TWO YEARS AND MAKE THEM AVAILABLE UPON DISTRICT REQUEST:
 - A. WASTEWATER/STORMWATER THROUGHPUT
 - B. WEEKLY OVA HYDROCARBON READINGS OF THE CARBON ADSORBERS
 - C. DATES OF CARBON ADSORBER REPLACEMENTS



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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 County Drive, Diamond Bar, CA 91765

PERMIT TO OPERATE

Page 3
Permit No.
G21107
A/N 533826

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR COPY SHALL BE POSTED ON OR WITHIN 8 METERS OF THE EQUIPMENT.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT CANNOT BE CONSIDERED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF OTHER GOVERNMENT AGENCIES.

EXECUTIVE OFFICER

Dorris M. Bailey

By Dorris M. Bailey/LD02
10/23/2012



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ATTACHMENT 6

CCA1-17,
cont.

Ribost Operating Permit: Storage Tank # 43015



South Coast Air Quality Management District
 21865 Copley Drive, Diamond Bar, CA 91765-4178
PERMIT TO OPERATE

Page 1
 Permit No.
 R-G34228
 A/N 560142

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
 If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

**Legal Owner
or Operator:**

RIBOST TERMINAL, LLC.
 DBA: WORLD OIL TERMINALS
 9302 GARFIELD AVE
 SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

STORAGE TANK NO. 43015, 80'-0" DIA. X 48'-0" H., 43,000 BBL CAPACITY, WELDED SHELL,
 PONTOON EXTERNAL FLOATING ROOF, WITH CATEGORY A LIQUID MOUNTED MECHANICAL
 SHOE PRIMARY SEAL, CATEGORY B SINGLE WIPER RIM MOUNTED SECONDARY SEAL, AND SIDE
 ENTRY MIXER.

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN THE 107,500 BARREL(S) IN ANY ONE CALENDAR MONTH.
4. THE OPERATOR SHALL ONLY STORE PETROLEUM PRODUCTS HAVING A REID VAPOR PRESSURE NOT TO EXCEED 11 PSIA.
5. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES.

THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING
 EQUATION: $0.14 \times D \times D \times L$, WHERE D IS THE DIAMETER OF THE TANK IN FEET BASED ON THE
 TANK STRAPPING CHART AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL IN FEET PER
 MONTH.



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CCA1-17,
cont.



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

PERMIT TO OPERATE

Page 2
Permit No.
R-G34228
A/N-660142

THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE EVERY 15 MINUTES.

THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO TIME THAT THE ATLG WENT OUT OF SERVICE.

6. THIS EQUIPMENT SHALL BE OPERATED IN COMPLIANCE WITH RULES 463, 1149, AND 1173.
7. THE OPERATOR SHALL KEEP ADEQUATE RECORDS TO SHOW COMPLIANCE WITH THE LIMITATIONS SPECIFIED IN THIS PERMIT. SUCH RECORDS SHALL BE MAINTAINED AND KEPT ON FILE FOR AT LEAST TWO YEARS AND SHALL BE MADE AVAILABLE TO THE EXECUTIVE OFFICER OR HIS AUTHORIZED REPRESENTATIVE UPON REQUEST.



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CCA1-17,
cont.



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

PERMIT TO OPERATE

Page 3
Permit No.
R-G34228
A/N 560142

THIS PERMIT TO OPERATE R-G34228 SUPERSEDES PERMIT TO OPERATE G34228 ISSUED 1/22/2015

NOTICE

In accordance with Rule 206, this Permit to Operate or copy shall be posted on or within 8 meters of the equipment.

This permit does not authorize the emission of air contaminants in excess of those allowed by Division 26 of the Health and Safety Code of the State of California or the applicable Rules and Regulations of the South Coast Air Quality Management District (SCAQMD). This permit cannot be considered as permission to violate existing laws, ordinances, regulations or statutes of other government agencies.

Executive Officer



BY LAKI TISOPULOS, PhD/LD02
4/24/2018



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CCA1-17,
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Ribost Operating Permit:
Storage Tank # 43016



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
PERMIT TO OPERATE

Page 1
Permit No.
R-G34229
A/N 560143

**CCA1-17,
cont.**

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

**Legal Owner
or Operator:**

RIBOST TERMINAL, LLC.
DBA: WORLD OIL TERMINALS
9302 GARFIELD AVE
SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

STORAGE TANK NO. 43016, 80'-0" DIA. X 48'-0" H., 43,000 BBL CAPACITY, WELDED SHELL,
PONTON EXTERNAL FLOATING ROOF, WITH CATEGORY A LIQUID MOUNTED MECHANICAL
SHOE PRIMARY SEAL, CATEGORY B RIM SINGLE WIPER RIM MOUNTED SECONDARY SEAL, AND
SIDE ENTRY MIXER.

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN THE 107,500 BARREL(S) IN ANY ONE CALENDAR MONTH.
4. THE OPERATOR SHALL ONLY STORE PETROLEUM PRODUCTS HAVING A REID VAPOR PRESSURE NOT TO EXCEED 11 PSIA.
5. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES.

THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: $0.14 \times D \times D \times L$, WHERE D IS THE DIAMETER OF THE TANK IN FEET BASED ON THE TANK STRAPPING CHART AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL IN FEET PER MONTH.

THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE EVERY 15 MINUTES.



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Page 2
 Permit No.
 R-G34229
 A/N-569143

CCA1-17,
 cont.

THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

THE ATLГ INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLГ DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLГ SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLГ IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLГ, THE ATLГ SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLГ FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLГ IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO TIME THAT THE ATLГ WENT OUT OF SERVICE.

6. THIS EQUIPMENT SHALL BE OPERATED IN COMPLIANCE WITH RULES 463, 1149, AND 1173.
7. THE OPERATOR SHALL KEEP ADEQUATE RECORDS TO SHOW COMPLIANCE WITH THE LIMITATIONS SPECIFIED IN THIS PERMIT. SUCH RECORDS SHALL BE MAINTAINED AND KEPT ON FILE FOR AT LEAST TWO YEARS AND SHALL BE MADE AVAILABLE TO THE EXECUTIVE OFFICER OR HIS AUTHORIZED REPRESENTATIVE UPON REQUEST.



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PERMIT TO OPERATE

Page 3
Permit No.
R-G34229
A/N 560143

CCA1-17,
cont.

THIS PERMIT TO OPERATE R-G34229 SUPERSEDES PERMIT TO OPERATE G34229 ISSUED 1/22/2015

NOTICE

In accordance with Rule 206, this Permit to Operate or copy shall be posted on or within 8 meters of the equipment.

This permit does not authorize the emission of air contaminants in excess of those allowed by Division 26 of the Health and Safety Code of the State of California or the applicable Rules and Regulations of the South Coast Air Quality Management District (SCAQMD). This permit cannot be considered as permission to violate existing laws, ordinances, regulations or statutes of other government agencies.

Executive Officer



BY LAKI TISOPULOS, PhD/LD02
4/24/2018



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CCA1-17,
cont.

Ribost Operating Permit:
Storage Tank # 67011



South Coast Air Quality Management District
 21865 Copley Drive, Diamond Bar, CA 91765-4178

PERMIT TO OPERATE

Page 1
 Permit No.
 R-G34224
 A/N 560138

CCA1-17,
 cont.

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
 If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

**Legal Owner
 or Operator:**

RIBOST TERMINAL, LLC.
 DBA: WORLD OIL TERMINALS
 9302 GARFIELD AVE
 SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

STORAGE TANK NO. 67011, 100'-0" DIA. X 48'-0" H., 67,000 BBL CAPACITY, INTERNAL FLOATING
 ROOF, PONTOON TYPE, WITH CATEGORY A LIQUID MOUNTED SHOE PRIMARY SEAL, AND SIDE
 ENTRY MIXER

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE HYDROCARBON CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL). AN EXPLOSIMETER SHALL BE USED TO MONITOR THE HYDROCARBON CONCENTRATION TWICE PER YEAR AT A 4 TO 8 MONTH INTERVAL. ADEQUATE RECORDS SHALL BE KEPT TO SHOW COMPLIANCE WITH THIS CONDITION.
4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN THE 167,500 BARREL(S) IN ANY ONE CALENDAR MONTH.
5. THE OPERATOR SHALL ONLY STORE CRUDE OR NON-GASOLINE PETROLEUM PRODUCTS HAVING A REID VAPOR PRESSURE NOT TO EXCEED 9 PSIA.
6. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES.



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PERMIT TO OPERATE

Page 2
Permit No.
R-G34224
A/N 560138

**CCA1-17,
cont.**

THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: $0.14 \times D \times D \times L$, WHERE D IS THE DIAMETER OF THE TANK IN FEET BASED ON THE TANK STRAPPING CHART AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL IN FEET PER MONTH.

THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE EVERY 15 MINUTES.

THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

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IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO TIME THAT THE ATLG WENT OUT OF SERVICE.

7. THIS EQUIPMENT SHALL BE OPERATED IN COMPLIANCE WITH RULES 463, 1149 AND 1173.
8. THE OPERATOR SHALL KEEP ADEQUATE RECORDS TO SHOW COMPLIANCE WITH THE LIMITATIONS SPECIFIED IN THIS PERMIT. SUCH RECORDS SHALL BE MAINTAINED AND KEPT ON FILE FOR AT LEAST TWO YEARS AND SHALL BE MADE AVAILABLE TO THE EXECUTIVE OFFICER OR HIS AUTHORIZED REPRESENTATIVE UPON REQUEST.



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South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

PERMIT TO OPERATE

Page 3
Permit No.
R-G34224
A/N-560138

CCA1-17,
cont.

THIS PERMIT TO OPERATE R-G34224 SUPERSEDES PERMIT TO OPERATE G34224 ISSUED 1/22/2015

NOTICE

In accordance with Rule 206, this Permit to Operate or copy shall be posted on or within 8 meters of the equipment.

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Executive Officer



BY LAKI TISOPULOS, PhD/LD02
4/24/2018



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ATTACHMENT 4

Detailed Responses of the Harbor Department to Comment Letter Submitted to the Long Beach Harbor Commissioners dated September 23, 2024

Submitted by:

Coalition for Clean Air, Communities for a Better Environment, Center for Biological Diversity, and Earthjustice (CCA1)

- CCA1-1** The comment is an introductory statement expressing the commenter's concerns about the Final Environmental Impact Report (EIR). Responses are provided in Responses to Comment CCA1-2 through CCA1-16.
- CCA1-2** The comment asserts that the Final EIR's cumulative impact analysis is deficient and omits information. The comment provides the definition of cumulative impacts under the California Environmental Quality Act (CEQA) and states the list of projects approach may be used to prepare the cumulative impact assessment. Responses to specific comments are provided in Responses to Comment CCA1-3 through CCA1-16.
- CCA1-3** The comment contends that the Final EIR's list of cumulative projects omits related storage tanks and other oil infrastructure projects. The comment acknowledges that the Final EIR adjusts the geographic area based on the specific environmental issue and discusses that Final EIR Table 2-1 lists cumulative projects. Detailed responses are provided in Responses to Comment CCA1-4 through CCA1-11.
- CCA1-4** The comment contends that Final EIR Section 2, (*Related Projects and Relationship to Local and Regional Plans*), Table 2-1 (Cumulative Projects List) failed to consider the cumulative impacts from other petroleum storage tank projects in the region. The comment states that the pollutants released from crude oil storage are known to cause cancer and health risks. As discussed in the Final EIR, the Project would not result in any significant impacts that would be cumulatively considerable. State CEQA Guidelines Section 15064(h)(4) states that "the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that a Project's incremental effects are cumulatively considerable." (Emphasis added.) Furthermore, while preparing the analysis for the Draft EIR, the POLB coordinated with the South Coast Air Quality Management District (SCAQMD) in the review of Ribost's permit applications to ensure that the CEQA impact analysis complies with all SCAQMD methods, guidance, and requirements necessary for the SCAQMD to issue the air permits for the two proposed tanks. When POLB reviewed this same comment on the 2020 Draft Initial Study/Negative Declaration (IS/ND), POLB acknowledged that a very large number of tank permit applications were submitted to the SCAQMD between 2010 and 2020 (1,010 total permit applications). POLB's review of this information indicated very few of these applications were for construction of new petroleum product tanks. Most of these permit applications were for change of ownership (751), alteration/modification (135), and change of permit condition (39). Only 67 of these permit applications were for new construction, and of these only 31 were for above ground petroleum product storage tanks in the region. Although relatively few permit applications were for new construction, POLB investigated the Reactive Organic Gases

(ROG) emissions from the petroleum production and marketing sector in SCAQMD emissions inventory data that form the basis for Air Quality Management Plan (AQMP) attainment planning (SCAQMD, 2022¹) and found emissions in this sector are declining.

Table 1. Los Angeles County portion of South Coast Air Basin Petroleum Refining and Marketing ROG Emissions Estimates (tons/day)

Emissions Sector/ Subcategory	2010	2017	2020	2023
Petroleum Production and Marketing (Sector) ¹	26.25	14.52	14.21	14.09
Petroleum Refining	6.09	4.40	4.36	4.36
Petroleum Marketing	11.16	8.18	7.60	7.15

¹ – Not all subcategories of the petroleum sector are listed, so totals of subcategories will not match the sector total.
Source: CARB, 2024: CEPAM2019v1.03 - Standard Emission Tool.

Given the prior and ongoing emissions decreases occurring in this sector and the implementation of air permitting requirements for the proposed tanks consistent with SCAQMD air quality management planning for attainment, the emissions associated with the Project would not be cumulatively considerable, as described for Impact AQ-2 at Final EIR page 3.1-13 and Impact AQ-7 at Final EIR page 3.1-18.

CCA1-5 The comment states that the Final EIR ignored seven existing storage tanks previously constructed at the Ribost Terminal and does not account for the 31 permit applications submitted between 2010 and 2020 to the Port of Long Beach (POLB) for additional above-ground petroleum storage tanks. The comment that 31 permit applications were submitted to the Port is incorrect. The 31 permit applications were submitted to the AQMD for new above-ground storage tanks in the region—not to the Port. The Final EIR describes the existing conditions at the site (see Section 1.2.2, *Existing Project Site Conditions and Operations*). Beyond identifying the seven existing tanks and existing loading rack activities within the Project Description, the Final EIR also quantifies the baseline air pollutant emissions from these existing sources (see Section 3.1.1.4, *Site Conditions*, and Table 3.1-4, Existing Stationary Source Emissions, Ribost Terminal). The environmental analysis in the Final EIR uses current conditions as the baseline for determining the environmental impacts, of which the existing storage tanks are a part.

The comment also states that the South Coast Air Basin (SCAB) has at least 1,108 stationary tanks with a combined capacity of over 3 billion gallons of petroleum product and identifies the location of these “nearby” stationary tanks. The Final EIR discloses the vast nature of the SCAB and the wide range of sources. The cumulative air quality analysis notes the urbanized nature of the City of Long Beach within the greater SCAB and includes the entire SCAB as the cumulative context for regional emission increases. Consistent with State CEQA Guidelines Section 15130(b)(4), the summary of cumulative impacts produced by the list of projects includes the existing history of elevated levels of cancer risk and adverse health effects, which are documented through decades of prior study by the SCAQMD and San Pedro Bay Ports (see Section 3.1.1.2, *Toxic Air Contaminants*, and Section 3.1.6.2, *Existing Cumulative Condition*). Throughout the

¹ SCAQMD, 2022. 2022 Air Quality Management Plan, Appendix III, Base and Future Year Emission Inventory. Accessed October 16, 2024. [online]: <https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/appendix-iii.pdf?sfvrsn=6>.

SCAB, the existing and proposed stationary sources, including storage tanks identified by the comment, are within the permitting jurisdiction of the SCAQMD. The Final EIR discloses planning responsibilities of the SCAQMD, and the rules and regulations implemented by SCAQMD to limit the cumulative effects of existing, new, and modified stationary sources like storage tanks. The Final EIR specifically points to the regulations applicable to these types of sources (page 3.1-8) consistent with the current AQMP. The Final EIR also identifies the AQMP, the Community Emissions Reduction Plan (CERP), and other local policies (see Section 3.1.2.3) that are in place to reduce the regional and localized cumulative air quality impacts of projects.

The geographic scope for cumulative air quality analysis is clearly stated (Section 3.1.6.1). Because Project emissions would be dominated by stationary sources at the site, the cumulative analysis focuses on the area within one mile of the site as the context for localized effects, rather than diluting the analysis by focusing on a larger area, such as the whole SCAB. The cumulative air quality discussion (Section 3.1.6.4) identifies the Project-related increase in the number of petroleum storage tanks at the site, quantifies the potential emissions increases in comparison with thresholds recommended by SCAQMD for the regional and localized effects, and describes the impact in the context of the site within the POLB and surrounding land uses.

CCA1-6 The comment states that the Final EIR did not consider existing oil refineries because the Project site is a crude oil and petroleum product storage site, not a refinery. The comment also contends that the cumulative projects considered in the Final EIR are unrelated to the Project and have nothing to do with crude oil and petroleum product storage. The comment states that oil refineries often have their own on-site storage tanks that release air pollutants similar to those that would be emitted by the Project, and discusses the Valero (Ultramar Inc.) refinery and the quantity of air pollutants it emitted in 2023.

Existing oil refineries and existing fuel oil storage tanks and their associated emissions are accounted for in the baseline conditions. The existing and proposed stationary sources at these refineries, including the on-site storage tanks, are within the permitting jurisdiction of the SCAQMD and subject to the emissions controls defined by the SCAQMD regulations consistent with the current AQMP. The cumulative projects considered in the Final EIR were selected based on their locality to the Project and potential to emit emissions during construction and operations similar to the Project. State CEQA Guidelines Section 15130(b)(2) states that when utilizing a list of projects, the nature of each environmental resource being examined, and location of the project and its type should be considered. Therefore, the variety of projects were selected due to these criteria and are not limited to a single project type.

CCA1-7 The comment states that several affected communities, including Wilmington, West Long Beach, and Carson, near the Project area are designated as clean-air priority areas under Assembly Bill (AB) 617 (Community Emissions Reduction Plan [CERP]). The comment states that this geographic boundary covers a few miles and hosts several oil refineries and related infrastructure. The comment asserts that the Final EIR restricted the geographic area to one mile from the Project site for the localized cumulative criteria pollutants effects analysis and 500 feet for toxic air contaminants (TACs) analysis, and states that the geographic area is too narrow. As discussed in Final EIR Section 3.1.6.1 at page 3.1-30, the regional air quality cumulative impacts analysis considers the entire SCAB as the geographic context. The SCAB consists of urbanized areas of Los Angeles,

Riverside, San Bernardino, and Orange Counties (approximately 6,000 square miles), and covers a larger area than the CERP. The geographic context for air quality analysis is not narrowly defined because the Project emissions would be dominated by the proposed stationary sources fixed at the site and most likely to cause adverse effects near the site. Accordingly, the cumulative air quality analysis is centered around the site and focuses on the area where the emissions would be generated. The Final EIR demonstrates that Project-related localized increases of TACs (Impacts AQ-4 and AQ-9) would have the greatest effects within a zone of impact that extends approximately one mile from the proposed stationary sources at the site (page 3.1-16), and odors would result in maximum impacts (Impacts AQ-5 and AQ-10) within 9.1 meters or 30 feet of the proposed sources (page 3.1-22). These analyses demonstrate that the areas nearest to the site are those likely to experience the worst cumulative effects. While the area of focus for TACs and odors is centered around the site, the points of maximum impacts downwind are fully analyzed in the Final EIR and disclosed as occurring within one mile of the site. Expanding the geographic extent of the localized cumulative impact evaluation to include the full CERP area would serve only to confirm the existence of cumulative impacts caused by other projects and already previously documented as part of the CERP, while providing no additional information about the Project's incremental effects, which are greatest near the Project site. Therefore, the analysis identifies the worst-case incremental project-specific impacts by focusing on those found near the site.

CCA1-8 The comment states that volatile organic compounds (VOCs) from the Project are known to travel long distances and have high atmospheric lifetimes, and that the Final EIR failed to consider their cumulative impacts. The Final EIR provides an analysis of construction and operational emissions, including VOCs in Final EIR Section 3.1 (*Air Quality and Health Risk*), Impact AQ-2 and AQ-7. The Project's construction VOC emissions would be approximately 11.57 pounds (lbs)/day, and operational VOC emissions would be approximately 37.66 lbs/day. These emissions are well below SCAQMD significance thresholds of 55 lbs/day for construction and 75 lbs/day for operations. These emission rates are less than significant and would not be cumulatively considerable. Further, the Final EIR demonstrates that Project-related localized increases of TACs (Impacts AQ-4 and AQ-9) would have the greatest effects within a zone of impact of approximately one mile from the proposed stationary sources at the site (page 3.1-16), and these worst-case localized effects would further dissipate resulting in lower concentrations over longer distances. Therefore, the less-than-significant impact would also be less than significant at greater distances.

CCA1-9 The comment contends that the Final EIR's cumulative impact analysis relies on flawed SCAQMD guidance. The comment states that the Final EIR acknowledges the significant regional and localized cumulative air quality impacts in the SCAB. The comment asserts that the EIR's conclusion that "projects that do not exceed the SCAQMD project-specific thresholds are not considered to result in cumulatively considerable effects" is misleading. Consistent with all provisions of State CEQA Guidelines Section 15130, the Final EIR discloses the cumulative impacts of the projects that are within the scope of cumulative analysis and the incremental effects of the Project. See also Responses to Comment CCA1-10 and CCA1-11.

CCA1-10 The comment contends that the Final EIR deviated from CEQA requirements by focusing solely on the Project's individual emissions and that the Final EIR does not analyze the Project's incremental contribution to existing cumulative conditions. In the regional and

localized contexts, the Project's incremental impacts regarding criteria air pollutant emissions would be limited because projects that do not exceed the project-specific significance thresholds are considered by the SCAQMD to cause effects that are not cumulatively considerable. The SCAQMD developed the emission threshold levels based on existing environmental burdens of the region, defined by the attainment status and ambient concentrations of pollutants for each local area in the SCAQMD. Localized impacts of criteria air pollutants and TACs would not exceed SCAQMD localized significance thresholds (LSTs) or SCAQMD significance thresholds for TACs; as such, these impacts would not be cumulatively considerable. By reflecting the baseline local conditions, project-specific thresholds are designed to consider the effects of past, present, and future projects in conjunction with project-specific incremental emissions. Project-level emissions that do not exceed these regional and localized thresholds would therefore not be cumulatively significant.

CCA1-11 The comment states that the Final EIR fails to disclose that SCAQMD is updating its CEQA cumulative impact guidance in response to litigation under *People of the State of California v. City of Fontana*, which challenged the environmental review prepared for a warehouse project in the City of Fontana. According to the comment, the City of Fontana failed to disclose other warehouse developments near the project. The comment also summarizes that the lawsuit challenged the conclusion that the project would not result in a cumulatively considerable increase in emissions because the project's individual air quality impacts would be less than significant under the SCAQMD thresholds.² The project in the City of Fontana would have generated diesel truck traffic and toxic diesel exhaust emissions near sensitive land uses (schools). The comment contends that the World Oil Tank Installation Project Final EIR is similar to the challenged case by relying on "outdated, flawed guidance" from the SCAQMD.

The Project differs from the type of project evaluated in the City of Fontana and is not comparable. The Project would involve new stationary source emissions in the industrial and heavy commercial setting of the Port. Unlike a warehouse development, the Project's storage tanks are subject to SCAQMD permit review and stationary source controls in adopted regulations. The City of Fontana case involved incompatible land uses near sensitive land uses (schools) and new heavy-duty diesel truck traffic that is more difficult to regulate than emissions from stationary sources.

The Final EIR analysis of air quality impacts follows the current approved recommendations of the SCAQMD Air Quality Analysis Handbook, which is hosted on a website that includes a 2003 "*White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution*" (accessed October 15, 2024). According to the SCAQMD website for "CEQA Policy Development" (accessed October 15, 2024), five Working Group Meetings were held between February 2022 and March 2024 to negotiate development of additional guidance on the cumulative impacts of air toxics. The mix of cumulative significance threshold criteria under consideration is currently designed to identify communities of sensitive receptors in areas of high background

² The South Coast AQMD was not a party to the lawsuit or the settlement. However, the South Coast AQMD had since announced a process to revise its CEQA guidance for analyzing cumulative air quality impacts. The South Coast AQMD has not formally adopted updated guidance to public agencies for the evaluation of cumulative air quality impacts since initiating their *Cumulative Impacts from Air Toxics for CEQA Projects* working group in February 2022. Harbor Department staff has been actively following and participating in the South Coast AQMD's working group process; the AQMD has held five working group meetings since 2022. The next working group meeting is scheduled for November 6, 2024.

cancer risk and near high volumes of diesel-fueled mobile sources. The most stringent “proposed initial threshold” for high cancer risk areas would be 1 incremental cancer case per million (SCAQMD, 2024³). Depending on methodologies and criteria to ultimately be adopted by SCAQMD, the applicability of cumulative thresholds that remain in development is uncertain. The Final EIR demonstrates that emissions from diesel-fueled mobile sources would not substantially increase under the Project (Table 3.1-10, Daily Operational Emissions – Proposed Project). Additionally, the Project would individually result in less than 1 incremental cancer risk case per million for residences and workers (Table 3.1-12, Estimated Health Impacts for Operation – Proposed Project), meaning that the Project would not exceed the most stringent “proposed initial threshold” for the cumulative effects of air toxics.

While additional SCAQMD guidance is being developed, the Final EIR relies on the current, well-established guidelines that provide a range of project-specific thresholds. The cumulative air quality analysis in the Final EIR relies on qualitative and quantitative thresholds. The qualitative determinations are limited to demonstrating consistency with applicable air quality plans (Impact AQ-1 and AQ-6). All other impacts are evaluated quantitatively according to either the mass emissions rate thresholds, health risk thresholds, or odor thresholds (see Section 3.1.3, *Significance Criteria*).

The comment incorrectly asserts that the current methodology fails to consider how an individual project contributes to emissions in an area. The methodology developed by SCAQMD for the localized significance thresholds (LSTs) specifically accounts for the local conditions, and LSTs “...are developed based on the ambient concentrations of that pollutant for each source receptor area” (SCAQMD, 2008⁴). In conjunction with the LST analysis (Impacts AQ-3 and AQ-8), the health risk screening focuses on localized effects (Impacts AQ-4 and AQ-9).

The cumulative analysis takes each of these approaches together, for consistency with applicable air quality plans, regional cumulative impacts, localized impacts, and localized increases of TACs, as well as considering the SCAQMD’s historical guidance from the 2003 “*White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution*,” which states the following:

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (SCAQMD, 2003⁵).

Using the SCAQMD guidance for cumulative air quality impact assessment, projects that have impacts below all SCAQMD significance criteria can be considered to have less-than-significant cumulative air quality impacts. No potentially significant impacts were

³ SCAQMD, 2024. Working Group Meeting #5 – Cumulative Impacts from Air Toxics for CEQA Projects. Accessed October 16, 2024. [online]: <https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20>.

⁴ SCAQMD, 2008. Final Localized Significance Threshold Methodology. Accessed October 16, 2024. [online]: <https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>.

⁵ SCAQMD, 2003. White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution. Accessed October 16, 2024. [online]: <https://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf>.

found, and impacts were determined not to be cumulatively considerable. Therefore, implementation of the Project would not have a significant environmental effect that could cause substantial adverse effects on human beings, either directly or indirectly.

CCA1-12 The comment states that the Final EIR failed to properly evaluate the Reduced Size Tanks Alternative and summarizes CEQA requirements to analyze project alternatives and the alternatives considered but eliminated. See Response to Comment CCA1-13.

CCA1-13 The comment summarizes the Final EIR's statement about crude oil dewatering. The comment contends that the Final EIR's assertion that the Reduced Size Tanks Alternative would possibly require a fourth tank to be in crude oil service, thus impeding Project objectives to increase terminal efficiency, is speculation. The comment also discusses the estimated emulsified water content based on the typical crude oil delivery quantities and states that the terminals' on-site Wastewater Treatment Plant has more than enough capacity to handle dewatered wastewater from the reduced size tanks.

The Final EIR states on page 1-14, the Reduced Size Tank Alternative "may *possibly* require a fourth tank to be in crude oil service". It is important to note that the EIR clearly states that this does not refer to the possible need for an additional wastewater tank to store dewatered wastewater from the reduced size tanks, but *a fourth tank for crude oil service* (emphasis added).

Even if a fourth tank is not necessary, dividing one crude delivery, typically approximately 25,000 barrels (bbl), among two tanks with capacities of less than 25,000 bbl each, is not efficient and does not meet this basic Project objective. Additionally, both tanks would need to "rest" to allow the water and oil to fully separate, altering the terminal's dewatering strategy. Therefore, this alternative was eliminated from further consideration.

CCA1-14 The comment asserts that the Final EIR's statement that the existing tanks would be leased to third-party customers for non-crude oil storage is misleading. The comment identifies how three existing tanks are used to transfer crude oil. The comment then summarizes that the Project would make two of the existing tanks available for lease by to-be-determined customers for the storage of fuel oils. The comment does not state a specific concern or question. Baseline conditions shown in the Final EIR (Table 3.1-4, Existing Stationary Source Emissions, Ribost Terminal) summarize the existing emissions from stationary sources at the site, including three existing tanks used for crude oil storage (see Final EIR Table 3.4-1, Materials Stored in Existing Tanks from 2017 through 2022, and Final EIR Appendix C, Air Pollutant Emissions Data, page 3 of 12). The Project would not change the permit conditions for the existing tanks. See also Response to Comment CCA1-15.

CCA1-15 The comment contends that the existing tank permits authorize both crude oil and fuel oil storage, and that there is no way to ensure that fuel oil would be stored in the existing tanks. The newly leased tanks would primarily ship and receive the same or similar fuel oils as the other existing leased tanks through the existing pipelines. While the Project would not change the permit conditions applicable to the existing tanks, the Final EIR air quality analysis considers the change of service for the newly leased tanks and concludes that the VOC evaporative losses would be lower than under the existing conditions (page 3.1-19). By switching to fuel oil storage, emissions from the existing tanks could be reduced. However, the analysis does not quantify this effect, and the Final EIR takes no credit for existing VOC emissions that may be reduced by the change

of service. If existing tanks do not ultimately change service with the Project, then VOC emissions from crude oil storage could be assumed to continue with no change relative to the baseline shown in the Final EIR (Table 3.1-4, Existing Stationary Source Emissions, Ribost Terminal). The reasonably foreseeable result for the existing tanks would, therefore, either be a reduction or a continuation of emissions that occur in the baseline conditions.

- CCA1-16** The comment states that the Final EIR is misleading and requests that an updated EIR with a revised environmental impact analysis be produced and recirculated. As discussed in the responses to this comment, the Final EIR's cumulative impacts and alternatives analyses were conducted in compliance with CEQA and using methodologies consistent with all recommended SCAQMD guidance. No triggers for a Supplemental or Subsequent EIR have been identified per State CEQA Guidelines Section 15162(a) and 15163(a).
- CCA1-17** This comments refers to the list of attachments, comprised of an SCAQMD list of storage tanks, list of Valero (Ultramar) storage tanks, list of Marathon Carson storage tanks, Ultramar Inc. emissions inventory 2023, Ribost Terminal LLC Permit to Operate Wastewater and Stormwater Collection and Treatment System; and Ribost Permits to Operate Tank Nos. 4315, 4316, and 67011. These attachments were reviewed in the context of Comments CCA1-1 through CCA1-16. See Responses to Comments CCA1-1 through CCA1-16.

COALITION FOR CLEAN AIR
COMMUNITIES FOR A BETTER ENVIRONMENT
CENTER FOR BIOLOGICAL DIVERSITY
EARTHJUSTICE
SIERRA CLUB – ANGELES CHAPTER

October 4, 2024

Via: Electronic Mail Only

Honorable Members of the City Council
c/o Monique De La Garza, City Clerk
City of Long Beach, California
411 W. Ocean Blvd., Lobby Level
Long Beach, CA 90802
(562) 570-6101
cityclerk@longbeach.gov

RE: Appeal of Long Beach Board of Harbor Commissioners' Approval of World Oil
Tank Installation Project (HD-24-427)

Dear Members of the Long Beach City Council:

The undersigned organizations (“the Coalition”) write to appeal the approval of the World Oil Tank Installation Project (“Project”) by the Long Beach Board of Harbor Commissioners (“Commission”).¹ On September 23, 2024, the Commission approved this Project and certified the Environmental Impact Report (“EIR”) prepared by the Port of Long Beach (“Port”) pursuant to the California Environmental Quality Act (“CEQA”). The Coalition has submitted written comments on the proposed Project throughout various stages of the environmental review process, including recent comments addressed to the Commission.² In its current form, the EIR fails to adequately analyze the Project’s cumulative impacts and assess the viability of feasible Project alternatives, and provides an inaccurate Project description.

The Project would involve the construction of two large 25,000-barrel crude oil storage tanks at the Port. This significant expansion of crude oil storage capacity would exacerbate the environmental burdens and poor air quality already experienced by nearby communities. The EIR understates or ignores serious risks of this Project, depriving community members of transparency into potential impacts and denying the Commission necessary information. Proper environmental review under CEQA is crucial to ensuring that decisionmakers and the public are

¹ This appeal is authorized by Long Beach Municipal Code § 21.21.507.

² The Coalition incorporates by reference all comments submitted to the City of Long Beach and its subsidiary agencies prior to final certification of the EIR. *See, California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 191 (finding that a party objecting to a project’s environmental documentation may assert any issue timely raised, even if presented by other parties).

accurately informed about the Project's future impacts and the availability of viable project alternatives and mitigation measures that could be imposed to reduce those impacts accordingly.

We respectfully ask the City Council to direct the Port's planning staff to address its flawed environmental review by preparing and recirculating a revised EIR that adequately considers the Project's cumulative impacts and thoroughly analyzes the potential environmental impacts of all viable Project alternatives.

PROJECT BACKGROUND AND PUBLIC PARTICIPATION

The Project applicant, Ribost Terminal LLC (d.b.a. "World Oil Terminals" and referred to hereafter as "World Oil" or "Ribost"), proposes to construct two 25,000-barrel crude oil storage tanks at the Port's Ribost Terminal (hereafter, "Terminal"), adding storage capacity to the Terminal's already substantial storage capacity of 502,000 barrels.³ The Terminal currently has seven large petroleum storage tanks that send and receive petroleum products to and from multiple nearby refineries through pipelines and by truck.⁴

From the start, the Port has sought to expedite the approval of this Project with limited environmental review. On October 28, 2021, the Port approved a Negative Declaration for the Project, erroneously concluding that there would be no potential "significant effects on the environment and that no mitigation measures are required."⁵ This decision was appealed to the City Council.⁶ Recognizing its flawed environmental review, and prior to a City Council decision, the Port agreed to prepare an EIR for the Project.

The Port released a Draft EIR on October 25, 2023, for public review and comment.⁷ On December 15, 2023, several environmental and public health groups, which included members of the Coalition, provided the Port with written comments highlighting problems with the Draft EIR's analysis of the Project's environmental impacts.⁸ Subsequently, on September 12, 2024, the Port released a Final EIR, which included a response to comments received on the Draft EIR. Despite knowing there was significant community concern, the Port set a hearing on September 23, 2024, less than six business days after releasing the Final EIR, to approve the Project and certify the EIR.

³ Final Environmental Impact Report ("EIR") at 1-2.

⁴ *Id.* at 1-2, 1-4.

⁵ *Id.* at ES-10.

⁶ *Ibid.*

⁷ EIR at ES-13.

⁸ The coalition that submitted written comments on the Draft EIR on December 15, 2023, included the following organizations: Center for Biological Diversity, Coalition for Clean Air, Communities for a Better Environment, Earthjustice, East Yard Communities for Environmental Justice, Long Beach Environmental Justice Alliance, and Sierra Club.

The Coalition provided comments to the Commission outlining the continuing problems with the Final EIR, specifically highlighting those issues that the Port failed to address in the response to comments, including deficiencies related to the EIR's cumulative impacts and alternatives analysis. Several Coalition representatives also provided oral comments during the Commission's September 23, 2024, public hearing. Despite these efforts, the Commission followed Port staff's recommendation and voted to approve the Project and certify the EIR.

GROUND'S FOR APPEAL

I. The EIR Failed to Properly Examine the Project's Cumulative Impacts.

The EIR's cumulative impacts analysis is legally deficient as it ignores other existing and proposed projects in the vicinity that are substantially similar to the proposed Project. CEQA requires an accurate cumulative impacts analysis because "the full environmental impact of a proposed project cannot be gauged in a vacuum."⁹ Where a Project's cumulative impacts are significant, the EIR must examine "reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects."¹⁰ An EIR's failure to accurately assess a Project's cumulative impacts "makes the EIR an inadequate informational document" and represents a prejudicial abuse of discretion under CEQA.¹¹ The EIR's flawed cumulative impacts analysis infects the entire document and prevents informed decision making.¹²

- *The List of Projects Omits Related Storage Tanks and Other Oil Infrastructure*

To assess cumulative impacts, an EIR may use the "list of projects" approach to evaluate "past, present, and probable future projects producing related or cumulative impacts."¹³ The EIR uses the list of projects approach and adjusts the geographic area based on the specific environmental issue it is analyzing—for air quality, the EIR considers projects within a one-mile radius to assess localized cumulative impacts from criteria pollutants, and for toxic air contaminants, it looks at projects within 500 feet.¹⁴ Table 2-1 in the EIR lists various related past, present, and reasonably foreseeable future projects in that area that could contribute to the

⁹ *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214–15.

¹⁰ CEQA Guidelines, § 15130(b)(5).

¹¹ *Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 872.

¹² The EIR's flawed cumulative impacts analysis skews the assessment of each of the following environmental impacts: air quality and health risk (EIR at 3.1-29 to 3.1-31), geology and soils (EIR at 3.2-24 to 3.2-25), greenhouse gas emissions (EIR at 3.3-10), hazards and hazardous materials (EIR at 3.4-23 to 3.24), and water quality (EIR at 3.5-21 to 3.5-24).

¹³ CEQA Guidelines, § 15130(b)(1)(A).

¹⁴ EIR at 3.1-29.

Project's cumulative impacts.¹⁵ The EIR's list of projects approach is flawed for several reasons.

First, when using the list of projects approach, an EIR analyzes related nearby projects of the same “project type” as the proposed project, particularly “when the impact is specialized, such as a particular air pollutant”¹⁶ As detailed in the EIR, the Project would release pollutants unique to crude oil storage, such as hydrogen sulfide and other toxic volatile organic compounds (VOCs) that are known to cause cancer and other serious health risks.¹⁷ Table 2-1, however, largely ignores other projects in the vicinity that are substantially similar to the proposed Project. Other than noting the construction of one storage tank at Phillips 66 Carson and the conversion of an existing gasoline storage tank to ethanol service at the Shell Carson Facility, the list omits existing or proposed oil storage tank projects in the surrounding area.

Information submitted by the Coalition confirms that the EIR ignores the impacts from dozens of existing storage tanks in the surrounding area. Indeed, the South Coast Air Basin has at least 1,108 stationary tanks that can store well over 3 billion gallons of petroleum product.¹⁸ Over 70 percent of these tanks are large capacity, meaning that they can store over 1 million gallons of petroleum product.¹⁹ The orange dots on Figure 1 below confirm that many of these storage tanks are located near the proposed Project.²⁰

¹⁵ EIR at 2-2 to 2-7 (tbl. 2-1).

¹⁶ CEQA Guidelines, § 15130(b)(2).

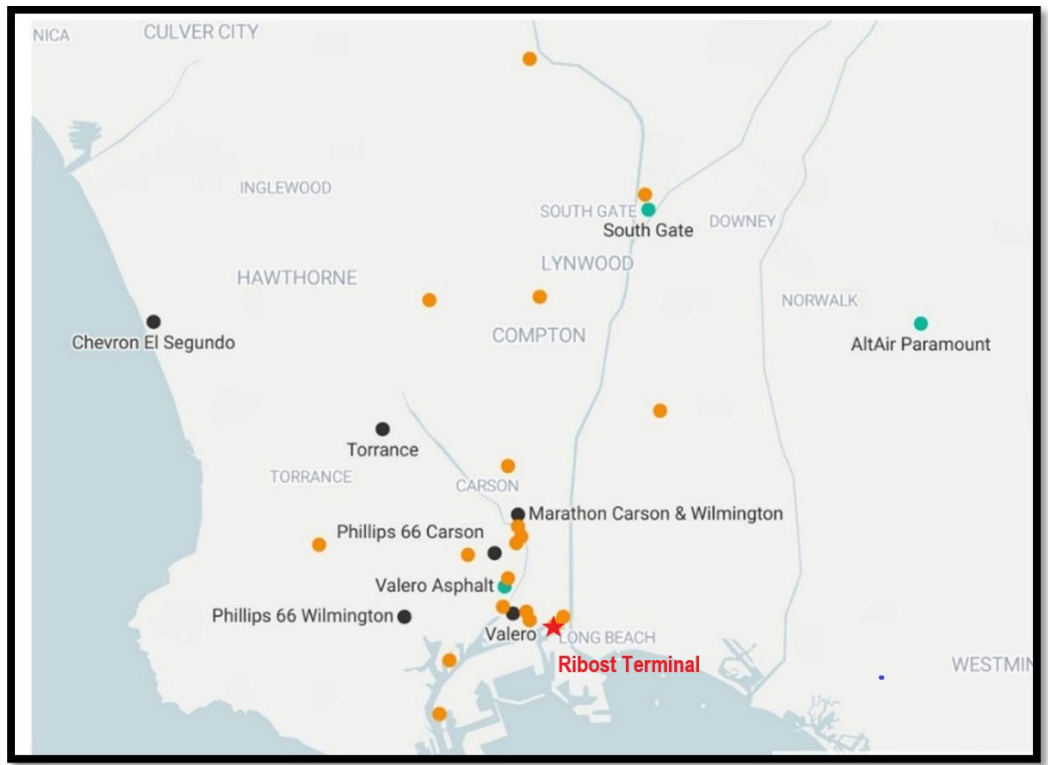
¹⁷ EIR at 3.1-2 to 3.1-4; *see also* Office of Environmental Health Hazard Assessment (OEHHA), Analysis of Refinery Chemical Emissions and Health Effects (Mar. 2019), <https://oehha.ca.gov/media/downloads/faqs/refinerychemicalsreport032019.pdf> [archived at <https://perma.cc/7U6M-C7BD>].

¹⁸ South Coast AQMD, Presentation re Proposed Amended Rule 1178, Working Group Meeting 2, at 18 (July 15, 2021), https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1178/par1178-wgm2_final.pdf?sfvrsn=12 [archived at <https://perma.cc/G5M8-UK4F>].

¹⁹ *Id.*

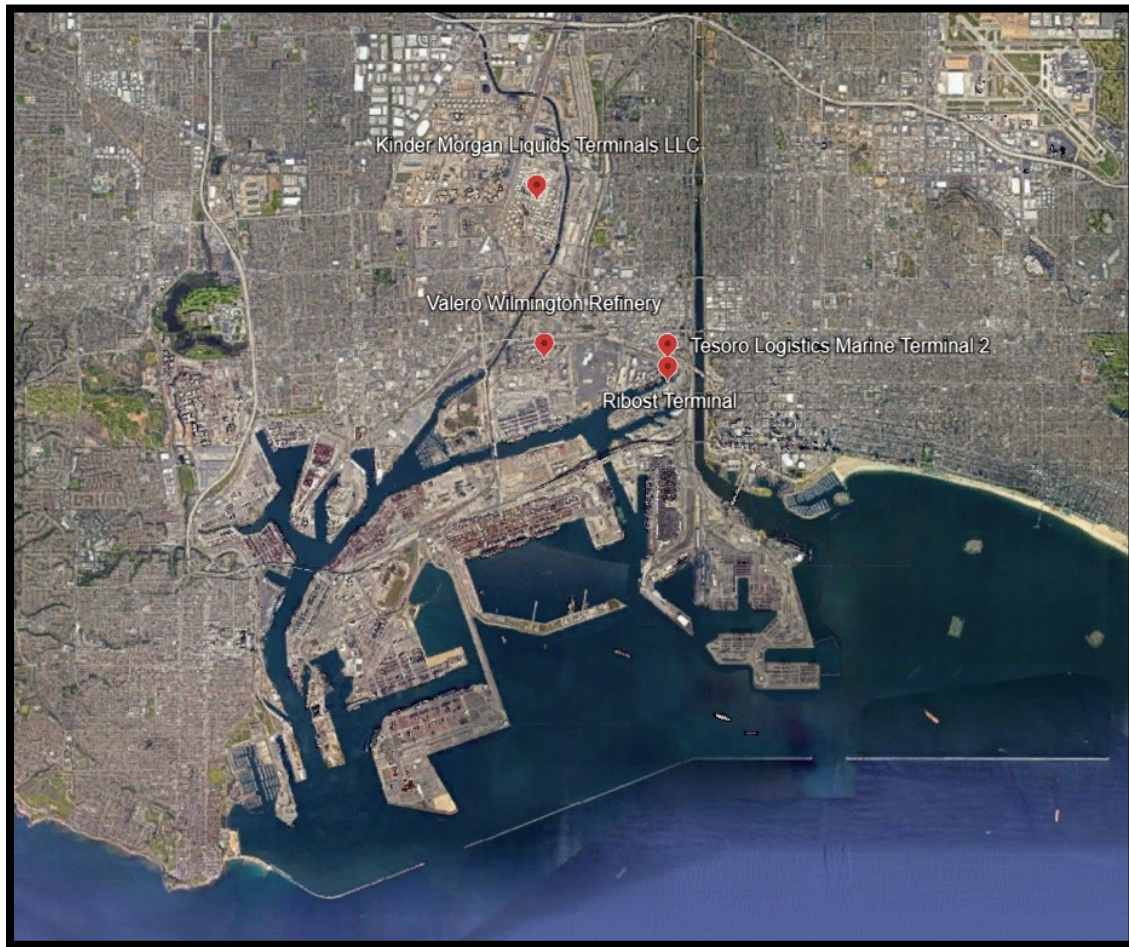
²⁰ *See also* Attachment 1: List of Storage Tank Operations in South Coast Air Basin. For additional background on storage tank operations adjacent or contiguous to oil refineries, *see* South Coast AQMD, Final Staff Report for Proposed Amended Rule 1180 and Proposed Rule 1180.1 (Jan. 2024), <https://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2024/2024-Jan5-014.pdf?sfvrsn=6> [archived at <https://perma.cc/3ZXV-5P3V>].

Figure 1 . Refinery-Related Storage Farms in the South Coast Air Basin



At least three of these storage tank facilities are located in the surrounding area but are unaccounted for in the EIR's list of projects: (1) Tesoro Logistics Marine Terminal 2, 1300 Pier B St., Long Beach, CA 90802 (29 tanks, ~700 feet away); (2) Kinder Morgan Liquids Terminals LLC, 2000 E. Sepulveda Blvd., Carson, CA 90810 (51 tanks, 2.5 miles away); and (3) Tesoro Logistics East Hynes Terminal, 5905 Paramount Blvd., Long Beach, CA 90805 (28 tanks, 6.6 miles away) (see Figure 2).

Figure 2. Map Showing Ribost Site and Nearby Tank



Second, the EIR refused to consider oil refineries in the region because the “site is a crude oil and petroleum product storage site, not a refinery.”²¹ This assertion is contradicted by the EIR’s list of projects that includes many unrelated projects—such as residential and retail projects, as well as the construction of an outdoor amphitheater—that have nothing to do with crude oil and petroleum product storage. In fact, unlike those projects, oil refineries often have their own on-site storage tanks that release air pollutants similar to those that will be emitted by the Project. For instance, the Valero (Ultramar Inc.) refinery in Wilmington has 39 storage tanks and is located about 5,000 feet from the Project (see Figure 3).²² In 2023, the refinery released over 5,500 pounds of hydrogen sulfide and 98.563 tons of VOCs.²³

²¹ EIR at 9-249.

²² See, e.g., Attachment 2: List of Storage Tanks at Valero (Ultramar Inc.) Wilmington Refinery; see also Attachment 3: List of Storage Tanks at Marathon Refinery in Carson. The Ribost Terminal ships and receives fuel oils through inbound and outbound pipelines serving the Marathon Refinery Carson, which is less than 3 miles from the Project. EIR at ES-3.

²³ See Attachment 4: Ultramar Inc. 2023 Air Emissions Reporting, also available at <https://xappprod.aqmd.gov/find/facility/AQMDsearch?facilityID=800026>.

Figure 3. Distance Between the Valero Wilmington Refinery and Project



Finally, the EIR’s list of projects ignores the seven existing storage tanks previously constructed at the Ribost terminal.²⁴ The EIR’s cumulative impacts analysis also fails to account for 31 permit applications submitted to the Port of Long Beach from 2010 to 2020 for the construction of dozens of additional above-ground petroleum product storage tanks at the Port.²⁵

- *The Narrow Geographic Area Ignores Environment Affected by the Project*

The EIR confirms the affected environment includes several communities near the Project, including “Wilmington, West Long Beach, and Carson” that are “designated as clean-air priority [areas under Assembly Bill (AB) 617], as approximately 300,000 people, more than half of which are Latino and more than a third of which are Asian American or African American, are exposed to air quality impacts.”²⁶ This AB 617 geographic area boundary covers several miles and is burdened with oil refineries and related infrastructure, including storage tank farms (see Figure 2).²⁷

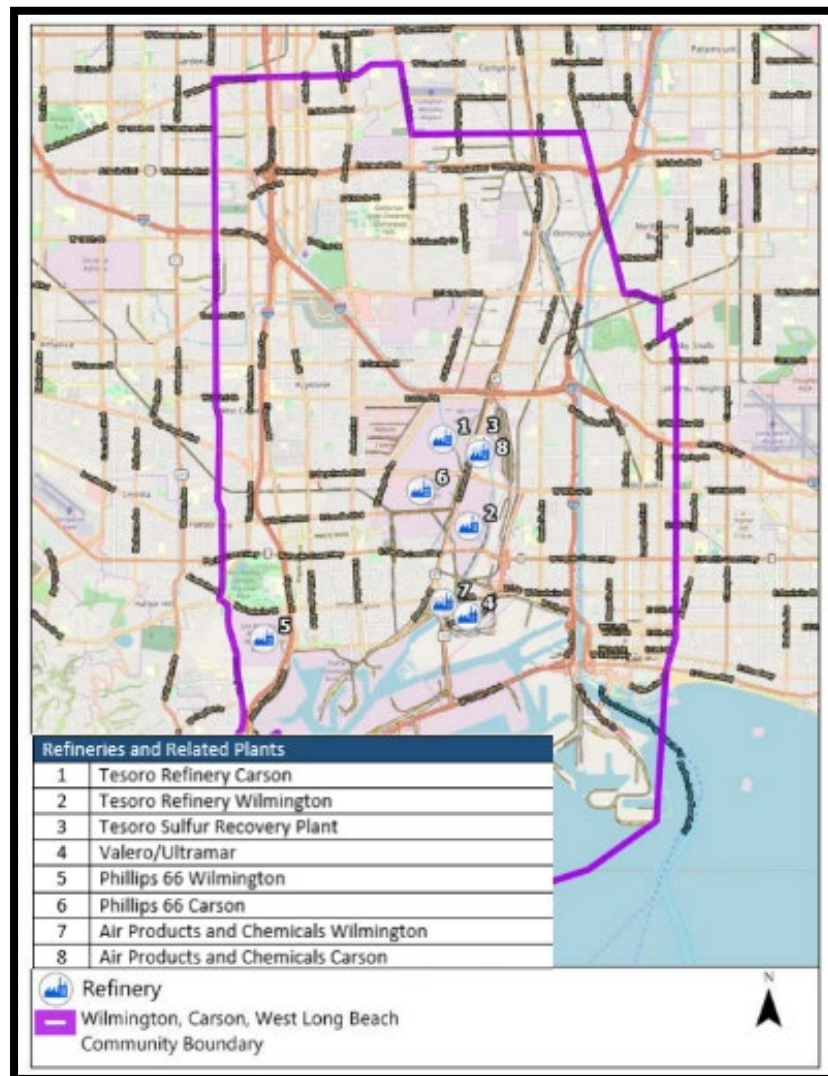
²⁴ EIR at 1-2.

²⁵ EIR at 9-250 .

²⁶ EIR at 3.1-1.

²⁷ South Coast AQMD, Community Emissions Reduction Plan for Wilmington, Carson, and West Long Beach at 5b-1 to 5b-2 (Sept. 2019), <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cefp/final-cefp-wcwlb.pdf?sfvrsn=8> [archived at <https://perma.cc/X8VD-CKHT>].

Figure 4. Oil Refineries and Related Facilities in AB 617 Communities²⁸



Under CEQA, the geographic area considered for cumulative impacts analysis “cannot be so narrowly defined that it necessarily eliminates a portion of the affected environmental setting.”²⁹ In assessing cumulative air quality impacts, for example, the EIR restricted the geographic area to “one mile from the Project site for the localized cumulative criteria pollutants effects analysis and 500 feet for TACs effects analysis.”³⁰ In contrast, the EIR’s discussion of cumulative hazardous material

²⁸ Adapted from Community Emissions Reduction Plan for Wilmington, Carson, West Long Beach. *Id.* at 5b-1 (fig. 5b-1).

²⁹ See, e.g., *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1216.

³⁰ EIR at 3.1-29.

impacts is limited to the Project site and nearby roadways.³¹ Meanwhile, the EIR's discussion of cumulative impacts to marine water and marine sediment quality includes the entire Long Beach-Los Angeles Harbor Complex.³² By unreasonably narrowing the geographic scope to assess the Project's cumulative impacts, the EIR eliminated large portions of the affected community and avoided disclosing other related projects producing similar impacts.

Several of the Project's foreseeable cumulative environmental impacts would extend beyond the EIR's narrow geographic area. For instance, toxic air contaminants from the Project include several harmful VOCs, such as cancer-causing benzene, that are known to travel long distances after being released and can have high atmospheric lifetimes.³³ As a result, harmful toxic air contaminants released by the Project could travel long distances from the original source and impact community members and the environment well beyond the EIR's 500-foot radius. The EIR fails to consider the Project's contribution to cumulative air quality and other impacts affecting residents, sensitive receptors, and the environment within the AB 617 communities that are excluded from the EIR's narrow geographic area.

- *The Cumulative Impacts Analysis Relies on Flawed SCAQMD Guidance*

The EIR acknowledges that regional and localized cumulative air quality impacts are significant in the South Coast Air Basin and highlights the elevated cancer risk and other health effects impacting areas in close proximity to the Port of Long Beach.³⁴ Yet, the EIR concludes that regional and localized impacts would not be cumulatively considerable because "projects that do not exceed the [South Coast Air Quality Management District (South Coast AQMD)] project-specific thresholds are *not* considered to result in cumulatively considerable effects."³⁵ This conclusion is misleading for several reasons.

First, the EIR's approach deviates from CEQA's substantive cumulative impacts analysis requirement that the Port analyze the Project's incremental contribution to the existing environmental burdens from past, existing, and probable future projects in the surrounding area. The Port cannot avoid this requirement by focusing solely on the Project's individual air emissions and relying on project-specific significance thresholds—as several courts have concluded, even when a project does not have

³¹ EIR at 3.4-23.

³² EIR at 3.5-22.

³³ Aiswarya Ragothaman & William A. Anderson, *Air Quality Impacts of Petroleum Refining and Petrochemical Industries*, 4 *Environments* at 4–5 (Sept. 2017), <https://doi.org/10.3390/environments4030066>; see also, Regina Montero-Montoya et al., *Volatile Organic Compounds in Air: Sources, Distribution, Exposure and Associated Illnesses in Children*, 84 *Annals of Global Health*, 225, 226 (2018), <https://doi.org/10.29024/aogh.910> (discussing how VOCs' "physical and chemical properties and mean lifetime in the atmosphere, which ranges from a few minutes to several months, allow them to travel large distances from the source of emission and to enter the body").

³⁴ EIR at 3.1-30.

³⁵ EIR at 3.1-31.

significant project-specific impacts, it can create cumulatively considerable impacts in the vicinity of the project.³⁶

Second, the EIR fails to disclose that South Coast AQMD reopened its flawed CEQA cumulative impact guidance on February 17, 2022, in response to California Department of Justice litigation challenging the environmental review prepared for a proposed warehouse project.³⁷ In that case, the City of Fontana approved a 205,000 square-foot warehouse project in an area near schools and already overburdened with logistics-related pollution.³⁸ Among other issues, the lawsuit noted the City’s failure to disclose and account for other warehouse developments near the project and to account for emissions from those warehouses within the project’s cumulative air quality impacts.³⁹

The lawsuit also challenged the City’s assertion that “the Project will not result in a cumulatively considerable increase in emissions because the Project’s individual air quality impacts will be less than significant [under South Coast AQMD thresholds].”⁴⁰ The California Department of Justice alleged that in contrast to the City’s “project-level air quality impact analysis, which used significance thresholds that are identical across the entire South Coast Air Basin, whether [a project] has a significant cumulative air quality impact depends on the extent of the existing cumulative impact in the Project’s vicinity.”⁴¹

The EIR makes the same legal and substantive errors here.⁴² The EIR omits several other past, present, and probable future storage tank projects in the area surrounding

³⁶ See, e.g., *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720, 721 (finding that “EIR improperly focused upon the individual project’s relative effects and omitted facts relevant to an analysis of the collective effect this and other sources will have upon air quality”); see also, *League to Save Lake Tahoe Mountain etc. v. County of Placer* (2022) 75 Cal.App.5th 63, 148, (“In some cases, a project-specific impact may be insignificant but its contribution to a cumulative impact may be cumulatively considerable”).

³⁷ South Coast AQMD, CEQA Policy Development (NEW), [https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-\(new\)](https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new)) [archived at <https://perma.cc/MA9Y-9GN7>]; Cal. Office of the Attorney General, Press Release: Attorney General Bonta Announces Innovative Settlement with City of Fontana to Address Environmental Injustices in Warehouse Development (Apr. 18, 2022), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-innovative-settlement-city-fontana-address> [archived at <https://perma.cc/WG39-XSRL>].

³⁸ People’s Petition for Writ of Mandate at pp. 2, 7–8, CIVSB2121829 (San Bernardino Super. Ct., July 23, 2021) <https://oag.ca.gov/system/files/attachments/press-docs/Final%20Slover%20and%20Oleander%20CEQA%20Petition%20%28signed%29.pdf> [archived at <https://perma.cc/3FD6-3FTQ>] (People’s Petition).

³⁹ *Id.* at p. 12.

⁴⁰ *Id.* at p. 9.

⁴¹ *Id.* at p. 13.

⁴² At the September 23, 2024, Harbor Commission hearing, Port staff responded to this comment by noting that South Coast AQMD is “currently going through the process of updating and developing their guidance.” However, Port staff did not provide any new evidence or justification to support the EIR’s improper reliance on the flawed, existing guidance.

the Project. The EIR relies on outdated, flawed guidance called into question by the California Department of Justice and that South Coast AQMD itself acknowledges needs updating. And the EIR uses project-specific significance thresholds to assess cumulative impacts while failing to consider how the Project's individual emissions would contribute to emissions from other related projects in the area, which the EIR fails to quantify and disclose.

II. The EIR's Deficient Alternatives Analysis Fails to Properly Consider the Reduced Size Tanks Alternative.

Under CEQA, an EIR is required to “consider and analyze project alternatives that would reduce adverse environmental impacts.”⁴³ These alternatives should include options that “would feasibly attain *most* of the basic objectives of the project but would avoid or substantially lessen” the project's impacts.⁴⁴ The EIR's alternatives analysis “must be specific enough to permit informed decision making and public participation.”⁴⁵

Here, the EIR initially proposed four alternatives to the Project, including a reduced size tanks alternative that would construct “two new tanks equal in capacity, but less than 25,000 bbl each” at the site.⁴⁶ However, the EIR refused to adequately evaluate the reduced size tanks alternative, concluding “the alternative does not meet Project objectives and has been eliminated from further consideration.”⁴⁷

According to the EIR, “[c]rude oil contains a small amount (~1 percent) of emulsified water” that requires “resting new deliveries of crude oil to allow for water and oil to separate and to pump out the water layer.”⁴⁸ After completing this dewatering process, crude can be delivered to refineries for further processing.⁴⁹ The EIR speculated—without any evidentiary support or further analysis—that the reduced size tanks alternative may “*possibly* require a fourth tank to be in crude oil service to ensure adequate dewatering is accomplished.”⁵⁰ Port staff repeated this unsupported assertion during the September 23, 2024, Harbor Commission hearing.

These conclusions are not supported by substantial evidence in the record. In fact, according to the operating permit for the on-site wastewater treatment plant (WWTP), each of the system's three tanks has capacity to hold up to 10,000 gallons

⁴³ *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1163.

⁴⁴ *Id.*

⁴⁵ *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 406.

⁴⁶ EIR at 1-14.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ EIR at 1-14 (emphasis added).

of water and can process up to 14,800 gallons of wastewater daily.⁵¹ Further, according to the January 2023 Notice of Preparation/Initial Study, “the two new [25,000 bbl] tanks are anticipated to generate less than 300 gallons of dewatered wastewater per tank per day.”⁵² Thereafter, the “dewatered wastewater would be transferred through existing pipes into the existing three 10,000-gallon wastewater treatment storage tanks and then discharged to the LACSD treatment facility in compliance with World Oil’s discharge permit, as is currently done for the existing tanks.”⁵³ Because the reduced size tanks would both hold less than 25,000 bbl of crude oil, they would each generate less than 300 gallons of wastewater.

Thus, the existing onsite wastewater treatment system contains more than enough capacity to handle dewatered wastewater from the reduced size tanks. The EIR’s failure to consider and further analyze the reduced size tanks alternative undermined informed decision making and the consideration of an alternative which the EIR itself concedes “would potentially reduce construction air quality emissions,” and presumably other environmental impacts from the proposed Project.⁵⁴

III. The EIR’s Inaccurate Project Description Misconstrues the Project’s Future Operations.

The project description section of an EIR must include an accurate overview of the project’s technical and environmental characteristics.⁵⁵ “[A]n accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.”⁵⁶ It is only through an adequate project description that “the public and interested parties and public agencies [can] balance the proposed project’s benefits against its environmental cost, consider appropriate mitigation measures, . . . and properly weigh other alternatives.”⁵⁷

According to the EIR’s project description, Ribost currently utilizes three of the existing tanks at the Project site—tanks 43015 (43,000 bbl), 43016 (43,000 bbl), and 67011 (67,000 bbl)—to store crude oil for its asphalt refining operation at the World Oil refinery in South Gate.⁵⁸ The remaining four tanks at the site are available for lease to third parties.⁵⁹ Under the proposed Project, two of the three tanks that Ribost currently uses to store crude oil would be “removed from Ribost’s dedicated

⁵¹ Attachment 5: Ribost Terminal LLC Permit to Operate Wastewater and Stormwater Collection and Treatment System.

⁵² EIR, Appendix B: World Oil Initial Study at 2-59.

⁵³ *Id.* at 2-59.

⁵⁴ EIR at 1-14.

⁵⁵ CEQA Guidelines, §15124, subd. (c).

⁵⁶ *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199.

⁵⁷ *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1454.

⁵⁸ EIR at 1-2 to 1-5.

⁵⁹ EIR at 1-2.

paving/roofing asphalt refinery service and made available to lease by customers for storage of fuel oils, such as marine fuels and marine fuel blending components, as is currently done for four of the existing tanks at the facility.”⁶⁰ However, the EIR acknowledges that “customers for this additional petroleum storage capacity have not yet been identified and are unknown.”⁶¹

Thus, the EIR’s assertion that the converted leased tanks would *necessarily* be used to store marine fuels—rather than crude oil—is purely speculative.⁶² For instance, the operating permits for tanks 43015 and 43016 note that the “operator shall only store petroleum products having a reid vapor pressure not to exceed 11 psia” but do not otherwise restrict the storage of petroleum products, including crude oil.⁶³ Meanwhile, the operating permit for tank 67011 explicitly authorizes the storage of both crude oil and non-gasoline petroleum products with a vapor pressure below 8 psia.⁶⁴ Despite the EIR’s claim that future third-party users would *exclusively* use the converted leased tanks to store marine fuels, the tanks’ operating permits would in fact allow for storage of crude oil.

The EIR does not contain a requirement that Ribost seek modification of its current operating permits to restrict the use of these tanks to exclusively store marine fuel—nor, apparently, does Ribost intend to seek modification of these permits.⁶⁵ The Harbor Development Permit also lacks any conditions that would prohibit future tank leases from allowing the storage of crude oil. In reality, upon being leased to third parties, any of the tanks currently used by Ribost could again be used to store crude oil. This is significant because, as the EIR admits, marine fuels have substantially lower vapor pressure properties than crude oil.⁶⁶ As such, the VOC emissions resulting from stored crude oil would be significantly higher than those

⁶⁰ EIR at 1-5. The EIR never specifies *which* two of the three tanks would be leased to third parties.

⁶¹ EIR at 1-2.

⁶² The EIR uses the terms “fuel oil” and “marine fuel” interchangeably. See, for example, EIR at 1-10 (“The existing tanks leased by customers have historically stored different grades of marine fuels, such as marine diesel oil, high and low sulfur vacuum gas oil, bunker fuel oil, and low sulfur fuel oil. [...] Existing tanks converted to leased tanks would continue to primarily ship and receive the same or similar fuel oils. . . .”).

⁶³ Attachment 6: Permits to Operate Tanks 43015, 43016, and 67011.

⁶⁴ *Id.*

⁶⁵ EIR at 1-11 (“No changes to conditions in Ribost’s existing Permits to Operate for the existing tanks are proposed or needed to implement the proposed Project”).

⁶⁶ EIR at 3.1-19.

from stored marine fuel.⁶⁷ By asserting without evidence that the converted leased tanks will be used exclusively for marine fuel storage, the EIR undermines informed decision making and deprives the public of accurate information regarding the Project's potential environmental impacts.

The Port failed to address the EIR's significant flaws as repeatedly outlined in written and oral comments presented by the Coalition. Without an accurate cumulative impacts assessment, project alternatives analysis, and project description, the EIR fails as an informational document and violates CEQA. The Coalition respectfully asks that the City Council return the Project to Port staff with directions to correct these deficiencies and recirculate a revised EIR for public review.

Respectfully submitted,

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Appellants continued on next page.

⁶⁷ According to annual emissions data reported by Ribost to South Coast AQMD, the terminal's existing storage tanks collectively emitted VOCs and criteria pollutants in 2019, 2020, and 2021. *See, e.g.*, EIR at 3.1-5 (tbl. 3.1-4: Existing Stationary Source Emissions, Ribost Terminal); *see also*, EIR, Appendix C, Air Pollutant Emissions Data (Attachment 1), at p. 1 of 12. Elsewhere, however, the EIR concedes that the three tanks currently used by Ribost to store crude oil are "underutilized." EIR at 1-1. Thus, the tanks could potentially be used in the future to store crude oil at higher levels than those recorded during the 2019–2021 period. Any increase in the amount of crude oil stored in the tanks would result in a corresponding increase of criteria pollutant and VOC emissions above existing conditions. Notably, the EIR fails to provide estimates of potential air emissions or other environmental impacts from leasing the tanks despite being an important aspect of the Project. For further discussion of these issues, see also, Coalition Comments on Draft EIR, submitted December 15, 2023, available at EIR 9-42 to 9-44.

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List of Attachments⁶⁸

Attachment 1: South Coast AQMD: List of Storage Tanks

Attachment 2: List of Valero (Ultramar) Storage Tanks

Attachment 3: List of Marathon Carson Storage Tanks

Attachment 4: Ultramar Inc. Emissions Inventory 2023

Attachment 5: Ribost Terminal LLC Permit to Operate Wastewater and
Stormwater Collection and Treatment System

Attachment 6: Ribost Permits to Operate Tank Nos. 4315, 4316, and 67011

⁶⁸ Attachments 1–6 were previously submitted with the Coalition’s Comment Letter to the Harbor Commission on September 23, 2024, and are re-attached to this appeal letter for the City Council’s convenience.

ATTACHMENT 1

South Coast AQMD: Storage Tanks with Active Operating Permits

No. of Tank Permits	Facility Name	Contents
51	Kinder Morgan Liquids Terminals LLC	Gasoline; Pet. Mid. Dis.; Crude; Waste Oil; Wastewater; Waste fuels
29	Tesoro Logistics Marine Terminal 2	Pet. Mid. Dis.; Crude; Pet. Dis.; Gasoline, Hydrocarbons; Misc. Organic Materials
28	Tesoro Logistics East Hynes Terminal	Crude, Hydrocarbons; MTBE; Gasoline
22	Torrance Logistics Company LLC	Fuel Oil; Hydrocarbons; Pet. Mid. Dis.; Gasoline; Wastewater; Residual Oil; Misc. Materials; Crude
22	Phillips 66 Pipeline LLC	Solvents; Crude; Fuel Oil; Gasoline
14	Torrance Logistics Company LLC	Gasoline; Wastewater; Diesel; Pet. Dis.; Misc. Materials; Hydrocarbons; Alcohols
14	Phillips 66 Pipeline LLC	Gasoline; Hydrocarbons; Naphtha; Diesel; Pet. Mid. Dis.
11	Tesoro Logistics Vinvale Terminal	Misc. Organic Materials; Hydrocarbons
10	Tesoro Logistics, Colton Terminal	Pet. Mid. Dis.; Wastewater; Pet. Dis.; Gasoline
8	Ultramar Inc.	Gasoline; Misc. Materials
7	Tesoro Ref. & Mktg. Co. LLC, Calciner	Diesel; Asphalt, Coke
7	Ribost Terminal LLC	Crude; Pet. Dis.; Gasoline
6	Tesoro Logistics Long Beach Terminal	Crude; Misc. Materials
6	Tesoro Logistics Carson Crude Terminal	Crude; Jet-A
5	Tesoro Logistics, Wilmington Terminal	Hydrocarbons; Wastewater
5	Phillips 66 Colton Terminal - West	Diesel; Gasoline
3	Phillips 66 Colton Terminal - East	Gasoline; Hydrocarbons

ATTACHMENT 2

List of Storage Tanks at Valero (Ultramar Inc.) Refinery

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOL	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
800026	Ultramar Inc Wilmington Refinery	94-tk-9011	265	JET FUEL (JPA), FCC GASOLINE BLEND	WELDED	PONTOON	SHOE	CAT A WIPER			90	48	50000
800026	Ultramar Inc Wilmington Refinery	94-tk-9004	258	NAPHTHA, HYDROTREATED GAS OIL, GAS OIL, JET FUEL, CRUDE OIL, GASOLINE, DIESEL FUEL	WELDED	PONTOON	SHOE	WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9003	257	DIESEL FUEL, CRUDE OIL	WELDED	PONTOON	SHOE	WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9012	266	NAPHTHA, HYDROTREATED GAS OIL, GAS OIL, JET FUEL, CRUDE OIL, GASOLINE, DIESEL FUEL	WELDED	PONTOON	LIQ MOUNT	WIPER	SLOTTED	COVER FLOAT WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9006	260			PONTOON	SHOE	CAT A WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	156	48	150000
800026	Ultramar Inc Wilmington Refinery	94-tk-9005	259			PONTOON	SHOE	CAT A WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	156	48	150000
800026	Ultramar Inc Wilmington Refinery	94-tk-9007	261	CRUDE OIL	WELDED	PONTOON	LIQ MOUNT	WIPER	SLOTTED	COVER FLOAT SLEEVE WIPER	201	48	250000
800026	Ultramar Inc Wilmington Refinery	94-tk-9009	263		WELDED	PONTOON	SHOE	CAT A WIPER	SLOTTED	COVER POLE WIPER SLEEVE FLOAT FLOAT WIPER	210	48	250000
800026	Ultramar Inc Wilmington Refinery	94-tk-9002	256		WELDED	PONTOON	SHOE	WIPER	SLOTTED	COVER FLAOT SLEEVE WIPER	221	48	300000
800026	Ultramar Inc Wilmington Refinery	94-TK-9001	255	CRUDE OIL	WELDED	PONTOON	SHOE	WIPER TYPE	SLOTTED	COVER FLAOT SLEEVE WIPER	221	48	300000
800026	Ultramar Inc Wilmington Refinery	94-TK-9008	262		WELDED	PONTOON	LIQ MOUNT	Type not specified			127	48	100000
800026	Ultramar Inc Wilmington Refinery	94-TK-9010	264			PONTOON	SHOE	CAT A			90	48	50000
800026	Ultramar Inc Wilmington Refinery	82-TK-7	272			PONTOON	WIPER	WIPER			36	32	5000
800026	Ultramar Inc Wilmington Refinery	82-TK-8	273			PONTOON	WIPER	WIPER			36	32	5000
800026	Ultramar Inc Wilmington Refinery	81-TK-3	274			PONTOON	WIPER	WIPER			90	48	50000
800026	Ultramar Inc Wilmington Refinery	94-TK-901	276		WELDED	PONTOON	WIPER	WIPER			57	47	20000
800026	Ultramar Inc Wilmington Refinery	94-TK-902	277			PONTOON	SHOE	WIPER			54	52	20000
800026	Ultramar Inc Wilmington Refinery	82-tk-11	D1460		W	PONTOON	SHOE	CAT A FLEX A SEAL SINGLE WIPER	SLOTTED	GASKETED COVER, FLOAT, SLEEVE, WIPER	150	58	150000
800026	Ultramar Inc Wilmington Refinery	21-tk-1000	D253	wastewater	W			CAT B WIPER			156	48	150000
800026	Ultramar Inc Wilmington Refinery	94-tk-9013	267		WELDED	PONTOON	SHOE	CAT A DOUBLE WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	70	48	30000
800026	Ultramar Inc Wilmington Refinery	94-tk-903	278		WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	71	52	35000
800026	Ultramar Inc Wilmington Refinery	82-tk-4	271		WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	91	48	50000
800026	Ultramar Inc Wilmington Refinery	94-tk-900	275		WELDED	PONTOON	SHOE	CAT A DOUBLE WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	98	44	55000
800026	Ultramar Inc Wilmington Refinery	81-tk-1	268	MTBE, GASOLINE, RAFFINATE, ALKYLATE	WELDED	PONTOON	SHOE	CAT A DOUBLE WIPER	SLOTTED	GASKETED COVER, FLOAT, SLEEVE, WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	82-tk-3	270	GASOLINE, GASOLINE BLENDING PRODUCTS	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	82-tk-2	269	GASOLINE BLENDING PRODUCTS, GASOLINE	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	127	48	100000
800026	Ultramar Inc Wilmington Refinery	82-tk-9	448	RAFFINATE, ALKYLATE, GASOLINE	WELDED	DOUBLE DECK	SHOE	CAT B WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	130	48	100000
800026	Ultramar Inc Wilmington Refinery	94-tk-9030	864	GASOLINE, CRUDE, GAS OIL, NAPHTHA	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	140	56	150000
800026	Ultramar Inc Wilmington Refinery	94-tk-9031	868	GASOLINE, CRUDE, GAS OIL, NAPHTHA	WELDED	PONTOON	SHOE	WIPER	SLOTTED	GASKETED COVER, POLE WIPER, POLE SLEEVE, POLE FLOAT, POLE FLOAT WIPER	140	56	150000
800026	Ultramar Inc Wilmington Refinery	94-TK-909A	219			25	24	2000					
800026	Ultramar Inc Wilmington Refinery	94-TK-909B	220			25	24	2000					
800026	Ultramar Inc Wilmington Refinery	48-TK-1	221			50	58	20000					
800026	Ultramar Inc Wilmington Refinery	95-TK-1	222	emulsified oil/sour water, fuel gas blanketed		48	31	10000					

List of Storage Tanks at Valero (Ultramar Inc.) Refinery

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOL	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
800026	Ultramar Inc Wilmington Refinery	95-TK-950	223	emulsified oil/sour water, fuel gas blanketed		48	31	10000					
800026	Ultramar Inc Wilmington Refinery	81-TK-1	217			64	45	25000					
800026	Ultramar Inc Wilmington Refinery	81-TK-4	218			64	48	25000					
800026	Ultramar Inc Wilmington Refinery	95-TK-952	224	wet slop/sour water, fuel gas blanketed		48	31	10000					
800026	Ultramar Inc Wilmington Refinery	95-TK-9017	1663	treated sour water		30	24	3000					
800026	Ultramar Inc Wilmington Refinery	83-TK-5	252		vented to vapor recovery	36	30	5000					

ATTACHMENT 3

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesroro Refining & Marketing Company LLC	13	2153	crude	WELDED	PONTOON	SHOE	CAT B			230	69	460000
174655	Tesroro Refining & Marketing Company LLC	152	1187		WELDED	DOUBLE DECK	SHOE	Type not specified			40	40	9000
174655	Tesroro Refining & Marketing Company LLC	187	1193		WELDED	DOUBLE DECK	SHOE	CAT B			60	48	24170
174655	Tesroro Refining & Marketing Company LLC	2	1142		WELDED		SHOE	CAT B			120	48	96700
174655	Tesroro Refining & Marketing Company LLC	3	1144		WELDED	DOUBLE DECK	SHOE	CAT B			120	42	84700
174655	Tesroro Refining & Marketing Company LLC	394	1143	slop oil, sludge	WELDED		SHOE	WIPER			30	39	32900
174655	Tesroro Refining & Marketing Company LLC	4	1145			PONTOON	SHOE	CAT B			117	41	4910
174655	Tesroro Refining & Marketing Company LLC	40	1165	jet fuel	RIVETED	DOUBLE DECK	SHOE	CAT B			135	41	80000
174655	Tesroro Refining & Marketing Company LLC	5	1146		RIVETED	DOUBLE DECK	CAT A	CAT A			117	41	100000
174655	Tesroro Refining & Marketing Company LLC	57	1175			PONTOON	SHOE	CAT B WIPER			134	40	80000
174655	Tesroro Refining & Marketing Company LLC	6	1147		WELDED	PONTOON	SHOE	CAT B			176	58	97650
174655	Tesroro Refining & Marketing Company LLC	8	1148		WELDED	PONTOON	SHOE	CAT B			176	58	240000
174655	Tesroro Refining & Marketing Company LLC	96	1185		WELDED	DOUBLE DECK	SHOE	Type not specified			60	40	240000
174655	Tesroro Refining & Marketing Company LLC	97	1186		WELDED	DOUBLE DECK	SHOE	Type not specified			60	40	24000
174655	Tesroro Refining & Marketing Company LLC	33	1159		RIVETED		SHOE	CAT B WIPER			117	42	24000
174655	Tesroro Refining & Marketing Company LLC	39	1164		WELDED	DOUBLE DECK	SHOE	CAT B	UNSLOTTED	GAS,COVER,WIPER	70	48	80000
174655	Tesroro Refining & Marketing Company LLC	14	1150	GASOLINE, SOUR NAPHTHA, ISOCTANE, ALKYLATE, TOLUENE, GAS OIL, UNTREATED WSTEWATER	W	PONTOON	SHOE	CAT A	SLOTTED	GASKETED COVER, POLE SLEEVE, WIPER	200	64	360000
174655	Tesroro Refining & Marketing Company LLC	21	1199		W	PONTOON	SHOE	CAT A WIPER	SLOTTED	GASKETED COVER, POLE SLEEVE, WIPER	186	69	333731
174655	Tesroro Refining & Marketing Company LLC	37	1163				SHOE	CAT B WIPER			60	32	15000
174655	Tesroro Refining & Marketing Company LLC	36	1162				SHOE	CAT B WIPER			60	48	24000
174655	Tesroro Refining & Marketing Company LLC	19	1000	WASTE WATER	WELDED	PONTOON	SHOE	CAT B	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	160	40	143400

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesoro Refining & Marketing Company LLC	20	1001	WASTE WATER	WELDED	PONTOON	SHOE	CAT B	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	160	40	143400
174655	Tesoro Refining & Marketing Company LLC	153	2850	SLOP OIL, RECOVERED OIL, GASOLINE BLENDSTOCK	WELDED	DOUBLE DECK	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	40	40	9000
174655	Tesoro Refining & Marketing Company LLC	164	1190		WELDED	DOUBLE DECK	SHOE	CAT A WIPER			30	30	3750
174655	Tesoro Refining & Marketing Company LLC	91	1184		RIVETED	PONTOON	SHOE	CAT A MATRIX FLEX A			117	42	80000
174655	Tesoro Refining & Marketing Company LLC	69	1181		WELDED	DOUBLE DECK	SHOE	CAT B WIPER			135	48	122400
174655	Tesoro Refining & Marketing Company LLC	154	1188		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			40	40	9000
174655	Tesoro Refining & Marketing Company LLC	70	1182		WELDED	DOUBLE DECK	SHOE	CAT A WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122400
174655	Tesoro Refining & Marketing Company LLC	188	1194		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	71	1183		WELDED	DOUBLE DECK	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122400
174655	Tesoro Refining & Marketing Company LLC	189	1195		WELDED	PONTOON	SHOE	CAT A WIPER			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	190	1196		WELDED	DOUBLE DECK	SHOE	CAT A WIPER			80	48	42970
174655	Tesoro Refining & Marketing Company LLC	27	1153		WELDED	DOUBLE DECK	CAT A	CAT A			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	28	1154		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	29	1155		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	30	1156		WELDED	DOUBLE DECK	SHOE	CAT A MATRIX FLEX A			60	48	24170
174655	Tesoro Refining & Marketing Company LLC	31	1157		RIVETED	DOUBLE DECK	SHOE	CAT A			117	42	78700
174655	Tesoro Refining & Marketing Company LLC	32	1158		RIVETED	DOUBLE DECK	SHOE	CAT A WIPER			117	41	75600

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesororo Refining & Marketing Company LLC	35	1161		RIVETED	DOUBLE DECK	SHOE	CAT B WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE FLOAT AND FLOAT WIPER	135	41	100000
174655	Tesororo Refining & Marketing Company LLC	42	1167		WELDED	DOUBLE DECK	SHOE	CAT A WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	117	48	91400
174655	Tesororo Refining & Marketing Company LLC	45	1168		RIVETED	DOUBLE DECK	SHOE	CAT A MATRIX FELX A			134	40	99600
174655	Tesororo Refining & Marketing Company LLC	50	1169		WELDED	DOUBLE DECK	SHOE	CAT B			134	48	120000
174655	Tesororo Refining & Marketing Company LLC	51	1170		RIVETED	DOUBLE DECK	SHOE	CAT B WIPER			134	40	100000
174655	Tesororo Refining & Marketing Company LLC	52	1171	GASOLINE	WELDED	DOUBLE DECK	SHOE	CAT B WIPER			135	48	122400
174655	Tesororo Refining & Marketing Company LLC	53	1172		WELDED	PONTOON	SHOE	CAT B			134	40	112735
174655	Tesororo Refining & Marketing Company LLC	54	1173			PONTOON	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	155	55	164330
174655	Tesororo Refining & Marketing Company LLC	55	1174		RIVETED	PONTOON	SHOE	CAT B			134	40	102800
174655	Tesororo Refining & Marketing Company LLC	65	1177		WELDED	PONTOON	SHOE	CAT B WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	150	55	152650
174655	Tesororo Refining & Marketing Company LLC	66	1178		WELDED	PONTOON	SHOE	CAT B	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122400
174655	Tesororo Refining & Marketing Company LLC	67	1179		WELDED	PONTOON	SHOE	CAT B SINGLE WIPER	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER	135	48	122000
174655	Tesororo Refining & Marketing Company LLC	68	1180		WELDED	PONTOON	SHOE	CAT B					122400
174655	Tesororo Refining & Marketing Company LLC	41	1166	GASOLINE	WELDED	DOUBLE DECK	SHOE	CAT A WIPER					120000
174655	Tesororo Refining & Marketing Company LLC	64	1176		RIVETED	DOUBLE DECK	SHOE	CAT A	SLOTTED	GASKETED SLIDING COVER , POLE SLEEVE, POLE WIPER			100200

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesroro Refining & Marketing Company LLC	102	1134	process water							60	30	15000
174655	Tesroro Refining & Marketing Company LLC	17	1141								120	48	93667
174655	Tesroro Refining & Marketing Company LLC	16	1075								120	48	96690
174655	Tesroro Refining & Marketing Company LLC	18	1089								117	41	80000
174655	Tesroro Refining & Marketing Company LLC	191	1072								60	48	24192
174655	Tesroro Refining & Marketing Company LLC	192	1098								60	48	24192
174655	Tesroro Refining & Marketing Company LLC	24	1071								117	41	80000
174655	Tesroro Refining & Marketing Company LLC	101	1127	recovered ground water							60	30	15000
174655	Tesroro Refining & Marketing Company LLC	288	1102								30	30	3780
174655	Tesroro Refining & Marketing Company LLC	289	1074								30	30	3780
174655	Tesroro Refining & Marketing Company LLC	18	1089								117	41	80000
174655	Tesroro Refining & Marketing Company LLC	43	1083								117	40	80000
174655	Tesroro Refining & Marketing Company LLC	610	1136	lean media							22	16	1080
174655	Tesroro Refining & Marketing Company LLC	62	1092								135	40	100600
174655	Tesroro Refining & Marketing Company LLC	614	1106	oily sludge							25	13	1200
174655	Tesroro Refining & Marketing Company LLC	63	1093								135	40	100600
174655	Tesroro Refining & Marketing Company LLC	917	801								20	20	1120
174655	Tesroro Refining & Marketing Company LLC	25	1140								120	48	94507
174655	Tesroro Refining & Marketing Company LLC	620	1138								50	36	125000
174655	Tesroro Refining & Marketing Company LLC	680	1110								50	48	16800
174655	Tesroro Refining & Marketing Company LLC	679	1109								50	48	16800
174655	Tesroro Refining & Marketing Company LLC	678	1108								50	48	16800
174655	Tesroro Refining & Marketing Company LLC	677	1107								25	13	16800
174655	Tesroro Refining & Marketing Company LLC	426	1103	wastewater, recovered oil							76	30	244400
174655	Tesroro Refining & Marketing Company LLC	23	1091								117	41	80000
174655	Tesroro Refining & Marketing Company LLC	22	1090								117	41	74600

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesroro Refining & Marketing Company LLC	84	1070								90	48	55000
174655	Tesroro Refining & Marketing Company LLC	83	1067	lean media							90	48	55000
174655	Tesroro Refining & Marketing Company LLC	700	1111	lean media, recovered oil							30	30	15000
174655	Tesroro Refining & Marketing Company LLC	R-58	1123	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesroro Refining & Marketing Company LLC	773	1069								134	40	100000
174655	Tesroro Refining & Marketing Company LLC	TK-824	80	slop							20	20	1100
174655	Tesroro Refining & Marketing Company LLC	90	1079								117	41	80000
174655	Tesroro Refining & Marketing Company LLC	93	1078								117	41	80000
174655	Tesroro Refining & Marketing Company LLC	957	1117								160	42	150000
174655	Tesroro Refining & Marketing Company LLC	958	1084								160	42	150000
174655	Tesroro Refining & Marketing Company LLC	959	1085								150	52	164000
174655	Tesroro Refining & Marketing Company LLC	968	1086								160	42	150000
174655	Tesroro Refining & Marketing Company LLC	969	1139								150	52	164000
174655	Tesroro Refining & Marketing Company LLC	R-11	1119								117	41	80200
174655	Tesroro Refining & Marketing Company LLC	R-12	1120	recovered oil							117	41	79800
174655	Tesroro Refining & Marketing Company LLC	R-399	1130								30	30	3750
174655	Tesroro Refining & Marketing Company LLC	R-49	1122								134	40	102800
174655	Tesroro Refining & Marketing Company LLC	R-58	1124	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesroro Refining & Marketing Company LLC	R-59	1125	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesroro Refining & Marketing Company LLC	R-60	1126	fuel oil, diesel oil no. 2							134	40	102800
174655	Tesroro Refining & Marketing Company LLC	R-157	1128								60	30	12000
174655	Tesroro Refining & Marketing Company LLC	913	599								30	30	3750
174655	Tesroro Refining & Marketing Company LLC	1	1087								117	41	80200
174655	Tesroro Refining & Marketing Company LLC	277	1099								15	41	500
174655	Tesroro Refining & Marketing Company LLC	44	1081								134	40	100000
174655	Tesroro Refining & Marketing Company LLC	103	1135	process water							60	30	15000

List of Storage Tanks at Marathon Refinery - Carson

FACILITY ID	NAME	TANK ID	DEVICE ID	PRODUCT	SHELL	ROOF	PRIMARY SEAL	SECONDARY SEAL	GUIDEPOLE	GUIDEPOLE CONTROLS	DIAMETER	HEIGHT	CAPACITY (BBLs)
174655	Tesororo Refining & Marketing Company LLC	284	1073								40	40	8950
174655	Tesororo Refining & Marketing Company LLC	61	1080								134	40	100000
174655	Tesororo Refining & Marketing Company LLC	619	1137	sulfur							50	36	

ATTACHMENT 4

Valero (Ultramar Inc.) Emissions Inventory 2023

AER Year: 2023.

Facility Information

Business Name

ULTRAMAR INC

Facility ID

800026

Address

2402 E ANAHEIM ST, WILMINGTON, CA 90744

Notes:

1. The emission values listed here represent the latest submission by the facility and may not reflect values that are under revision/verification.
2. Data for 2007 represents the six-month transitional period, July through December 2007, when the rule requiring annual emissions reporting changed from a fiscal year to a calendar year basis.

Criteria Pollutants (Tons per Year)

CO

Carbon Monoxide

Annual Emissions: 66.626

NOX

Nitrogen Oxides

Annual Emissions: 280.814

PM

Particulate Matter

Annual Emissions: 95.932

SOX

Sulfur Oxides

Annual Emissions: 116.519

Valero (Ultramar Inc.) Emissions Inventory 2023

VOC

Volatile Organic Compounds

Annual Emissions: 98.563

Toxic Pollutants (Pounds per Year):

79345

1,1,2,2-Tetrachloroethane

Annual Emissions: 0.000

95636

1,2,4TRIMEBENZE

Annual Emissions: 275.986

96128

1,2-Dibromo-3-chloropropane

Annual Emissions: 0.000

106990

1,3-Butadiene

Annual Emissions: 139.917

91576

2-Methyl naphthalene [PAH, POM]

Annual Emissions: 0.085

56495

3-Methylcholanthrene

Annual Emissions: 0.000

57976

Valero (Ultramar Inc.) Emissions Inventory 2023

7,12-Dimethylbenz[a]anthracene

Annual Emissions: 0.000

83329

ACENAPHTHENE

Annual Emissions: 0.063

208968

ACENAPHTHYLENE

Annual Emissions: 0.052

120127

ANTHRACENE

Annual Emissions: 0.915

75070

Acetaldehyde

Annual Emissions: 6386.591

107028

Acrolein

Annual Emissions: 33.857

7664417

Ammonia

Annual Emissions: 72901.6

62533

Aniline

Valero (Ultramar Inc.) Emissions Inventory 2023

Annual Emissions: 3.027

7440382

Arsenic

Annual Emissions: 5.337

191242

B[GHI] PERYLENE

Annual Emissions: 2.406

56553

Benz[a]anthracene

Annual Emissions: 0.072

71432

Benzene

Annual Emissions: 1326.994

50328

Benzo[a]pyrene

Annual Emissions: 0.026

205992

Benzo[b]fluoranthene

Annual Emissions: 0.023

192972

Benzo[e]pyrene [PAH, POM]

Annual Emissions: 0.008

Valero (Ultramar Inc.) Emissions Inventory 2023

205823

Benzo[j]fluoranthene

Annual Emissions: 0.005

207089

Benzo[k]fluoranthene

Annual Emissions: 0.015

7440417

Beryllium

Annual Emissions: 0.146

7440473

CHROMIUM

Annual Emissions: 11.663

110827

CYCLOHEXANE

Annual Emissions: 206.549

7440439

Cadmium

Annual Emissions: 1.123

75150

Carbon disulfide

Annual Emissions: 342.818

Valero (Ultramar Inc.) Emissions Inventory 2023

463581

Carbonyl sulfide

Annual Emissions: 3411.692

108907

Chlorobenzene

Annual Emissions: 0.014

18540299

Chromium (VI)

Annual Emissions: 2.65

218019

Chrysene

Annual Emissions: 0.061

7440508

Copper

Annual Emissions: 7.772

1319773

Cresols

Annual Emissions: 11.885

53703

Dibenz[a,h]anthracene

Annual Emissions: 0.016

9901

Valero (Ultramar Inc.) Emissions Inventory 2023

Diesel engine exhaust, particulate matter

Annual Emissions: 215.127

100414

ETHYL BENZENE

Annual Emissions: 311.031

74851

ETHYLENE

Annual Emissions: 259.914

107211

ETHYLENE GLYCOL

Annual Emissions: 5.316

206440

FLUORANTHENE

Annual Emissions: 0.17

86737

FLUORENE

Annual Emissions: 7.374

50000

Formaldehyde

Annual Emissions: 4322.337

110543

HEXANE

Valero (Ultramar Inc.) Emissions Inventory 2023

Annual Emissions: 4084.462

7647010

Hydrochloric acid

Annual Emissions: 671.288

74908

Hydrocyanic acid

Annual Emissions: 2672.718

7664393

Hydrogen fluoride

Annual Emissions: 9.378

7783064

Hydrogen sulfide

Annual Emissions: 5507.973

193395

Indeno[1,2,3-cd]pyrene

Annual Emissions: 0.005

1125

Isocyanates

Annual Emissions: 0.000

7439921

Lead (inorganic)

Annual Emissions: 9.998

Valero (Ultramar Inc.) Emissions Inventory 2023

108383

M-XYLENE

Annual Emissions: 120.638

7439965

Manganese

Annual Emissions: 26.825

7439976

Mercury

Annual Emissions: 5.347

67561

Methanol

Annual Emissions: 0.123

74873

Methyl chloride {Chloromethane}

Annual Emissions: 0.125

78933

Methyl ethyl ketone

Annual Emissions: 317.007

91203

Naphthalene

Annual Emissions: 33.257

Valero (Ultramar Inc.) Emissions Inventory 2023

7440020

Nickel

Annual Emissions: 47.168

106423

P-XYLENE

Annual Emissions: 120.634

1151

PAHs, total, with components not reported

Annual Emissions: 1.778

85018

PHENANTHRENE

Annual Emissions: 19.057

129000

PYRENE

Annual Emissions: 0.151

198550

Perylene [PAH, POM]

Annual Emissions: 0.006

108952

Phenol

Annual Emissions: 1419.677

7723140

Valero (Ultramar Inc.) Emissions Inventory 2023

Phosphorus

Annual Emissions: 0.01

115071

Propylene

Annual Emissions: 828.753

75569

Propylene oxide

Annual Emissions: 79.074

91225

Quinoline

Annual Emissions: 0.016

7782492

Selenium

Annual Emissions: 3.341

100425

Styrene

Annual Emissions: 2.875

7446719

Sulfur trioxide

Annual Emissions: 1321.066

7664939

Sulfuric Acid

Valero (Ultramar Inc.) Emissions Inventory 2023

Annual Emissions: 12357.29

108883

Toluene

Annual Emissions: 2107.736

75694

Trichlorofluoromethane {Freon 11}

Annual Emissions: 36.831

1330207

Xylenes

Annual Emissions: 974.544

7440666

Zinc

Annual Emissions: 175.627

1314132

Zinc oxide

Annual Emissions: 3.153

95476

o-Xylene

Annual Emissions: 41.041

106467

p-Dichlorobenzene

Annual Emissions: 39.948

ATTACHMENT 5



PERMIT TO OPERATE

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

Legal Owner
or Operator:

RIBOST TERMINAL, LLC.
9302 GARFIELD AVE
SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

WASTEWATER AND STORMWATER COLLECTION AND TREATMENT SYSTEM CONSISTING OF:

1. STORMWATER COLLECTION SUMP, 10'-0" W. BY 40'-0" L. BY 5'-0" D, OPEN TOP
2. TWO (2) HOLDING TANKS (NOS. 10001 AND 10002), WASTEWATER AND STORMWATER, 10,000 GALLONS EACH, PASSIVELY VENTED TO CARBON ADSORBERS
3. OIL/WATER SEPARATOR, 2'-6" W. BY 7'-0" L. BY 8'-0" D., CLOSED TOP, PASSIVELY VENTED TO CARBON ADSORBERS.
4. OIL COLLECTION DRUM (NO. 4), 200 GALLON, PASSIVELY VENTED TO CARBON ADSORBERS
5. DISSOLVED AIR FLOTATION VESSEL, 8'-0" W. BY 14'-0" L., COVERED, PASSIVELY VENTED TO CARBON ADSORBERS
6. EFFLUENT WATER POLISHING FILTER (OPTIONAL)
7. SLUDGE TANK (NO. 5), 500 GALLON, PASSIVELY VENTED TO CARBON ADSORBERS
8. HOLDING TANK (NO. 10003), TREATED WATER, 10,000 GALLON
9. TWO (2) CARBON ADSORBERS, EACH CONTAINING A MINIMUM OF 4000 POUNDS OF ACTIVATED CARBON, LOCATED IN SERIES

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.



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Certified Copy



PERMIT TO OPERATE

3. THE OPERATOR SHALL NOT TREAT MORE THAN 14,800 GALLONS PER DAY OF WASTEWATER AND/OR STORMWATER IN THIS SYSTEM.
4. THE OPERATOR SHALL MONITOR THE HYDROCARBON CONCENTRATION AT THE INLET, MIDPOINT AND FINAL OUTLET OF THE CARBON ADSORBERS ACCORDING TO THE FOLLOWING:
 - A. THE OPERATOR SHALL MONITOR THE HYDROCARBON CONCENTRATIONS ONCE PER WEEK.
 - B. THE OPERATOR SHALL USE A DISTRICT APPROVED ORGANIC VAPOR ANALYZER (OVA) WHICH MEETS THE REQUIREMENTS OF EPA METHOD 21.
 - C. THE OPERATOR SHALL CALIBRATE THE OVA IN PPMV AS METHANE.
5. THE OPERATOR SHALL REPLACE THE CARBON ADSORBER CANISTER(S) WHENEVER BREAKTHROUGH OCCURS. FOR THE PURPOSE OF THIS CONDITION, BREAKTHROUGH OCCURS WHEN THE HYDROCARBON CONCENTRATION READING IS 500 PPM OR GREATER AT THE OUTLET OF A CARBON ADSORBER CANISTER.
6. THE OPERATOR SHALL KEEP ALL SPENT CARBON CANISTERS STORED AT THIS FACILITY TIGHTLY CLOSED UNTIL THEY ARE PROPERLY DISPOSED.
7. THIS EQUIPMENT SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS OF RULES 464 AND 1173.
8. THE OPERATOR SHALL MAINTAIN THE FOLLOWING RECORDS FOR TWO YEARS AND MAKE THEM AVAILABLE UPON DISTRICT REQUEST:
 - A. WASTEWATER/STORMWATER THROUGHPUT
 - B. WEEKLY OVA HYDROCARBON READINGS OF THE CARBON ADSORBERS
 - C. DATES OF CARBON ADSORBER REPLACEMENTS



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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 County Drive, Diamond Bar, CA 91765

Page 3
Permit No.
G21107
A/N 533826

PERMIT TO OPERATE

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR COPY SHALL BE POSTED ON OR WITHIN 8 METERS OF THE EQUIPMENT.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT CANNOT BE CONSIDERED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF OTHER GOVERNMENT AGENCIES.

EXECUTIVE OFFICER

Dorris M. Bailey

By Dorris M. Bailey/LD02
10/23/2012



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ATTACHMENT 6

Ribost Operating Permit:
Storage Tank # 43015



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

PERMIT TO OPERATE

Page 1
Permit No.
R-G34228
A/N 560142

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

**Legal Owner
or Operator:**

RIBOST TERMINAL, LLC.
DBA: WORLD OIL TERMINALS
9302 GARFIELD AVE
SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

STORAGE TANK NO. 43015, 80'-0" DIA. X 48'-0" H., 43,000 BBL CAPACITY, WELDED SHELL, PONTON EXTERNAL FLOATING ROOF, WITH CATEGORY A LIQUID MOUNTED MECHANICAL SHOE PRIMARY SEAL, CATEGORY B SINGLE WIPER RIM MOUNTED SECONDARY SEAL, AND SIDE ENTRY MIXER.

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN THE 107,500 BARREL(S) IN ANY ONE CALENDAR MONTH.
4. THE OPERATOR SHALL ONLY STORE PETROLEUM PRODUCTS HAVING A REID VAPOR PRESSURE NOT TO EXCEED 11 PSIA.
5. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES.

THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: $0.14 \times D \times D \times L$, WHERE D IS THE DIAMETER OF THE TANK IN FEET BASED ON THE TANK STRAPPING CHART AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL IN FEET PER MONTH.



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South Coast Air Quality Management District
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PERMIT TO OPERATE

THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE EVERY 15 MINUTES.

THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

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South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

Page 3
Permit No.
R-G34228
A/N 560142

PERMIT TO OPERATE

THIS PERMIT TO OPERATE R-G34228 SUPERSEDES PERMIT TO OPERATE G34228 ISSUED 1/22/2015

NOTICE

In accordance with Rule 206, this Permit to Operate or copy shall be posted on or within 8 meters of the equipment.

This permit does not authorize the emission of air contaminants in excess of those allowed by Division 26 of the Health and Safety Code of the State of California or the applicable Rules and Regulations of the South Coast Air Quality Management District (SCAQMD). This permit cannot be considered as permission to violate existing laws, ordinances, regulations or statutes of other government agencies.

Executive Officer

BY LAKI TISOPULOS, PhD/LD02

4/24/2018



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Ribost Operating Permit:
Storage Tank # 43016



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

PERMIT TO OPERATE

Page 1
Permit No.
R-G34229
A/N 560143

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

**Legal Owner
or Operator:**

RIBOST TERMINAL, LLC.
DBA: WORLD OIL TERMINALS
9302 GARFIELD AVE
SOUTH GATE, CA 90280

ID 111238

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

STORAGE TANK NO. 43016, 80'-0" DIA. X 48'-0" H., 43,000 BBL CAPACITY, WELDED SHELL, PONTON EXTERNAL FLOATING ROOF, WITH CATEGORY A LIQUID MOUNTED MECHANICAL SHOE PRIMARY SEAL, CATEGORY B RIM SINGLE WIPER RIM MOUNTED SECONDARY SEAL, AND SIDE ENTRY MIXER.

Conditions :

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2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN THE 107,500 BARREL(S) IN ANY ONE CALENDAR MONTH.
4. THE OPERATOR SHALL ONLY STORE PETROLEUM PRODUCTS HAVING A REID VAPOR PRESSURE NOT TO EXCEED 11 PSIA.
5. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES.

THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: $0.14 \times D \times D \times L$, WHERE D IS THE DIAMETER OF THE TANK IN FEET BASED ON THE TANK STRAPPING CHART AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL IN FEET PER MONTH.

THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE EVERY 15 MINUTES.



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PERMIT TO OPERATE

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THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

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6. THIS EQUIPMENT SHALL BE OPERATED IN COMPLIANCE WITH RULES 463, 1149, AND 1173.
7. THE OPERATOR SHALL KEEP ADEQUATE RECORDS TO SHOW COMPLIANCE WITH THE LIMITATIONS SPECIFIED IN THIS PERMIT. SUCH RECORDS SHALL BE MAINTAINED AND KEPT ON FILE FOR AT LEAST TWO YEARS AND SHALL BE MADE AVAILABLE TO THE EXECUTIVE OFFICER OR HIS AUTHORIZED REPRESENTATIVE UPON REQUEST.





South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

Page 3
Permit No.
R-G34229
A/N 560143

PERMIT TO OPERATE

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NOTICE

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Executive Officer

BY LAKI TISOPULOS, PhD/LD02

4/24/2018



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Ribost Operating Permit:
Storage Tank # 67011



PERMIT TO OPERATE

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

**Legal Owner
or Operator:**

ID 111238

RIBOST TERMINAL, LLC.
DBA: WORLD OIL TERMINALS
9302 GARFIELD AVE
SOUTH GATE, CA 90280

Equipment Location: 1405 PIER "C" ST, LONG BEACH, CA 90802

Equipment Description :

STORAGE TANK NO. 67011, 100'-0" DIA. X 48'-0" H., 67,000 BBL CAPACITY, INTERNAL FLOATING ROOF, PONTOON TYPE, WITH CATEGORY A LIQUID MOUNTED SHOE PRIMARY SEAL, AND SIDE ENTRY MIXER

Conditions :

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2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE HYDROCARBON CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL). AN EXPLOSIMETER SHALL BE USED TO MONITOR THE HYDROCARBON CONCENTRATION TWICE PER YEAR AT A 4 TO 8 MONTH INTERVAL. ADEQUATE RECORDS SHALL BE KEPT TO SHOW COMPLIANCE WITH THIS CONDITION.
4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN THE 167,500 BARREL(S) IN ANY ONE CALENDAR MONTH.
5. THE OPERATOR SHALL ONLY STORE CRUDE OR NON-GASOLINE PETROLEUM PRODUCTS HAVING A REID VAPOR PRESSURE NOT TO EXCEED 9 PSIA.
6. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES.



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PERMIT TO OPERATE

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South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

Page 3
Permit No.
R-G34224
A/N 560138

PERMIT TO OPERATE

THIS PERMIT TO OPERATE R-G34224 SUPERSEDES PERMIT TO OPERATE G34224 ISSUED 1/22/2015

NOTICE

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Executive Officer

BY LAKI TISOPULOS, PhD/LD02
4/24/2018



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ATTACHMENT 5

Detailed Response of the Harbor Department to the Issues on Appeal of the Long Beach Board of Harbor Commission's Certification of the Final Environmental Impact Report for the World Oil Tank Installation Project

Raised by:

Coalition for Clean Air, Communities for a Better Environment, Center for Biological Diversity,
Earthjustice, and Sierra Club – Angeles Chapter (Collectively, "Appellant")

Introduction

The Harbor Department (or "Port") respectfully requests that the Long Beach City Council deny each of the grounds for appeal of the Long Beach Harbor Commission's (Harbor Commission) September 23, 2024 determination certifying the Final Environmental Impact Report ("EIR") for the World Oil Tank Installation Project ("Project"). Long Beach Municipal Code Section 21.21.507(E)(2) requires all appeals to specify in detail why the appellant contends that the environmental determination does not comply with the California Environmental Quality Act ("CEQA") or how the EIR is not supported by substantial evidence in light of the whole record. State CEQA Guidelines Section 15384(a) defines "substantial evidence" (in relevant part) as "enough information and reasonable inferences from this information that a fair argument can be made to support a conclusion, enough other conclusions might also be reached...Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate...which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence."

The Appellant fails to raise any meritorious grounds for appeal; the appeal should be denied. The Appellant has not submitted substantial or factual foundation that supports its grounds for appeal that the analyses contained in the EIR certified by the Harbor Commission does not comply with CEQA. The environmental findings to support the environmental determination have been fully analyzed and disclosed by the Harbor Department. The EIR is comprehensive and provides substantial evidence to support the Harbor Commission's certification of the EIR in full compliance with CEQA.

As discussed in the Harbor Department's following detailed responses to each issue/ground for appeal, no new impacts or substantial increase to impacts would result from the Project.

Ground for Appeal No. 1 – The EIR Failed to Properly Examine the Project’s Cumulative Impacts

The Appellant contends that EIR’s List of Projects omits related storage tanks and other oil infrastructure; restricts the geographic area for the localized area, ignoring the environment affected by the Project, and relies on flawed South Coast Air Quality Management District (“AQMD”) Guidance, deviating from CEQA’s substantive cumulative impact analysis requirement that the Port analyze the Project’s incremental contribution to the existing environmental burdens from past, existing, and probable future projects in the surrounding area.

Harbor Department Response to Ground for Appeal No. 1

This ground for appeal should be denied because the Appellant has not provided sufficient evidence that supports their conclusion that the EIR fails to properly examine the Project’s cumulative impacts. The Appellant’s argument is also contrary to State CEQA Guidelines Section 15130(b)—which the Harbor Department has complied with—that the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.

a. The EIR’s List of Projects to Evaluate Cumulative Impacts is Complete and Adequate

The Appellant contends that Table 2-1 (Related and Cumulative Projects List) in the EIR is flawed in that “it largely ignores other projects in the vicinity that are substantially similar to the proposed project, other than noting the construction of one storage tank at Phillips 66 Carson and the conversion of an existing gasoline storage tank to ethanol service at the Shell Carson Facility, the list omits existing or proposed oil storage tank projects in the surrounding area”. The Appellant also relies on information submitted claiming that the “South Coast Air Basin has at least 1,108 stationary tanks that can store well over 3 billion gallons of petroleum product and identify “at least three [of these] storage tank facilities located in the surrounding area but are unaccounted for in the EIR’s list of projects: (1) Tesoro Logistics Marine Terminal 2, 1300 Pier B St., Long Beach, CA 90802 (29 tanks, ~700 feet away); (2) Kinder Morgan Liquids Terminals LLC, 2000 E. Sepulveda Blvd., Carson, CA 90810 (51 tanks, 2.5 miles away); and (3) Tesoro Logistics East Hynes Terminal, 5905 Paramount Blvd., Long Beach, CA 90805 (28 tanks, 6.6 miles away).

As discussed by the Appellant, the Port utilized the “List Method” to evaluate cumulative impacts associated with the Project. Section 15130(b)(1)(A) of the State CEQA Guidelines states that the list should include “past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency.” The cumulative projects considered in the Final EIR were selected based on their proximity to the Project, potential to emit emissions during construction, and operations similar to the Project. State CEQA

Guidelines Section 15130(b)(2) states that when utilizing a list of projects, the nature of each environmental resource being examined, and location of the project and its type should be considered. The variety of projects listed were identified based on these criteria and are not limited to a single project type. Therefore, Table 2-1 at page 2-3 of the Final EIR, appropriately and correctly lists all related projects evaluated in the cumulative impacts analysis.

The Appellant also states that the EIR ignores the seven existing storage tanks previously constructed at the Ribost Terminal and ignores the 31 permit applications submitted between 2010 and 2020 to the Port for additional storage tanks. First, the Appellant's statement that 31 permit applications were submitted to the Port is incorrect. The permit applications were submitted to the AQMD for new above-ground storage tanks in the region—not to the Port. The environmental analysis in the EIR uses existing conditions as the basis for determining the Project's incremental contribution to cumulative impacts, including the seven existing tanks at the Ribost Terminal, as discussed in Section 1.2.2, Existing Project Site Conditions and Operations. Beyond identifying the seven existing tanks and operations within the Project Description, the EIR also quantifies the baseline air pollutant emissions from these existing sources (see Section 3.1.1.4, Site Conditions and Table 3.1-4, Existing Stationary Source Emissions, Ribost Terminal).

The Appellant alleges that the Harbor Department's failure to list all other existing storage tanks in the surrounding area "makes the EIR an inadequate informational document" and represents a prejudicial abuse of discretion under CEQA." The Appellant goes on to state that there are "at least 1,108 stationary tanks in the South Coast Air Basin that can store well over 3 billion gallons of petroleum product". In this context, the Project's incremental contribution of 50,000 barrels or 2,100,000 gallons would be less than 0.07% of the overall, cumulative petroleum tank storage capacity of 3 billion gallons in the South Coast Air Basin referenced by the Appellant.

As discussed in the Final EIR, the Project would not result in significant impacts from other petroleum storage tanks in the region. The Appellant states that the pollutants released from crude oil storage are known to cause cancer and health risks. As discussed in the Final EIR at page 3.1-13 (construction) and page 3.1-18 (operations), the Project would not result in a cumulatively considerable net increase exceeding an AQMD threshold of significance, and no mitigation measures are required. State CEQA Guidelines Section 15065(h)(4) states that "the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that a Project's incremental effects are cumulatively considerable."

Furthermore, while preparing the analysis for the Draft EIR, the Port coordinated with the AQMD in the review of Ribost's permit applications to ensure that the CEQA analysis complies with AQMD methods, guidance, and requirements necessary for the AQMD to issue the air permits for the two proposed tanks. When the Port reviewed this comment on the 2020 Draft Initial Study/Negative Declaration (IS/ND), the Port acknowledged that a very large number of tank permit applications were submitted to the AQMD between 2010 and 2020 (1,010 total permit applications). POLB's review of this information indicated very few of these applications were for construction of new petroleum product tanks. Most of these permit applications were for change of ownership (751), alteration/modification (135), and change of permit condition (39). Only 67

of these permit applications were for new construction, and of these, only 31 were for above-ground petroleum product storage tanks in the region. Although relatively few permit applications were for new construction, POLB investigated the Reactive Organic Gases (ROG) emissions from the petroleum production and marketing sector in AQMD emissions inventory data that form the (AQMP) attainment planning and found emissions in this sector are declining.

Table 1. Los Angeles County portion of South Coast Air Basin Petroleum Refining and Marketing ROG Emissions Estimates (tons/day)

Emissions Sector/ Subcategory	2010	2017	2020	2023
Petroleum Production and Marketing (Sector) ¹	26.25	14.52	14.21	14.09
Petroleum Refining	6.09	4.40	4.36	4.36
Petroleum Marketing	11.16	8.18	7.60	7.15

¹ – Not all subcategories of the petroleum sector are listed, so totals of subcategories will not match the sector total. Source: CARB, 2024: CEPAM2019v1.03 - Standard Emission Tool.

The Appellant has provided no substantial evidence to support their argument that the listing of storage tanks in the region would result in a cumulative impact. Section 15064(f)(5) of the State CEQA Guidelines states that “[a]rgument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts and expert opinion supported by facts.”

b. The Geographic Scope of Analysis in the EIR is Appropriate

The Appellant contends that the geographic area considered for cumulative impact analysis in the EIR is narrowly defined, citing the geographic limits in the EIR for the cumulative air quality impact analysis of one mile from the Project site for localized cumulative criteria pollutants effects and 500 feet for toxic air contaminants analysis, whereas the analysis of the cumulative effects to marine water and marine sediment quality includes the entire Long Beach-Los Angeles Harbor Complex. However, the crux of the Appellant’s ground for appeal appears to focus on the Project’s cumulative impacts to air quality.

The Appellant argues that several of the Project’s foreseeable cumulative environmental impacts would extend beyond the EIR’s narrow geographic area, including harmful volatile organic compounds such as benzene; the EIR fails to consider the Project’s contribution to air quality and other impact affecting residents, sensitive receptors, and the Assembly Bill (AB) 617 (Community Emissions Reduction Plan [CERP]) communities of Wilmington, Carson, and West Long Beach¹.

The geographic scope for cumulative air quality analysis is clearly stated (Section 3.1.6.1). Because Project emissions would be dominated by stationary sources at the site, the cumulative analysis focuses on the area within one mile of the site as the context for localized effects, rather

¹ AB 617 Nonvehicular air pollution: criteria air pollutants and toxic air pollutants. Garcia. 2017.

than diluting the analysis by focusing on a larger area, such as the whole SCAB. The cumulative air quality discussion (Section 3.1.6.4) identifies the Project-related increase in the number of petroleum storage tanks at the site, quantifies the potential emissions increases in comparison with thresholds recommended by South Coast AQMD² for the regional and localized effects, and describes the impact in the context of the site within the POLB and surrounding land uses.

As detailed in the Final EIR, Section 3.1.6 (Cumulative Impacts) starting at page 3.1-29 and in Chapter 9 Responses to Comments, starting at page 9-238, the EIR acknowledges that existing regional and localized regional cumulative air quality impacts would be significant, and any activity that concurrently occurs near the Project's construction area within the South Coast Air Basin would contribute to regional cumulative impacts. However, it is important to note that in the context of regional and localized air quality, the Project's incremental contribution to criteria air pollutant emission impacts would be limited because based on current AQMD guidance³, projects that do not exceed the project-specific significance thresholds are not cumulatively considerable—this is the case for the World Oil Tank Installation Project. As discussed in FEIR Section 3.1.6.1 at page 3.1-30, the regional air quality cumulative impacts analysis considers the entire South Coast Air Basin as the geographic context. The South Coast Air Basin consists of urbanized areas of Los Angeles, Riverside, San Bernardino, and Orange Counties (approximately 6,000 square miles), and covers a larger area than the CERP. The geographic context for air quality analysis is not narrowly defined because the Project emissions would be dominated by the proposed stationary sources fixed at the site and most likely to cause adverse effects near the site. Accordingly, the cumulative air quality analysis is centered around the site and focuses on the area where the emissions would be generated. The EIR demonstrates that Project-related localized increases of TACs (Impacts AQ-4 and AQ-9) would have the greatest effects within a zone of impact that extends approximately one mile from the proposed stationary sources at the site (page 3.1-16), and odors would result in maximum impacts (Impacts AQ-5 and AQ-10) within 9.1 meters or 30 feet of the proposed sources (page 3.1-22). These analyses demonstrate that the areas nearest to the site are those likely to experience the worst cumulative effects. While the area of focus for TACs and odors is centered around the site, the points of maximum impacts downwind are fully analyzed in the FEIR and disclosed as occurring within one mile of the site. Expanding the geographic extent of the localized cumulative impact evaluation to include the full CERP area would serve only to confirm the existence of cumulative impacts caused by other projects and already previously documented as part of the CERP, while providing no additional information about the Project's incremental effects, which are greatest near the Project site. Therefore, the analysis identifies the worst-case incremental project-specific impacts by focusing on those found near the site.

² South Coast AQMD. Final Localized Significance Threshold Methodology. Revised July 2008. Accessed October 21, 2024. <https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>

³ South Coast AQMD. White Paper on Potential Control Strategies to address Cumulative Impacts From Air Pollution. Appendix D – Cumulative Impact Analysis Requirements Pursuant to CEQA, p. D-3. August 2003. Accessed October 24, 2024. <https://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf>

The air quality emissions analysis details, including the emission and health risk assessment summary tables, the draft engineering evaluation prepared by the South Coast AQMD, CalEEMod modeling output files, and health risk assessment screening plots are provided in Appendix C of the Final EIR. Table 3.1.7 (Construction Maximum Daily Criteria Pollutant Emissions), shows that the construction of the Project would not exceed South Coast AQMD significance threshold; therefore, no mitigation measures are required.

c. The EIR's Cumulative Impact Analysis is Adequate; Relies on Current, Available Regulatory Agency Guidance

The Appellant provides no supporting evidence why the cumulative impact analysis using the South Coast AQMD's current guidance for cumulative impact analysis does not comply with CEQA, nor has the Appellant provided any information or any alternative guidance or methodology to evaluate cumulative impacts associated with the Project. The Final EIR provides extensive detail and supporting information to support its cumulative impact analysis.

The Appellant contends that the EIR's cumulative impact analysis relies on flawed AQMD guidance and asserts that the EIR deviates from CEQA's cumulative impact analysis requirement to analyze the Project's incremental contribution to the existing environmental burdens from past, existing, and probable future projects in the surrounding area by focusing solely on the Project's individual air emissions and concluding that "projects that do not exceed the AQMD project-specific thresholds are not considered to result in cumulatively considerable effects" is misleading. This assertion is without merit; the Appellant has not pointed to or recommended any other regulatory agency-adopted guidance or methodology for the evaluation of cumulative impacts.

Although the EIR acknowledges the significant regional and localized cumulative air quality impacts in the South Coast Air Basin, in the regional and localized contexts, the Project's incremental impacts regarding criteria air pollutant emissions would be limited because projects that do not exceed the project-specific significance thresholds are considered by the AQMD to cause effects that are not cumulatively considerable.³ The AQMD developed the emission threshold levels based on existing environmental burdens of the region, defined by the attainment status and ambient concentrations of pollutants for each local area in the AQMD. Localized impacts of criteria air pollutants and TACs would not exceed South Coast AQMD localized significance thresholds (LSTs) or significance thresholds for toxic air contaminants (TACs); as such, these impacts would not be cumulatively considerable. By reflecting the baseline local conditions in the analysis, project-specific thresholds are designed to consider the effects of past, present, and future projects in conjunction with project-specific incremental emissions. Project-level emissions that do not exceed these regional and localized thresholds would not be cumulatively significant.

The Appellant also states in this ground for appeal that the EIR fails to disclose that the AQMD is updating its CEQA cumulative impact guidance in response to litigation under *People of the State of California v. City of Fontana*, where the environmental review prepared for a warehouse project located at Slover and Oleander Avenues in the City of Fontana was challenged by the State of California Attorney General and the Sierra Club. The lawsuit included an allegation that

the City of Fontana relied on the South Coast AQMD's existing guidance in its approval of the project. However, the Appellant fails to disclose in its ground for appeal that the case has since been settled by the parties, where the City of Fontana adopted an ordinance requiring all warehouse projects to keep truck routes away from sensitive receptors, install solar panels, and utilize electric vehicles onsite.⁴ None of the terms of the settlement requires a reevaluation of the cumulative impact analysis of the City of Fontana's warehouse project.

The South Coast AQMD was not a party to the lawsuit or the settlement. However, the South Coast AQMD had since announced a process to revise its CEQA guidance for analyzing cumulative air quality impacts. The South Coast AQMD has not formally adopted updated guidance to public agencies for the evaluation of cumulative air quality impacts since initiating their *Cumulative Impacts from Air Toxics for CEQA Projects* working group in February 2022. Harbor Department staff has been actively following and participating in the South Coast AQMD's working group process; the AQMD has held six working group meetings since 2022, the last meeting was held November 6, 2024.

The mix of cumulative significance threshold criteria under consideration is currently designed to identify communities of sensitive receptors in areas of high background cancer risk and near high volumes of diesel-fueled mobile sources. The most stringent "proposed initial threshold" for high cancer risk areas would be 1 incremental cancer case per million (SCAQMD, 2024⁵). Depending on methodologies and criteria to ultimately be adopted by South Coast AQMD, the applicability of cumulative thresholds that remain in development is uncertain. The Final EIR demonstrates that emissions from diesel-fueled mobile sources would not substantially increase under the Project (Table 3.1-10, Daily Operational Emissions – Proposed Project). Additionally, the Project would individually result in less than 1 incremental cancer risk case per million for residences and workers (Table 3.1-12, Estimated Health Impacts for Operation – Proposed Project), meaning that the Project would not exceed the most stringent "proposed initial threshold" for the cumulative effects of air toxics.

While the AQMD develops and considers updated cumulative impacts guidance, the EIR relies on the current, well-established guidelines available at the time the analysis was prepared. In addition, the Appellant incorrectly asserts that the current methodology fails to consider how an individual project contributes to emissions in an area. The methodology developed by AQMD for the LSTs specifically accounts for the local conditions, and LSTs "...are developed based on the ambient concentrations of that pollutant for each source receptor area" (SCAQMD, 2008⁶). In

⁴ Sierra Club v City of Fontana, People of the State of California v. City of Fontana, Duke Realty Corporation, Real Party in Interest. Stipulation for Entry of Final Judgement on Consent [CEQA Claim]. April 14, 2022

⁵ SCAQMD, 2024. Working Group Meeting #5 – Cumulative Impacts from Air Toxics for CEQA Projects. Accessed October 16, 2024. [online]: <https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20>.

⁶ SCAQMD, 2008. Final Localized Significance Threshold Methodology. Accessed October 16, 2024. [online]: <https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>.

conjunction with the LST analysis (Impacts AQ-3 and AQ-8), the health risk screening focuses on localized effects (Impacts AQ-4 and AQ-9).

The cumulative analysis takes each of these approaches together for consistency with applicable air quality plans, regional cumulative impacts, localized impacts, and localized increases of TACs. In accordance with AQMD's existing cumulative impacts assessment guidance, projects that have impacts below all SCAQMD significance criteria can be considered to have less-than-significant cumulative air quality impacts.

Ground for Appeal No. 2 – EIR's Deficient Alternative Analysis Fails to Consider the Reduced Size Tanks Alternative

The EIR's alternative analysis is deficient and fails to properly consider the "Reduced Size Tanks Alternative". Under CEQA, and EIR is required to "consider and analyze project alternatives that would reduce adverse environmental impacts".

Harbor Department Response to Ground for Appeal No. 2

This ground for appeal is without merit and should be denied. The Appellant misconstrues the statement in the in EIR regarding the *possible* need for a *fourth tank for crude oil service [emphasis added]* with possible need for a fourth tank for wastewater resulting from the dewatering process associated with the terminal's operation. The alternatives analysis in the EIR is sufficient; the elimination of the Reduced Tank Alternative from further evaluation is appropriate under State CEQA Guidelines Section 15126.6(f).

Each of the alternatives carried forward for analysis assumes storage tanks with a capacity of 25,000 barrels. In the EIR, Section 1.6.2 at page 1-14 (Alternatives Considered but Not Carried Forward for Detailed Analysis), the discussion for the Reduced Size Tanks Alternative indicates that under the Reduced Size Tanks Alternative, two new tanks equal in capacity, but less than 25,000 barrels each would be constructed. The EIR also states that crude oil deliveries via pipeline are typically approximately 25,000 barrels each, further stating that "each tank of the proposed Project [is] sized to receive one crude oil shipment" (or delivery). Two tanks smaller than 25,000 barrels would require a single crude oil delivery to be divided among two tanks.

The Appellant refers to the EIR at page 1-14, where it is stated that "[c]rude oil contains a small amount (~1 percent) of emulsified water" that requires resting new deliveries of crude oil to allow for water and oil to separate and to pump out the water layer. After completing this dewatering process, crude [oil] can be delivered to refineries for further processing." The Appellant asserts that the EIR speculated—without any evidentiary support or further analysis—that the reduced size tank alternative may "possibly require a fourth tank to be in crude oil service to ensure adequate dewatering is accomplished". The Appellant provides information regarding the terminal's operating permit for the on-site wastewater treatment plant, which has the capacity to hold up to 10,000 gallons of wastewater...and "thus the existing onsite wastewater treatment system contains more than enough capacity to handle dewatered wastewater from the reduced sized tanks". The Appellant also argues that the EIR fails to consider and further analyze the reduced size tanks alternative, undermining informed decision

making, when the EIR itself concedes “would potentially reduce construction air quality emissions,” and presumably other environmental impacts from the proposed Project.

As the Appellant states in the ground for appeal, the EIR states on page 1-14, the reduced size tank alternative “may *possibly* require a fourth tank to be in crude oil service”. It is important to note that the EIR clearly states that this does not refer to the possible need for an additional wastewater tank to store dewatered wastewater from the reduced size tanks, but *a fourth tank for crude oil service* (emphasis added). This is because if two tanks smaller than 25,000 barrels were added, this would require a single crude oil delivery via pipeline to be divided among two tanks, an additional crude oil tank would be necessary. Because the oil deliveries are required to “rest” to allow the oil to separate from the water, the EIR states that a fourth crude oil tank may *possibly* require an additional fourth tank to allow for the resting of oil and dewatering operations. As previously stated, the proposed tanks are sized at 25,000 barrels each, because crude oil deliveries via pipelines are typically in increments of 25,000 barrels each.

Section 1.4 at page 1-5 of the Final EIR, states the following as objectives of the World Oil Tank Installation Project to install two 25,000-barrel tanks at the Ribost Terminal facility:

- Increase efficiency of terminal operations
- Realign storage capacity needs
- Make more existing tanks available for lease by customers.

As discussed in State CEQA Guidelines Section 15126.6 (f), an alternative may be eliminated for any of the following reasons:

- The alternative fails to meet most of the basic project objectives;
- The alternative is infeasible;
- The alternative does not avoid significant environmental impacts; or
- Implementation of the alternative is remote and speculative and the effects cannot be reasonably ascertained.

Initial consideration of the Reduced Tanks Alternative presumed that reducing the size of the tanks could reduce construction air emissions, as stated on page 1-14 of the EIR. However, it is important to note that the Project itself (installation of two 25,000-barrel tanks) or any of the other alternative evaluated would not result in any significant air quality impacts. The Reduced Tanks Alternative was eliminated from further analysis due to its infeasibility and inability to meet the basic project objectives of increasing the efficiency of terminal operations, whereby the installation of reduced size tanks would require the need to divide a single crude oil delivery among two tanks, which would possibly require the need for additional crude oil tanks to be installed, and limit Ribost’s ability to lease tanks to customers as stated on page 1-14 of the EIR. Furthermore, the alternative would be infeasible because additional tanks to accommodate crude oil for the dewatering process (in addition to the reduced size tanks) could likely not be installed at the facility given the physical size constraints of the facility itself. Therefore, the elimination of the Reduced Tank Size Alternative from further evaluation in the EIR is justified and in compliance with CEQA. This ground for appeal should be denied.

Ground for Appeal No. 3 – EIR’s Inaccurate Project Description Misconstrues the Project’s Future Operations

The EIR’s inaccurate project description misconstrues the project’s future operations; the use of the converted leased tanks to store marine fuels rather than crude oil is purely speculative. The EIR does not contain a requirement that Ribost seek modification of its current permits to restrict the use of the tanks to exclusively more marine fuel. The Harbor Development Permit also lacks any conditions that would prohibit future tank leases from allowing the storage of crude oil.

Harbor Department Response to Ground for Appeal No. 3

This ground for appeal should also be denied. The Appellant’s claims that the EIR undermines informed decision making and deprives the public of accurate information regarding the Project’s potential environmental impacts is conclusory and devoid of evidence. The EIR provides substantial information supporting the conclusion that VOC emissions, even with continued storage of crude oil in the existing tanks to be leased to third-party customers, would be equal to or less than baseline conditions.

The Appellant’s argument in the ground for appeal that *the EIR’s assertion that the converted leased tanks would necessarily be used to store marine fuels—rather than crude oil—is purely speculative*, is speculation in and of itself. The Appellant is correct that the EIR acknowledges that “customer for this additional storage capacity have not yet been identified and are unknown”. The EIR states at page 1-2, that pipeline transfers to [the existing] tanks, would occur as is done currently. Ribost has not sought modifications to any of their existing storage tanks in their Harbor Development Permit application submitted to the Port. While the Project would not change the permit conditions in the existing tanks’ AQMD permits to operate, the air quality analysis in the Final EIR considers the change in service to the storage of fuel oils for the newly leased tanks, concluding that the volatile organic compound (VOC) emission evaporative losses would be lower than under existing conditions with the storage of crude oil. This is discussed at page 3.1-19 of the Final EIR. By switching to fuel oil storage, emissions from the existing tanks could be reduced. However, the analysis does not quantify this effect, and the Final EIR takes no credit for existing VOC emissions that may be reduced by the change of service. If the existing tanks do not ultimately change service (e.g., from the storage of crude oil to fuel oils, then the VOC emissions from crude oil storage could be assumed to continue with no change relative to the baseline shown in the Final EIR (Table 3.1-4, Existing Stationary Source Emissions, Ribost Terminal). The reasonably foreseeable result for the existing tanks would, therefore, either be a reduction or a continuation of emissions (worst-case scenario) that occur in the baseline conditions. The Final EIR includes an analysis of incremental cancer risk and health hazards in Impact AQ-9 at page 3.1-21, which is supported by the AQMD’s analysis.

The Appellant also contends the EIR does not contain a requirement that Ribost seek modification of its current operating permits to restrict the use of these tanks to exclusively store marine fuel. As previously indicated, Ribost’s application for a Harbor Development Permit does not propose any modifications to the existing tanks. As detailed in the Responses to Comments provided in the Final EIR at page 9-236, Ribost would be required to obtain new Permits to Operate from the South Coast AQMD for the new tanks at the facility. Should Ribost seek to modify or redevelop their existing tanks at the facility, Ribost would be required to submit a

Harbor Development Permit to the Port. Should Ribost seek to modify the use of the existing tanks to store fuels other than that currently allowable in their existing permits to operate, Ribost would be required under the appropriate, federal, state, regional, local, rules and regulations to seek modification of its applicable permits, including, but not limited to Permits to Construct and Permits to Operate directly from the South Coast AQMD.

As such, the Appellants argument that the EIR is undermining informed decision making by “asserting without evidence” that the tanks will be used for marine fuel storage only is without merit. The EIR demonstrates, with evidence, that even if the existing tanks to be leased to third-party customers were to continue to store crude oil, the VOC emissions would be equal to baseline levels (Table 3.1-4, Existing Stationary Source Emissions, Ribost Terminal). Therefore, this ground for appeal is unsubstantiated and should be denied.