



Air Pollution Control District
San Luis Obispo County

VIA EMAIL ONLY

October 6, 2022

Katie Banister
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
kbanister@prcity.com

SUBJECT: APCD Comments Regarding the Peterbilt Sales & Service Center Mitigated Negative Declaration

Dear Katie Banister:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed Peterbilt semi-truck service, parts retailer, and sales dealership project located at 2805 Theatre Drive in Paso Robles. The proposed project would construct a 25,000 square foot commercial building on an undeveloped 6.6-acre lot. The property is at the southern boundary of Paso Robles and is west of Highway 101. Properties to the north are developed with commercial uses. The properties south and west of the project are developed with residential uses. In particular, Rancho Paso Mobile Home Park is located within 300 feet of the development. The property to the west is currently undeveloped but proposed for a mini-storage development. The applicant is seeking approval of a new highway-oriented sign, expansion of Highway Oriented Sign overlay District, and Conditional Use Permit.

The following comments are formatted into 3 sections. The **(1) General Comments** section states information pertinent to the applicant, lead agency, and/or public. The **(2) Air Quality** and **(3) Greenhouse Gas Emissions** sections may state mitigation measures and/or rules and requirements which the APCD recommends be set as conditions of approval for the project.

The **applicant** or **agent** should contact the APCD Engineering & Compliance Division about permitting requirements stated in the (1) General Comments section. The **lead agency** may contact the APCD Planning Division for questions and comments related to proposed conditions of approval in the (2) Air Quality and (3) Greenhouse Gas Emission sections. Both Divisions can be reached at 805-781-5912.

Please Note: The APCD recently updated the [Land Use and CEQA Webpage](#) on the slocleanair.org website. The information on the webpage displays the most up-to-date guidance from the SLO County APCD, including the [2021 Interim CEQA Greenhouse Gas Guidance](#), [Quick Guide for Construction Mitigation Measures](#) and [Quick Guide for Operational Mitigation Measures](#).

(1) General Comments

Developmental Burning

[APCD Rule 501](#) prohibits developmental burning of vegetative material within San Luis Obispo County.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive:

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Internal combustion engines; and
- Tub grinders.

For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's [CEQA Air Quality Handbook](#) (April 2012).

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive:

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Auto and vehicle repair and painting facilities;
- Internal combustion engines; and
- Unconfined abrasive blasting operations.

Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, should be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not

(2) Air Quality

CONSTRUCTION PHASE

Construction Phase Impacts - Exceeds Threshold(s)

The project proponent evaluated the construction impacts of this project using the most recent CalEEMod computer model. The modeling results indicate that the construction phase impacts will likely be below APCD's significance threshold values identified in Table 2-1 of the [CEQA Air Quality Handbook](#) (April 2012). However, since the project's graded area is more than 4-acres the project's construction phase fugitive dust impact will need to be mitigated. Also since the project is near sensitive receptors, construction phase diesel idling mitigation is also necessary.

Fugitive Dust Mitigation Measures: Expanded List

Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit ([APCD Rule 401](#)) and minimize nuisance ([APCD Rule 402](#)) impacts:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a concern, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: [Products Available for Controlling Dust](#);
- c. All stockpiled dirt should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
- e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114;
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- g. All fugitive dust mitigation measures shall be shown on grading and building plans;

- h. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact the Compliance Division at 805-781-5912);
- i. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- j. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible; and
- n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

Limits of Idling During Construction Phase

State law prohibits idling diesel engines for more than 5 minutes. All projects with diesel-powered construction activity shall comply with Section 2485 of Title 13 of the California Code of Regulations and the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation to minimize toxic air pollution impacts from idling diesel engines. The specific requirements and exceptions for the on-road and off-road regulations can be reviewed at the following web sites: arb.ca.gov/sites/default/files/classic/msprog/truck-idling and arb.ca.gov/regact/2007/ordiesl07/froal.pdf.

The APCD does not recommend any other construction phase air quality mitigation measures for the project.

In addition, because this project is within 1,000 feet of sensitive receptors, the Rancho Paso Mobile Home Park, the project applicant shall comply with the following more restrictive requirements to minimize impacts to nearby sensitive receptors:

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
2. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
3. Use of alternative fueled equipment is recommended; and
4. Signs that specify no idling areas must be posted and enforced at the site.

OPERATIONAL PHASE

Operational Phase Impacts - Below Threshold

Based on the Mitigated Negative Declaration operational phase emission estimates using the most recent CalEEMod computer model, the operational phase would likely be less than the APCD's significance threshold values identified in Table 3-2 of the CEQA Air Quality Handbook. **Therefore, with the exception of the requirements below, the APCD is not requiring other operational phase mitigation measures for this project.**

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

This project has the potential to emit toxic or hazardous air pollutants and is located in close proximity to sensitive receptors. Sensitive receptor locations include schools, residential dwellings, parks, day care centers, nursing homes, and hospitals. Health impacts may be significant due to increased cancer risk for the affected population, even at a very low level of emissions. Such projects are required to prepare a health risk assessment to determine the potential level of risk associated with their operations.

This project is a new proposed land use project that generates toxic air contaminants (i.e. truck diesel engine operations and idling) that may impact sensitive receptors indicating it is a Type A project. Air districts across California are uniform in their recommendation to use the significance thresholds that have been established under each district's "Hot Spots" and permitting programs. The APCD has defined the excess cancer risk significance threshold at 10 in a million for Type A projects in San Luis Obispo County.

In 2015, APCD worked with San Luis Obispo County and an applicant to evaluate a similar proposed project which had sensitive receptors that were in closer proximity to the proposed truck service center. APCD worked with the project's consultant to determine project specifics to use in an APCD risk screening tool. The screening risk was near, but below the 10 in a million threshold. Since then, the [California Office of Environmental Health Hazard Assessment](#) (OEHHA) issued new risk assessment guidance that resulted in risk increasing relative to their previous guidance. The APCD does not have a screening tool that factors in these OEHHA changes.

Prior to completion of the project's environmental assessment, the APCD recommends that the project proponent perform a screening level health risk assessment to determine the potential health risks to existing residents that would be impacted by this proposed project. If the screening assessment is above 10 in a million, a more comprehensive health risk analysis shall be required. **Results of the screening and/or the refined health risk assessment need to be provided to the APCD for review and approval.** Some of the risk screening inputs that may be needed include:

- Daily operational phase trips to the project site;
- % of daily trips that are diesel trucks and their anticipated make up (i.e. heavy-heavy duty, medium-heavy duty, light-heavy duty);
- Total daily diesel trips to site;
- Number of days per year project location will be open;
- Total annual diesel trips; and
- Distance from midpoint of truck service center to lot of nearest sensitive receptor.

(3) Greenhouse Gas Emissions

The project applicant evaluated the project proponent's operational phase greenhouse gas (GHG) emission estimates using the most recent CalEEMod computer model. The operational phase would likely be less than an interim GHG threshold of 690 metric tons of carbon dioxide equivalent emissions per year the city may find to be applicable for this project. **APCD is not recommending any operational phase GHG mitigation measures for this project.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 805-781-5912.

Sincerely,



ASHLEY GOLDLIST
Air Quality Specialist

ASG/kaw

cc: Dora Drexler, APCD, ddrexler@co.slo.ca.us