

November 7, 2011

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TO: Patrick Alford

RE: Banning Ranch dEIR, Air Quality section, 4.10.6 Threshold of Significance

Under Air Quality on page 17, there's a check list of thresholds for significance criteria. I have questions and comments on four of the thresholds:

**Threshold 4.10-2** Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Won't the Project be in violation of an air quality standard by exceeding the NOx significance thresholds in 5 out of the 10 proposed years of construction, as stated in the "Unavoidable and Significant Impacts" section of this dEIR?

**Threshold 4.10-3** Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable NAAQS or CAAQS (including releasing emissions that exceed quantitative thresholds for ozone precursors).

If the entire SoCAB is already in extreme nonattainment of O<sub>3</sub>, serious nonattainment of PM<sub>10</sub> and nonattainment of PM<sub>2.5</sub>, NO<sub>2</sub> & lead, according to TABLE 4.10-3 ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN THE SOUTH COAST AIR BASIN (p4.10-12 of dEIR), how will the Project's short-term construction and long-term traffic pollution not be a cumulatively considerable net increase of criteria pollutants?

**Threshold 4.10-4** Expose sensitive receptors to substantial pollutant concentrations.

The closest sensitive receptors to the criteria pollution listed in this dEIR are the residents of Newport Crest Condominiums and the students of Carden School. What about the children playing on the soccer fields, tennis courts and baseball diamond of the parks on or adjacent to the development? What about the students who will attend the community college under construction? All of these populations have sensitive receptors, including school children, the elderly, the infirm and those who suffer respiratory conditions, such as asthma and COPD.

The health hazards of exceeding NO<sub>x</sub> exposure are well-documented by the EPA:

**From the EPA on NO<sub>2</sub>/NO<sub>x</sub>**

<http://www.epa.gov/oaqps001/nitrogenoxides/>

“Nitrogen dioxide (NO<sub>2</sub>) is one of a group of highly reactive gasses known as ‘oxides of nitrogen,’ or ‘nitrogen oxides (NO<sub>x</sub>).’” Other nitrogen oxides include nitrous acid and nitric acid. While EPA’s National Ambient Air Quality Standard covers this entire group of NO<sub>x</sub>, NO<sub>2</sub> is the component of greatest interest and the indicator for the larger group of nitrogen oxides. NO<sub>2</sub> forms quickly from emissions from cars, trucks and buses, power plants, and off-road equipment. In addition to contributing to the formation of ground-level ozone, and fine particle pollution, NO<sub>2</sub> is linked with a number of adverse effects on the respiratory system.

**Health Effects:** NO<sub>x</sub> react with ammonia, moisture, and other compounds to form small particles. These small particles penetrate deeply into sensitive parts of the lungs and can cause or worsen respiratory disease, such as emphysema and bronchitis, and can aggravate existing heart disease, leading to increased hospital admissions and premature death.

Ozone is formed when NO<sub>x</sub> and volatile organic compounds react in the presence of heat and sunlight. Children, the elderly, people with lung diseases such as asthma, and people who work or exercise outside are at risk for adverse effects from ozone. These include reduction in lung function and increased respiratory symptoms as well as respiratory-related emergency department visits, hospital admissions, and possibly premature deaths.”

How does the Project Applicant intend to address these health hazards that will be visited on such a large population of sensitive receptors when the significance thresholds of NO<sub>x</sub> are exceeded during the construction years and by the congestion that will result from the increase in population density and traffic created by the Project?

**Threshold 4.10-5** Create objectionable odors affecting a substantial number of people.

On p1.7-1 of the Sacramento Metropolitan Air Quality Management District’s CEQA Guide (Revised 6/11), “odiferous compounds” from construction are discussed and diesel PM is listed as one of those compounds:

“Odiferous compounds can be generated from a variety of source types including both construction and operational activities. Although less common, construction activities that include the operation of a substantial number of diesel-fueled construction equipment and heavy-duty trucks can generate odorous diesel particulate matter (diesel PM) exhaust emissions that adversely affect nearby receptors.”

Since the Project Applicants intend to use heavy construction equipment concurrently for soil remediation, grading and other construction activities, how do they plan to keep the overpowering smell of diesel PM from so much heavy equipment usage from



becoming an adverse effect on the surrounding community and especially the residents of Newport Crest, Newport Shores and Carden Hall?

Oil field operations also generate benzene emissions that can cause cancer and other serious health problems. In July 2011 the EPA\* proposed new regulations to reduce emissions of air toxics, including benzene, as well as methane, a greenhouse gas. Will the Banning Ranch development be complying with these new regulations and have the proposed emission reductions been included in the calculations of emissions in this dEIR?

\*<http://www.epa.gov/airquality/oilandgas/index.html>

(7-28-11) EPA has proposed a suite of highly cost effective regulations that would reduce harmful air pollution from the oil and natural gas industry, while allowing continued, responsible growth in U.S. oil and natural gas production. The proposed updated rules would rely on proven technologies and best practices that are in use today to reduce emissions of smog-forming volatile organic compounds (VOCs).

[...] The rules also would reduce emissions of methane, a potent greenhouse gas, and air toxics, which are known or suspected of causing cancer and other serious health effects.

The proposal includes the review of four rules for the oil and natural gas industry: a new source performance standard for VOCs; a new source performance standard for sulfur dioxide; an air toxics standard for oil and natural gas production; and an air toxics standard for natural gas transmission and storage.

I ask that the contents of this letter be recorded in the public record, along with my objection to the approval of the Banning Ranch dEIR in its current form. Thank you for taking the time to review my concerns. A response via either regular mail or email would be appreciated.

Yours truly,



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