

8.0 Summary of Mitigation Measures and Mitigation Monitoring Plan

8.1 Mitigation Monitoring Program

As the Lead Agency under the California Environmental Quality Act (CEQA), the Air Pollution Control district (APCD), and the County of San Luis Obispo (County) are required to adopt a program for reporting or monitoring regarding the implementation of mitigation measures for this Project, if it is approved, to ensure that the adopted mitigation measures are implemented as defined in this Environmental Impact Report (EIR). This Lead Agency responsibility originates in Public Resources Code Section 21081.6(a) (Findings) and the CEQA Guidelines Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

8.2 Monitoring Authority and Enforcement Responsibility

The purpose of a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. A MMCRP can be a working guide to facilitate not only the implementation of mitigation measures by the Project proponent, but also the monitoring, compliance, and reporting activities of the APCD and the County and any monitors they may designate.

The APCD and the County may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as deemed necessary, and some monitoring responsibilities may be assumed by responsible agencies, such as affected jurisdictions and cities, and the California Department of Fish and Game (CDFG). The number of monitors assigned to the Project will depend on the number of concurrent activities and their locations. The APCD, County or its designee(s), however, will ensure that each person delegated any duties or responsibilities is qualified to monitor compliance.

Any mitigation measure study or plan that requires the approval of the APCD and the County must allow at least 60 days for adequate review time. When a mitigation measure requires that a mitigation program be developed during the design phase of the Project, the Applicant must submit the final program to the APCD and the County for review and approval for at least 60 days before any activity begins. Other agencies and jurisdictions may require additional review time. It is the responsibility of the environmental monitor assigned to the Project to ensure that appropriate agency reviews and approvals are obtained.

The APCD and the County or its designee will also ensure that any deviation from the procedures identified under the monitoring program is approved by the APCD and the County. Any deviation and its correction shall be reported immediately to the APCD and the County or its designee by the environmental monitor assigned to the Project.

The APCD and the County are responsible for enforcing the procedures adopted for monitoring through the environmental monitor assigned to the Project. Any assigned environmental monitor

shall note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the APCD, the County or their designee.

8.3 Mitigation Compliance Responsibility

The Applicant is responsible for successfully implementing all the mitigation measures in the MMCRP, and is responsible for assuring that these requirements are met by all of its contractors and field personnel. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Other mitigation measures include detailed success criteria. Additional mitigation success thresholds will be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

8.4 General Monitoring Procedures

Environmental Monitors. Many of the monitoring procedures will be conducted during the operational phase of the Project and during construction if applicable. The APCD, the County and the environmental monitor(s) are responsible for integrating the mitigation monitoring procedures into the operation or construction process in coordination with the Applicant. To oversee the monitoring procedures and to ensure success, the environmental monitor assigned to the Project must be on site during that portion of the operation or potential construction that has the potential to create a significant environmental impact or other impact for which mitigation is required. The environmental monitor is responsible for ensuring that all procedures specified in the monitoring program are followed.

Operations and Construction Personnel. A key feature contributing to the success of mitigation monitoring will be obtaining the full cooperation of operations and construction personnel and supervisors. Many of the mitigation measures require action on the part of the supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures, will be taken:

- Procedures to be followed by operations or construction companies hired to do the work will be written into contracts between the Applicant and any contractors. Procedures to be followed by operations and construction crews will be written into a separate document that all personnel will be asked to sign, denoting agreement.
- One or more meetings will be held to inform all and train personnel about the requirements of the monitoring program.
- A written summary of mitigation monitoring procedures will be provided to supervisors for all mitigation measures requiring their attention.

General Reporting Procedures. Site visits and specified monitoring procedures performed by other individuals will be reported to the environmental monitor. A monitoring record form will be submitted to the environmental monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the environmental monitor. A checklist will be developed and maintained by the environmental monitor to track all procedures

required for each mitigation measure and to ensure that the timing specified for the procedures is adhered to. The environmental monitor will note any problems that may occur and take appropriate action to rectify the problems.

Public Access to Records. The public is allowed access to records and reports used to track the monitoring program. Monitoring records and reports will be made available for public inspection by the APCD, the County, or their designee on request.

8.5 Mitigation Monitoring Table

Tables 8-1 through 8-7 present a summary of monitoring and reporting plan requirements for the mitigation measures identified in Chapter 4 of the EIR as applicable to the proposed Project. The Table provides the following information, by column:

- **Impact** (description of the impact identified in Chapter 4);
- **Mitigation Measure** (description of the mitigation measure identified in Chapter 4);
- **Monitoring/Plan Requirements** (monitoring or plan requirements necessary to verify compliance with the mitigation measure);
- **Method of Verification** (this is how the responsible agency can determine if the mitigation measure has been implemented);
- **Timing** (this identifies when action needs to be taken on mitigation measure); and
- **Responsible Agency** (this is the agency that is responsible for assuring compliance with the mitigation measure).

Table 8-1 Air Quality

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
AQ.1: Operational activities at the refinery and offsite would generate emissions that exceed SLOC APCD thresholds.	AQ-1.1 Prior to issuance of the updated permit and increase in Refinery throughput, the Applicant shall install low-NOx burners on the crude heater, coker heater and boilers B504/505, or utilize an equivalent method, to reduce the NOx emissions to less than the APCD thresholds.	Inspection of equipment	During operations	San Luis Obispo County Planning and Building Department, APCD
	AQ-1.2 To the extent feasible, all trucks under contract to the SMF shall meet EPA 2010 or 2007 model year NOx and PM emission requirements and a preference for the use of rail over trucks for the transportation of coke shall be implemented to the extent feasible in order to reduce offsite emissions. Annual truck trips associated with refinery operations and their associated model year and emissions shall be submitted to the APCD annually.	Inspection of equipment	During operations	San Luis Obispo County Planning and Building Department
	AQ-1.3 Prior to issuance of the updated permit, if emissions cannot be mitigated below significance thresholds through implementation of mitigation measures AQ-1.1 and AQ-1.2, then off-site mitigation will be required as per APCD guidance in the CEQA Handbook.	Inspection of off-site mitigation	During operations	APCD
AQ.2: Operational activities could increase the frequency or duration of odor events.	AQ-2 The Applicant shall prepare and submit an Odor Control Plan, which shall be approved by the APCD prior to the issuance of a revised permit. The Odor Control Plan shall identify all potential sources of odors at the Refinery. The plan shall detail how odors will be controlled at each odor source and the mechanism in place in the event of an upset or breakdown, as well as design methods to reduce odors, including redundancy of equipment (e.g., pumps and VRU compressors) or reductions in fuel gas sulfur content. Area monitoring shall be discussed. The Plan shall also include a complaint monitoring and reporting section and include a hotline number for individuals to call in case of a complaint.	Inspection of plan	During operations	San Luis Obispo County APCD

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
AQ.3: Operational activities could increase GHG emissions.	AQ-3 The Applicant shall implement a program to increase efficiency of the Refinery stationary combustion devices to maintain GHG emissions less than the APCD interim thresholds (10,000 metric tonnes per year) over the emissions associated with the current permitted throughput. In addition to increasing stationary equipment efficiency, additional measures may include the use of more efficient model year trucks or alternative fueled vehicles for hauling vehicles. If after all applicable measures have been implemented, emissions are still over the thresholds, then offsite mitigation will be required. The off-site mitigation measures shall be approved by the APCD prior to permit issuance.	Inspection of program	During Operations	San Luis Obispo County APCD
AQ.4: Potential increased operations at the refinery would emit air-borne toxic materials.	AQ-4 None required.	Inspection of equipment	During operations	San Luis Obispo County Planning and Building Department

Table 8-2 Public Safety and Hazardous Materials

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
PSHM.1: The Proposed Project could introduce risk to the public associated with accidental releases of hazardous materials from the SMF processing operations.	None required.	n/a	n/a	n/a
PSHM.2: The Proposed Project could introduce risk to the public associated with the transportation of SMF product along local and area roadways.	None required.	n/a	n/a	n/a
PSHM.3: The Proposed Project could introduce contamination to groundwater through	PSHM-3 Prior to issuance of the updated permit and increase in Refinery throughput, the Applicant shall ensure that any additional coke produced shall be deposited in lined areas or other equivalent measures to prevent any additional groundwater contamination, as per consultation with the RWQCB.	Inspection of coke storage area	During operations	San Luis Obispo County Planning and Building Department, DTSC, RWQCB

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
exacerbation of existing contamination issues				

Table 8-3 Noise and Vibration

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
N.1: Operation increases at the Refinery could increase noise levels in the area.	N-1 The Applicant shall, at the Santa Margarita Pump Station, install a sound wall constructed of barrier pads between the noise sources and residences, as close to the pumping operations as feasible, to reduce noise levels at the property line to less than 50 dBA. Additional barrier walls shall be installed as deemed necessary by in-field measurements. Installation of the sound wall shall be verified by County Planning and Building prior to the issuance of the permit/authorization to proceed.	Review of soundwall installation	Prior to issuance of permit	San Luis Obispo County Planning and Building Department
N.2: Traffic increases on area roadways near the Refinery could increase noise levels in the area.	None required.	n/a	n/a	n/a

Table 8-4 Public Services

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
PS.1: Increased throughput and operations at the Santa Maria Facility would produce increased wastewater.	None required beyond existing National Pollutant Discharge Elimination System permit requirements.	n/a	n/a	n/a
PS.2: Santa Maria throughput increase operations would generate increased solid wastes.	None required.	n/a	n/a	n/a
PS.3: Impacts from increased electricity consumption at the Santa Maria Facility due to throughput increase operations.	None required.	n/a	n/a	n/a
PS.4: Increased fossil fuel consumption and production (diesel,	None required.	n/a	n/a	n/a

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		Method	Timing	Responsible Party
gasoline, and natural gas) at the Santa Maria Facility could thereby decrease availability.				
PS.5: Throughput increase at the site could impact fire protection and emergency response.	None required.	n/a	n/a	n/a

Table 8-5 Land Use Policy and Consistency Analysis

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
LU.1: Noise from throughput increase operations would be incompatible with the adjacent land uses.	Implement mitigation measure N-1.	Review of soundwall installation	Prior to issuance of permit	San Luis Obispo County Planning and Building Department
LU.2: Emissions and odors from operations could be incompatible with adjacent land uses.	Implement mitigation measure AQ-2.	Inspection of plan	During operations	San Luis Obispo County APCD

Table 8-6 Transportation and Circulation

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
TR.1: Traffic associated with the Proposed Project would increase traffic on local roads and the freeway.	TR-1 Within 30 days of permit approval, the applicant shall pay South County Area 2 Road Impact Fees to the Department of Public Works for the proposed .78 peak hour trip increase in accordance with the latest adopted fee schedule. In addition, after the Willow Road/Highway 101 interchange is completed, the applicant shall end the use of both their northbound and eastbound truck routes, as identified in this document, and shall use the Willow Road Interchange instead.	Payment and Inspection of routes	Prior to permit issuance and during operations	San Luis Obispo County Public Works Department

Table 8-7 Water Resources

Impact	Mitigation Measure	Compliance Verification		
		Method	Timing	Responsible Party
WR.1: The Proposed Project one percent increase in water usage may impact the current and future availability of groundwater for other users, including agricultural and residential users.	<p>WR-1 The Applicant shall develop a Water Management Plan, which shall include best management practices and water conservation measures, including the use of reclaimed water and surface runoff retention basin water for Refinery uses, dust suppression, and landscaping uses, as available. The Applicant shall make changes to the Water Management Plan if requested by the County Director of Planning. The Water Management Plan shall include implementation of measures consistent with the Nipomo Mesa Management Area Water Shortage Conditions and Response Plan. The plan shall provide guidelines on managing all future water use during severe drought years. Once it is determined that a severe drought condition exists, restricted (drought) water usage measures shall remain in effect until it is shown satisfactorily to the County that the severe drought condition no longer exists. This plan shall include:</p> <ul style="list-style-type: none"> - Designs for and implementation of modification of the existing facility, to re-use the existing water. The SMF currently implements two systems to treat runoff and water used during operations. The water could be further treated and re-used as part of additional conservation activities. Additional plans and reports would be required for the treatment activities. - Identification of general measures available to reduce water usage for Refinery Operations. - Other measures as appropriate to offset the increased use of water related to the Proposed Project during severe drought conditions, which may include purchase of water rights from other users, conservation efforts, use of reclaimed water, or additional water treatment and reuse as needed. 	Terms outlined in Water Shortage Conditions and Response Plan. Design documents and plans	During times of Potentially Severe to Severe climatic conditions where groundwater r conditions are sufficient low as to permit seawater intrusion	County of San Luis Obispo Nipomo Mesa Management Area Technical Group
WR.2: The Proposed Project increase in groundwater pumping of	None required.	n/a	n/a	n/a

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onsite wells may exceed sustained pumping capacities of existing wells and drawdown onsite wells and wells on neighboring properties.				
WR.3: The Proposed Project may have significant impacts on water quality.	WR-3.1 Ensure that any additional increased process water is treated by the wastewater treatment system in conformance with the NPDES Permit.	Inspection	During operations	San Luis Obispo County Water Resources Division
	WR-3.2 Existing spill management precautions shall be amended as needed to mitigate an increased spill size due to the increased amount of crude oil processing as reviewed and approved by San Luis Obispo County Planning and Building and San Luis Obispo County Water Resources Division.	Review of existing precaution measures	Prior to permit	San Luis Obispo County Water Resources Division