



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Draft Program Environmental Impact Report (Draft PEIR) for the Proposed Orange County Sanitation District Facilities Master Plan Project (SCH No.: 2019070998)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments include recommended revisions to the air quality analysis and South Coast AQMD rules and permits that the Lead Agency should include a discussion of in the Final PEIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to develop programs and strategies to guide maintenance, replacement, rehabilitation, and modification of wastewater treatment plants and pipelines with a planning horizon of 2040 (Proposed Project). The Proposed Project would be located at various sites throughout the 479-square-mile service area within Orange County, including Reclamation Plant No. 1 (Plant 1) and Treatment Plant No. 2 (Plant 2). As a comprehensive update to the 2017 Facilities Master Plan, the Proposed Project includes 75 Capital Improvement Program projects including 32 separate and eight joint facility improvement projects at Plant 1 and Plant 2, and 35 collection system improvement projects. Construction of the Proposed Project is assumed to take place over a 20-year period through 2040¹. Operation of the Proposed Project is not anticipated to result in additions of or appreciable changes to the existing operations and maintenance activities².

South Coast AQMD Staff's Summary of the CEQA Air Quality Analysis

In the Air Quality Analysis section of the Draft PEIR, the Lead Agency quantified the Proposed Project's maximum daily construction emissions from 30 project-level and 29 program-level projects that are representative of the 75 Capital Improvement Program projects that the Lead Agency envisions to take place over the 20-year period. Construction emissions were compared to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's combined maximum regional construction emissions for nitrogen oxide (NOx) from 30 project-level and 29 program-level projects would be 237 pounds per day (lbs/day)³. The combined maximum localized construction emissions for PM10 and PM2.5 at Plants 1 and 2 would also exceed the South Coast AQMD's localized CEQA significance thresholds⁴. The Lead Agency is committed

¹ Draft EIR. Section 4.2 Air Quality. Pages 4.2-34 to 4.2-51.

² *Ibid.* Pages 4.2-52 to 4.2-53.

³ *Ibid.* Pages 4.2-51.

⁴ *Ibid.* Page 4.2-79.

to implementing Mitigation Measure AQ-1 (MM-AQ-1), which requires the Proposed Project to use Tier 4 Final construction equipment with engines 50 horsepower (hp) or greater, if the Proposed Project is not exempt from this requirement⁵. With implementation of MM-AQ-1, the combined maximum regional NOx emissions would be reduced to be less than significant at 60 lbs/day⁶, and the combined maximum localized air quality impacts from PM10 and PM2.5 emissions would also be reduced to be less than significant⁷. The Lead Agency also found that the Proposed Project would not result in net new mobile or stationary source emissions during operation, and that the Proposed Project's operational air quality impacts would be less than significant⁸. No mitigation measures for operation of the Proposed Project were included⁹. Furthermore, in the Draft PEIR, the Lead Agency discussed applicable South Coast AQMD Rules¹⁰ 401 – Visible Emissions¹¹, 402 – Nuisance¹², 403 – Fugitive Dust¹³, Rule 431.2 – Sulfur Content of Liquid Fuels¹⁴ and 1403 – Asbestos Emissions from Demolition/Renovation Activities¹⁵.

South Coast AQMD Staff Comment on Air Quality Mitigation Measure AQ-1

As stated above, MM-AQ-1 includes an exemption provision. The Proposed Project is required to use Tier 4 Final construction equipment with engines 50 hp or greater. However, if Tier 4 Final construction equipment is not reasonably available or if corresponding emission reductions can be achieved through other combinations of construction equipment¹⁶, the Proposed Project can be exempt from being required to use Tier 4 Final construction equipment.

According to the CalEEMod output files for the Proposed Project, the Lead Agency calculated the Proposed Project's mitigated construction emissions based on the use of Tier 4 Final construction equipment with no exemption provision. This is not appropriate. The Lead Agency likely over-estimated the Proposed Project's construction NOx emissions that can be mitigated by relying on emission reductions from Tier 4 Final construction equipment when the Proposed Project can be exempt from being required to use such equipment. Therefore, to be consistent with the MM-AQ-1 requirement and the exemption provision, the Lead Agency should recalculate the Proposed Project's mitigated construction emissions based on the use of a lower tier construction equipment such as Tier 4 Interim or Tier 3 in the Final PEIR.

⁵ Draft EIR. Executive Summary. Page 1-7.

⁶ Draft EIR. Section 4.2 Air Quality. Page 4.2-70.

⁷ *Ibid.* Page 4.2-84.

⁸ *Ibid.* Page 4.2-29.

⁹ *Ibid.* Pages 4.2-52 to 4.2-53.

¹⁰ *Ibid.* Pages 4.2-12 to 4.2-13.

¹¹ South Coast AQMD Rule 402 – Nuisance. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>.

¹² South Coast AQMD Rule 402 – Nuisance. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

¹³ South Coast AQMD Rule 403 – Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

¹⁴ South Coast AQMD Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.

¹⁵ South Coast AQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.

¹⁶ Draft EIR. Executive Summary. Page 1-7.

Responsible Agency, South Coast AQMD Rules, and Permits

In addition to South Coast AQMD Rules 401, 402, 403, 431.2, and 1403, the Proposed Project may be subject to the requirements of the following South Coast AQMD rules and regulations, which the Lead Agency should discuss in the Final PEIR. Information on each of the rules and regulations is available on South Coast AQMD's website at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book>.

- Rule 201 – Permit to Construct
- Rule 203 – Permit to Operate
- Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil
- Regulation XIII – New Source Review
- Rule 1401 – New Source Review of Toxic Air Contaminants
- Regulation XXX – Title V Permits

In the Draft PEIR, the Lead Agency identified South Coast AQMD as a Responsible Agency for the Proposed Project since implementation will require permits from South Coast AQMD¹⁷. However, at the time of the release of the Draft PEIR, South Coast AQMD has not received permit applications related to the Proposed Project. Since the Proposed Project may include the modifications to existing equipment, new equipment or air pollutant control systems, and new or replacement engines, the Proposed Project may be required to submit complete and timely permit applications to South Coast AQMD for the following equipment:

- Applications for Permit to Construct and Permit to Operate will be required for changes to sewage treatment plant(s) that go beyond identical replacement.
- Applications for Permit to Construct and Permit to Operate will be required for any proposed new or reconstructed odor control scrubber systems (e.g. the “Primary Scrubber Rehabilitation Project” at Plant 1, and the “Trickling Filter Solids-Contact Odor Control” project at Plant 2).
- Applications for Permit to Construct and Permit to Operate will be required for any proposed new odor control units within the collection system/pump stations/lift stations not exempted by South Coast AQMD Rule 219.
- Applications for Permit to Construct and Permit to Operate will be required for any proposed chemical storage tanks not exempted by South Coast AQMD Rule 219.
- Applications for Permit to Construct and Permit to Operate will be required for engines powering the pumps at the pump station, if the engines are rated above 50 brake horsepower (BHP) (e.g. the Plant 1 “Standby Generator Feeders for Plant 1 Secondary Systems” project, which proposes the removal of two existing engines and replacement with 4 larger engines; the “Activated Sludge (AS)-1 Aeration Basin and Blower Rehabilitation” project, which mentions demolition of an existing engine; and, various project that add utility and electrical buildings, which may include back-up power).

It is important to note that the assumptions in the air quality analysis in the Final PEIR will be used as the basis for evaluating the permits under CEQA and imposing permit conditions and

¹⁷ Draft EIR. Introduction. Pages 2-7.

limits. Question on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final PEIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Air Quality Specialist, at amullins@aqmd.gov if you have questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:AM/AS

ORC200903-04

Control Number