

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

## Final Environmental Assessment for Proposed Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants

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## PREFACE

This document constitutes the Final Environmental Assessment (EA) for Proposed Rule (PR) 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants. A Draft EA was released for a 30-day public review and comment period from May 16, 2017 to June 15, 2017. Analysis of PR 1466 in the Draft EA did not result in the identification of any environmental topic areas that would be significantly adversely affected. One comment letter was received from the public regarding the analysis in the Draft EA. The comment letter received relative to the Draft EA and responses to individual comments are included in Appendix E of this document.

In addition, subsequent to release of the Draft EA, modifications were made to PR 1466 and some of the revisions were made in response to verbal and written comments received. To facilitate identification, modifications to the document are included as underlined text and text removed from the document is indicated by ~~strikethrough~~. To avoid confusion, minor formatting changes are not shown in underline or strikethrough mode.

Staff has reviewed the modifications to PR 1466 and concluded that none of the revisions constitute: 1) significant new information; 2) a substantial increase in the severity of an environmental impact; or, 3) provide new information of substantial importance relative to the draft document. In addition, revisions to the proposed project in response to verbal or written comments would not create new, avoidable significant effects. As a result, these revisions do not require recirculation of the document pursuant to CEQA Guidelines § 15073.5 and § 15088.5. Therefore, this document now constitutes the Final EA for PR 1466.

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## **CHAPTER 1**

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### **PROJECT DESCRIPTION**

**Introduction**

**California Environmental Quality Act**

**Project Location**

**Project Background**

**Project Description**

## INTRODUCTION

The California Legislature created the South Coast Air Quality Management District (SCAQMD) in 1977<sup>1</sup> as the agency responsible for developing and enforcing air pollution control rules and regulations in the South Coast Air Basin (Basin) and portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin. By statute, the SCAQMD is required to adopt an air quality management plan (AQMP) demonstrating compliance with all federal and state ambient air quality standards for the areas under the jurisdiction of the SCAQMD<sup>2</sup>. Furthermore, the SCAQMD must adopt rules and regulations that carry out the AQMP<sup>3</sup>. The AQMP is a regional blueprint for how the SCAQMD will achieve air quality standards and healthful air and the Final 2016 AQMP<sup>4</sup> contains multiple goals promoting reductions of criteria air pollutants, greenhouse gases, and toxics air contaminants (TACs). Relative to toxics emissions, more information obtained from the Final 2016 AQMP about soil cleanup sites indicating that more fugitive dust controls are needed to address fugitive toxic particulate emissions, especially metal particulates. Since heavy metals, such as arsenic, cadmium, hexavalent chromium, lead, mercury, and nickel have high cancer and/or non-cancer risks compared to other toxics and can create health problems from ingestion, dermal exposure, and through consumption of breast-milk, the Final 2016 AQMP contains air toxics control strategy TXM-04 - Control of Toxic Metal Particulate Emissions from Contaminated Soil, to specifically address reducing particulate emissions of certain TACs at sites conducting soil cleanup activities.

Proposed Rule (PR) 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants, has been developed to implement TXM-04 in the Final 2016 AQMP by establishing dust control measures that can be applied during earth-moving activities at sites where a federal, state, or local oversight agency has identified one or more of the following TACs in the soil: arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and polychlorinated biphenyls (PCBs). Asbestos and PCBs are not metal TACs, but are added to the PR 1466 TACs list because they are also most commonly found in the soils that contain TACs. SCAQMD staff estimates that between five and ten soil-cleanup sites per year will be subject to PR 1466 based on the cleanup sites surveyed in 2014-2016 which can be found in the Appendix C.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA), California Public Resources Code § 21000 *et seq.*, requires environmental impacts of proposed projects to be evaluated and feasible methods to reduce, avoid or eliminate significant adverse impacts of these projects to be identified and implemented. The lead agency is the “public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment” (Public Resources Code § 21067). Since PR 1466 is a SCAQMD-proposed rule, the SCAQMD has the primary responsibility for supervising or approving the entire project as a whole and is the most appropriate public agency to act as lead agency (CEQA Guidelines<sup>5</sup> § 15051(b)).

<sup>1</sup> The Lewis-Presley Air Quality Management Act, 1976 Cal. Stats., Ch. 324 (codified at Health and Safety Code §§ 40400-40540).

<sup>2</sup> Health and Safety Code § 40460(a).

<sup>3</sup> Health and Safety Code § 40440(a).

<sup>4</sup> SCAQMD, Final 2016 Air Quality Management Plan, March 2017. <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp>

<sup>5</sup> The CEQA Guidelines are codified at Title 14 California Code of Regulations § 15000 *et seq.*

CEQA requires that all potential adverse environmental impacts of proposed projects be evaluated and that methods to reduce or avoid identified significant adverse environmental impacts of these projects be implemented if feasible. The purpose of the CEQA process is to inform the lead agency, responsible agencies, decision makers and the general public of potential adverse environmental impacts that could result from implementing PR 1466 (the proposed project) and to identify feasible mitigation measures or alternatives, when an impact is significant.

Public Resources Code § 21080.5 allows public agencies with regulatory programs to prepare a plan or other written documents in lieu of an environmental impact report once the Secretary of the Resources Agency has certified the regulatory program. The SCAQMD's regulatory program was certified by the Secretary of Resources Agency on March 1, 1989, and has been adopted as SCAQMD Rule 110 – Rule Adoption Procedures to Assure Protection and Enhancement of the Environment.

PR 1466 has been developed to minimize particulate emissions resulting from earth-moving activities at sites where it has been determined that the soil contains certain TACs which are defined as the Applicable TACs in PR 1466<sup>6</sup>. Because the proposed adoption of PR 1466 requires discretionary approval by a public agency, it is a “project” as defined by CEQA<sup>7</sup>. SCAQMD staff's review of the adverse effects shows that PR 1466 would not have a significant adverse effect on the environment. Thus, the type of CEQA document appropriate for the proposed project is an Environmental Assessment (EA). The EA is a substitute CEQA document, prepared in lieu of a Negative Declaration (CEQA Guidelines § 15252), pursuant to the SCAQMD's Certified Regulatory Program (CEQA Guidelines § 15251(1); codified in SCAQMD Rule 110). The EA is also a public disclosure document intended to: 1) provide the lead agency, responsible agencies, decision makers and the general public with information on the environmental impacts of the proposed project; and, 2) be used as a tool by decision makers to facilitate decision making on the proposed project.

The SCAQMD, as lead agency for the proposed project, prepared a Draft EA pursuant to its Certified Regulatory Program. The Draft EA includes a project description in Chapter 1 and an Environmental Checklist in Chapter 2. The Environmental Checklist provides a standard tool to identify and evaluate a project's adverse environmental impacts and the analysis concluded that no significant adverse impacts would be expected to occur if PR 1466 is implemented. Because PR 1466 will have no statewide, regional or areawide significance, no CEQA scoping meeting is required to be held for the proposed project pursuant to Public Resources Code § 21083.9(a)(2). Further, pursuant to CEQA Guidelines § 15252, since no significant adverse impacts were identified, no alternatives or mitigation measures are required. The analysis in Chapter 2 supports the conclusion of no significant adverse environmental impacts.

The Draft EA ~~was is being~~ released for a 30-day public review and comment period from May 16, 2017 to June 15, 2017 and one comment letter was received. All comments received during the public comment period on the analysis presented in the Draft EA have been ~~will be~~ responded to and included in an appendix to the Final EA (see Appendix E).

Subsequent to release of the Draft EA, minor modifications were made to PR 1466 and some of the revisions were made in response to verbal and written comments received. Staff has reviewed

<sup>6</sup>- The Applicable TACs in PR 1466 include: arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and polychlorinated biphenyls.

<sup>7</sup> 14 California Code of Regulations § 15378

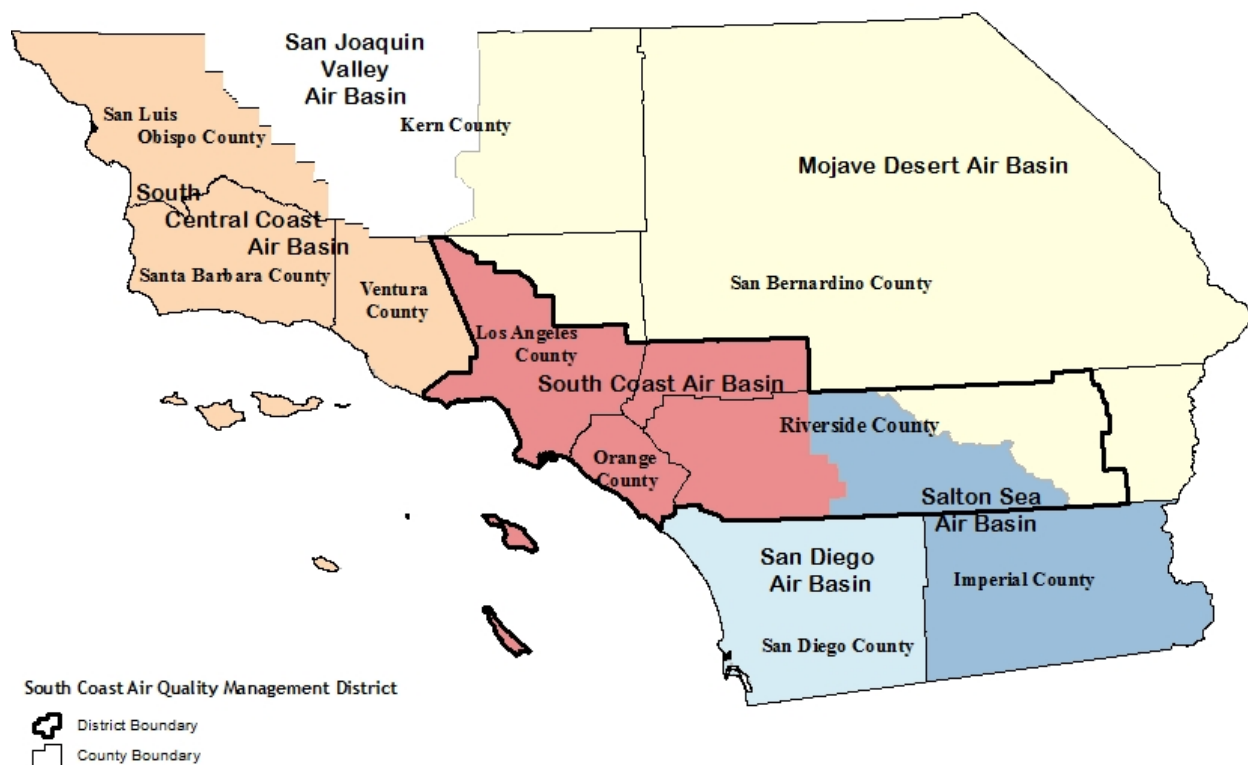


the modifications to PR 1466 and concluded that none of the modifications constitute: 1) significant new information; 2) a substantial increase in the severity of an environmental impact; or, 3) provide new information of substantial importance relative to the draft document. In addition, revisions to PR 1466 in response to verbal or written comments would not create new, avoidable significant effects. As a result, these revisions do not require recirculation of the Draft EA pursuant to CEQA Guidelines § 15073.5 and § 15088.5. Thus, the Draft EA has been revised to reflect the aforementioned modifications and to include the comment letter and responses to comments such that it is now a Final EA.

Prior to making a decision on the adoption of PR 1466, the SCAQMD Governing Board must review and certify the Final EA as providing adequate information on the potential adverse environmental impacts that may occur as a result of adopting PR 1466.

## **PROJECT LOCATION**

PR 1466 would affect sites that are conducting earth-moving activities within the SCAQMD's jurisdiction that meet the applicability requirements of the proposed rule. The SCAQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the SSAB and Mojave Desert Air Basin. The Basin, which is a subarea of SCAQMD's jurisdiction, is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. It includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The Riverside County portion of the SSAB is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley. A federal nonattainment area (known as the Coachella Valley Planning Area) is a subregion of Riverside County and the SSAB that is bounded by the San Jacinto Mountains to the west and the eastern boundary of the Coachella Valley to the east (see Figure 1-1).



**Figure 1-1**  
**Southern California Air Basins**

## PROJECT BACKGROUND

Soils containing TACs have the potential to become airborne and create fugitive dust during earth-moving activities, including but not limited to, excavation, grading, stockpiling and trenching. There are ~~two~~ three existing SCAQMD rules that address contaminated soil and fugitive dust: Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil; Rule 1156 – Further Reductions of Particulate Emissions from Cement Manufacturing Facilities; and Rule 403 – Fugitive Dust. Rule 1166 regulates volatile organic compound (VOC) emissions, including toxic-VOCs, from contaminated soils and contains requirements for mitigation plans to limit VOC emissions, notification and monitoring activities, and specific measures to minimize VOCs during stockpiling and truck loading activities. Rule 1156 establishes requirements to reduce particulate matter emissions and minimize hexavalent chromium emissions from cement manufacturing operations and properties. Rule 403 regulates coarse particulate matter (PM<sub>10</sub>) emissions from fugitive dust sources by limiting dust concentrations, requiring monitoring, and applying best available control measures. Rule 403 contains additional requirements applicable to large operations and other operations where fugitive dust concentrations exceed performance standards. While these ~~two~~ three rules address VOC emissions, hexavalent chromium emissions from cement manufacturing, and ordinary (non-TAC) dust caused by earth-moving activities, they do not address exposure to particulates containing metals or other TACs during earth-moving activities.

In addition to SCAQMD Rules 403, 1156 and 1166, there are federal, state, and local regulatory agencies that have programs which oversee the identification, investigation and cleanup of hazardous waste sites. For example, the Federal Superfund National Priorities List is a federal program administered by the U.S. Environmental Protection Agency (U.S. EPA). At the state level, the California Department of Toxic Substances Control (DTSC) administers the Brownfields and Environmental Restoration Program while the California Environmental Protection Agency's (CalEPA's) State Water Resources Control Board (State Water Board) and Regional Water Quality Control Board (Regional Water Board) administer Site Cleanup Programs. Investigations performed by these oversight agencies typically begin with a preliminary assessment of the potentially contaminated site. A more detailed site assessment will be conducted to identify which sites may require some type of cleanup activity if the preliminary assessment shows the possibility of contamination and a threat to human health and/or the environment. For sites requiring cleanup, the designating agency will also require a remedial or removal action plan which is typically comprised of: an introduction; the cleanup objective; the background describing the site's geology and the contaminants of concern; a risk evaluation; an overview of the actions that will be taken to cleanup the site such as dust mitigation measures as required by SCAQMD Rule 403, Rule 1156, and Rule 1166; and the schedule for activities. Typical dust mitigation measures involve the application of water or chemical stabilizers, limiting earth-moving activities during high-wind conditions, and generally complying with the basic provisions of Rule 403. Cleanup actions are generally completed within two to three months, but large sites may take up to one year or longer.

The existing regulatory structure does not provide sufficient safeguards for sites with non-volatile TACs in the soil. For example, Rule 1166 does not apply to soils that do not contain VOC emissions with other metal toxic air contaminants. Rule 1156 is only applicable to hexavalent chromium at cement manufacturing facilities and does not apply to all earth-moving activities. Additionally, Rule 403 would not apply to certain sites that do not meet the applicable size of site requirements and therefore the additional dust control measures required by Rule 403 for a large site would not have to be implemented. Further, fugitive non-volatile TACs have the potential to settle in the neighborhoods around contaminated sites and continue to expose nearby receptors for months or years afterwards. For these reasons, SCAQMD staff believes that PR 1466 is necessary to minimize the re-entrainment of toxic particulates into the air from sites that have non-volatile TACs in the soil.

## PROJECT DESCRIPTION

PR 1466 establishes requirements to minimize off-site fugitive PM10 emissions that contain levels of arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and PCBs from earth-moving activities at sites that have been designated by the U.S. EPA, DTSC, and CalEPA's State Water Board or Regional Water Board as containing one or more of these TACs based on their thresholds or screening levels. In addition, PR 1466 requirements would also apply to a site conducting earth-moving activities about which the SCAQMD Executive Officer has information indicating that the soil contains levels of the aforementioned TACs that exceed designated agencies' thresholds. PR 1466 also establishes a PM10 ambient dust limit and dust control measures at PR 1466 applicable cleanup sites, and would require notification to the Executive Officer when cleanup operations begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage which has information to call the operator or the SCAQMD. PR 1466 contains requirements for maintaining records of monitoring readings and other site activities. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers. In situations where additional regulatory flexibility

is necessary, PR 1466 allows alternative dust control measures if approved by the Executive Officer.

The following is a detailed summary of the key elements contained in PR 1466. A copy of PR 1466 can be found in Appendix A.

**Purpose – subdivision (a)**

Subdivision (a) establishes the purpose of PR 1466 which is to minimize the amount of off-site fugitive dust emissions containing arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and/or PCBs. Off-site fugitive dust emissions will be minimized by reducing particulate emissions as a result of earth-moving activities of soils that contain these TACs from sites that meet the applicability requirements set forth in the proposed rule.

**Applicability - subdivision (b)**

Subdivision (b) explains that PR 1466 will be applicable to any owner or operator conducting earth-moving activities at ~~cleanup~~ the sites designated by the U.S. EPA, DTSC, State Water Board, or Regional Water Board that contain arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and/or PCBs. While many sites contain one or more of these TACs at background levels, only sites with the aforementioned TACs identified as a contaminant of concern would be subject to PR 1466. The Executive Officer may also designate a site as being subject to PR 1466 based on as set of criteria after consultation with U.S. EPA, DTSC, the State or Regional Water Boards, and/or local or state health agencies ~~when a site has elevated concentrations of one or more of the PR 1466 applicable TACs as indicated by ambient data or soil data.~~ Under these circumstances, the Executive Officer would notify the owner or operator of the affected site that Rule 1466 would apply and that the site must be in compliance with Rule 1466 or enforcement action will be taken.

**Definitions -subdivision (c)**

Subdivision (c) includes definitions of the following terms; some are new while others are either identical to or slightly modified versions of definitions in SCAQMD Rule 403, Rule 1403 - Asbestos Emissions From Demolition/Renovation Activities, and Rule 102 – Definition of Terms, to maintain consistency and to address TACs in lieu of dust and asbestos.

The following are based on terms defined in Rule 403

~~Bulk Material~~

Chemical Stabilizers

~~Contractor~~

Disturbed Surface Area

Dust Suppressant

Earth-Moving Activities

Fugitive Dust

Paved Road

Property Line

Soil (Includes “Bulk Material”)

Stabilized Surface

Stockpile (Formerly “Open Storage Pile”)

Track-Out

Wind-Driven Fugitive Dust

Wind Gust

The following is based on a definition in Rule 1403  
Adequately Wet

The following is based on a definition in Rule 102  
Owner or Operator (adapted from the definition of “Person”)

New Definitions:

Applicable Toxic Air Contaminants include: arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and PCBs. The Applicable TACs were selected from those commonly found at contaminated sites above background levels with high cancer and/or non-cancer risks when compared to other toxics and the potential to create health problems. PR 1466 does not include VOC-related toxic air contaminants as those are covered under Rule 1166.

Early Education Center is any public or private property, used for purposes of education as defined as an Early Learning and Developmental Program by the U.S. Department of Education. Early education center includes any building or structure, playground, athletic field, or other areas of early education center property, but does not include any property in which education is primarily conducted in private homes. ~~Near Real Time is used in this proposed rule when discussing continuous data logging and allows for the time delay for processing and transmission.~~

Joint Use Agreement Property is a shared public facility in which a formal agreement exists between a school or early education center and another government entity setting forth the terms and conditions for shared use. Joint use agreement properties were included because they are extensively used by children for school-sponsored activities.

School is any public or private education center, used to educate children from kindergarten through grade 12. School includes any building or structure, playground, athletic field, or other areas of school property, but does not include any school in which education is primarily conducted in private homes.

Soil with Applicable Toxic Air Contaminant(s) are soils that have been identified by the designating agency or Executive Officer as containing an Applicable Toxic Air Contaminant at concentrations exceeding action levels as specified by the designating agency. ~~Soils with Applicable TACs are soils that have been identified by: 1) the designating agency as containing an Applicable TAC; or 2) the Executive Officer, as containing cadmium, hexavalent chromium, lead, mercury, nickel, and/or PCBs at concentrations greater than the Office of Environmental Health Hazard Assessment’s California Human Health Screening Level (CHHSL), arsenic in concentrations greater than 12 ppm, and/or asbestos in concentrations greater than 2,500 parts per million (ppm). The CHHSLs are routinely used to determine if a site is contaminated. The CHHSL for arsenic is below background level so DTSC’s screening level of 12 ppm was used instead. Since asbestos does not have a CHHSL, a threshold of 0.25% (2,500 ppm) will apply instead.~~

**Monitoring Requirements - subdivision (d)**

Due to the toxic nature of the Applicable TACs that would be regulated by PR 1466, the proposed monitoring requirements are more stringent than the requirements contained in Rule 403. Specifically, under PR 1466, the difference in ambient PM10 concentrations between upwind and

downwind monitors, averaged over ~~an~~ two hours, is proposed to be set at 25 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) or less instead of  $50 \mu\text{g}/\text{m}^3$  averaged over five hours as is currently required in Rule 403. PR 1466 also allows for the Executive Officer to require a different PM10 monitoring threshold provision in subdivision (j). In addition, if the ambient dust concentration limit is exceeded, PR 1466 would require the owner or operator to immediately stop all earth-moving activities and apply dust suppressant to all fugitive dust sources or employ necessary dust control measures until the PM10 concentration drops below  $25 \mu\text{g}/\text{m}^3$ , averaged over 30 minutes.

PR 1466 would also require continuous direct-reading near real-time PM10 monitoring to occur at all times when earth-moving activities are conducted and any vehicle movement is occurring on the site. PR 1466 prescribes that the method to conduct PM10 monitoring must be either a federal equivalent method or an Executive Officer approved method, which is included in Appendix 1 of PR 1466. PR 1466 also requires a minimum of one upwind and one downwind monitor with the upwind monitor(s) located in an area that is not generally influenced by any of the fugitive dust sources from the site and that is indicative of background PM10 levels in the area and the downwind monitor(s) located as close to the property line as possible and in the predominant downwind direction of the earth-moving activity. PR 1466 requires these monitors to be operated, maintained, calibrated, and equipped with a data acquisition system that is able to record near real-time continuous data, date, time, and PM10 concentration in units of  $\mu\text{g}/\text{m}^3$  every 10 minutes or less. There is also a requirement in PR 1466 for monitoring wind direction and speed as specified in SCAQMD Rule 403 Fugitive Dust Implementation Handbook.

#### **Requirements to Minimize Fugitive Dust Emissions - Subdivision (e)**

The dust control measures proposed in subdivision (e) are primarily adaptations of the dust control measures contained in Rules 403, 1166, and 1403, but PR 1466 takes more of a prescriptive approach by specifying the dust control measures to be taken in order to be more health protective for soils that contain the Applicable TACs. PR 1466 requires these dust control measures to be performed only during earth-moving activities when the soil contains the Applicable TACs. Paragraph (e)(12) allows the owner or operator to utilize alternative dust control measures, with the exception of paragraphs (e)(7) and (e)(11), provided they are approved by the Executive Officer pursuant to subdivision (j) and meet the same objectives and effectiveness as the dust control measure they are replacing as listed in Appendix 2 of PR 1466.~~In addition, subdivision (e) would allow the owner or operator to utilize alternative dust control measures provided they are approved by the Executive Officer.~~

#### **Dust Control Measures**

- A windscreen shall surround the area of the earth-moving activities to provide a wind break, act as containment, provide security, and limit access to unauthorized persons. The windscreen must be at least 6 feet ~~and up to 10 feet tall~~ and must be as tall as the highest stockpile and must have a porosity of  $50 \pm 5\%$ .
- All earth-moving activities involving soil containing the Applicable TACs shall only be conducted when the soil is adequately wet to prevent the generation of visible dust plumes and limit fugitive dust.
- To minimize fugitive dust from vehicle movement, signs shall be posted at the site at all entrances and limit vehicle speeds to 15 miles per hour (mph) and stabilize roads and parking areas by applying gravel, paving, chemical stabilizer, or water. To prevent bulk material leaving the site, prior to leaving the site, trucks must clean the bulk material from their trucks, trailers and tires including each vehicle egress from the site to a paved public

road shall employ at least one of the following measures: 1) install a pad that consists of washed gravel (minimum-size: one inch) to a depth of at least six inches, a width of at least 30 feet wide, and at length of at least 50 feet; 2) pave the surface so that it extends at least 100 feet from the property line and is at least 20 feet wide; 3) utilize a wheel shaker or wheel spreading device that consists of raised dividers (rails, pipe, or grates) at least 24 feet long and 10 feet wide; or 4) install and utilize a wheel washing system to remove bulk material from tires and vehicle undercarriages. Any track out created shall not extend more than 25 feet from the property line and must be removed using a high efficiency particulate arrester (HEPA) vacuum at the end of each day.

- For stockpiles containing soil with Applicable TACs, the stockpiles shall be segregated from uncontaminated soil, with a sign labeled “SCAQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants Contaminated Soil” with the Applicable TACs listed, and shaped so that there are no steep sides or faces that exceed the angle of repose. In addition, the stockpiles shall not be greater than 400 cubic yards or exceed the height of the perimeter fencing and windscreen. Throughout the work day, the stockpiles shall also be kept adequately wet and/or chemically stabilized. At the end of the work day, the stockpiles must be chemically stabilized or completely covered. If the stockpile is being covered, the cover must be 10 mil thick plastic sheeting, the seams must have a minimum overlap of 24 inches, and the cover must be anchored and secured. Stabilized or covered contaminated stockpiles shall be inspected daily and immediately re-stabilized or repaired as necessary.
- When loading trucks with the contaminated soil containing any Applicable TAC, the soil shall be adequately wet and emptied slowly with a minimal drop height so that no visible dust plumes are generated. When moving within the site, the trailer must maintain at least six inches of freeboard and shall be made completely covered with a tarp prior to leaving the site.
- When unloading the contaminated soil containing any Applicable TAC, the soil shall be adequately wet and emptied slowly so that no visible dust plumes are generated.
- All spills of soil containing any Applicable TAC must be immediately cleaned up to ensure that all contaminated soil is handled in an appropriate manner and not left on the site vulnerable to become airborne.
- If wind speeds exceed 15 mph averaged over a 15-minute period or instantaneous wind speeds exceed 25 mph, all earth-moving activities of soils containing any Applicable TAC must stop. The high winds will create wind-driven fugitive dust, ceasing activity will ensure that the owner or operator is not adding the fugitive dust.
- All sites conducting earth-moving activities involving soil containing any Applicable TAC must employ an on-site dust control supervisor to be present during working hours, ensure compliance with all Rule 1466 requirements, and have completed the SCAQMD Fugitive Dust Control Class with a valid Certificate of Completion. If one of the Applicable TACs found in the soil is identified as asbestos, the on-site dust control supervisor shall also be trained according to Rule 1403 requirements for the on-site representative. The on-site dust control supervisor will be responsible for keeping the difference between the upwind and downwind concentrations below  $25 \mu\text{g}/\text{m}^3$  PM10 and will specify which dust control measures to employ in the event the site exceeds  $25 \mu\text{g}/\text{m}^3$  PM10.

- To prevent wind-driven fugitive dust generation when a site will be inactive for three or more consecutive days, all potential sources of fugitive dust will need to be stabilized with ~~water and a chemical stabilizer diluted to in a concentration that is equal to 5% of what would be required to maintain a stabilized surface for the period of inactivity, with re-stabilization as necessary six months.~~
- Additional requirements for sites that are on school grounds or early education centers include:
  - Not being allowed to conduct any earth-moving activities when school is in session or during a school sponsored activity; and
  - Requiring the soil to be placed in leak-tight containers, directly loaded onto trucks and hauled off site, or stockpiled in a fenced and locked area~~any other alternative storage approved by the Executive Officer.~~

### **Notification Requirements - subdivision (f)**

Subdivision (f) contains the following notification requirements to ensure that the requirements in PR 1466 are being followed.

#### Notification of Intent to Conduct Earth-Moving Activities

At least 72 hours, but no more than 30 days prior to commencement of earth-moving activities, the owner or operator must provide notification to the Executive Officer that contains:

- Name, address, ~~and telephone number,~~ and e-mail address of the owner or operator;
- Name, ~~and telephone number,~~ and e-mail address of the on-site dust control supervisor;
- Project name and, if applicable, the project identification number from the designating agency;
- Project location (address and/or coordinates);
- Whether the site is on school grounds or early education center;
- A map indicating the specific location(s) of each earth-moving activity and the concentrations of the Applicable TAC(s);
- A description of the earth-moving activities and a schedule that includes the anticipated start and completion dates of earth-moving activities;
- Current and/or previous type of operation(s) and use(s) at the site; and,
- An indication if the notice is a revised notification.

#### Notification of Exceedance of PM10 Limit

Additionally, an owner or operator is required to provide notification to the Executive Officer within 72 hours of an exceedance of PM10 emission limit specified in subdivision (d). The notification for exceeding the ambient dust concentration limit shall include the following information:

- Name, address, ~~and telephone number,~~ and e-mail address of the owner/operator;
- Name, ~~and telephone number,~~ and e-mail address of the on-site dust control supervisor;



- Project name and, if applicable, the project identification number from the designating agency;
- Project location (address and/or coordinates);
- Hourly PM10 monitoring results, including result, date, and time of exceedance(s): 12 hours before first exceedance, and 12 hours after last exceedance;
- Earth-moving activities occurring at the date and time of exceedance(s); and
- Dust control measure(s) taken to mitigate fugitive dust.

### **Signage Requirements - subdivision (g)**

Subdivision (g) contains requirements for signage to be installed around the property to inform the surrounding community that the site contains hazardous materials and provide instructions about where to obtain more information or how to make a complaint. Unless the Executive Officer authorizes an alternative sign, the signage shall meet the following requirements:

- Installed at all entrances and at intervals of 1,000 feet or less along the perimeter of the site, with at least one sign along each side;
- Located between 6 and 8 feet above grade from the bottom of the sign;
- ~~Measures at least 48 inches wide by 48 inches tall;~~
- Displays lettering at least 4 inches tall with text contrasting with the sign background; and
- Displays the following information:
  - Local or toll-free phone number for the facility contact or pre-recorded notification center that is accessible 24 hours a day
  - Warning statement:

“THIS SITE CONTAINS SOILS THAT CONTAIN THE FOLLOWING  
CHEMICALS: [LIST SOIL TACS<sup>8</sup>]  
TO REPORT ANY DUST PLEASE CALL [FACILITY CONTACT] OR  
THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AT  
1-800-CUT-SMOG”

The owner or operator may use alternative signage approved by the Executive Officer. The purpose of the alternative signage provision is to allow modifications to the sign to address inconsistencies from local ordinances or other agencies or jurisdictions. At a minimum, alternative signs, pursuant to subdivision (j), must display the warning statement above in lettering at least 4 inches tall with text contrasting with the sign background. The request for alternative signs must include a visual representation of the alternative sign and the proposed locations of the signs.

<sup>8</sup> Only the Applicable TACs identified in PR 1466.

**Recordkeeping Requirements - subdivision (h)**

Subdivision (h) contains requirements for keeping daily records to be made available to the Executive Officer upon request, to be maintained for at least three years, and to include the following:

- Inspection(s) conducted of all covered or stabilized contaminated stockpiles;
- Wind and PM10 monitoring results, including calibration records for all monitoring instruments;
- Earth-moving activities conducted and the volume of soil that contains the Applicable TAC(s);
- Information regarding the transporter and receiving facility, and a copy of the shipping manifest; and
- Complaints received by telephone, including the name of complainant and contact information, date and time of the call, a description of the complaint, a description of the earth-moving activities occurring at the date and time of the complaint, and a description of the action(s) taken to address the source or cause of the complaint.

**Executive Officer Designated Sites - subdivision (i)**

In order to determine whether or not a site has to comply with PR 1466, the Executive Officer will consult with U.S. EPA, DTSC, the State or Regional Water Boards, and/or local or state health agencies and take into consideration:

- The concentration(s) of the applicable toxic air contaminant(s) in the soil;
- The background concentration(s) of the applicable toxic air contaminant(s);
- The volume of the soil with applicable toxic air contaminant(s);
- The distance to a residence, park, or school;
- Meteorological data;
- Data provided by the owner or operator, including health risk data, if available; and,
- Additional data, including ambient monitoring, if available.

**Alternative Provisions - subdivision (j)**

If an owner or operator elects to request an alternative provision, the owner or operator must submit all of the information necessary to substantiate their reasoning that an alternative provision is needed. For requests for alternative provisions for the PM10 limit, PM10 monitoring method, or signage, requests must be submitted in writing at least thirty days prior to conducting earth-moving activities. For an alternative PM10 calculation request, a written request is required to be submitted within two days of the exceedance.

**Exemptions - subdivision (k)**

The owner or operator of a site may be exempt from certain provisions of PR 1466. There must be written confirmation that the designating agency has consulted with the Executive Officer and has taken into consideration: the concentration(s) of the applicable toxic air contaminant(s) in the soil; the background concentration(s) of the applicable toxic air contaminant(s); the volume of the soil with applicable toxic air contaminant(s); the distance to a residence, park, or school;

meteorological data; data provided by the owner or operator, including risk data, if available; and additional data, including ambient monitoring, if available. Subdivision (i) describes the following situations or activities that would be exempt from PR 1466:

- ~~Earth moving activities of less than 50 cubic yards of soil;~~
- ~~Removing soil for sampling purposes;~~
- ~~Earth moving activities conducted during emergency life threatening situations, or in conjunction with any officially declared disaster or state of emergency as declared by an authorized health officer, agricultural commissioner, or fire protection officer. The Executive Officer must be notified within 48 hours of emergency earth moving activities and the notification must include a written emergency declaration from the authorized officer;~~
- ~~Earth moving activities conducted by essential service utilities to provide electricity, natural gas, telephone, water or sewer during periods of service outages and emergency disruptions; and~~
- ~~Any contractor subsequent to the time the contract ends, as long as the contractor implemented the required control measures during the contractual period.~~

Earth-moving activities performed within enclosures vented to approve air pollution control equipment shall be exempt from all requirements except:

- Subparagraph (e)(3)(C) - the track-out provision;
- Subparagraph (e)(3)(D) - cleaning the trucks prior to leaving the site;
- Subparagraph (e)(3)(E) - vehicle egress measures;
- Subparagraph (e)(5)(D) - on-site freeboard;
- Subparagraph (e)(5)(E) - tarping truck and trailer;
- Subdivision (g) - signage requirements; and
- Subdivision (h) recordkeeping requirements.

Fugitive dust emissions will not be significant if activities are limited to only excavation of less than 500 cubic yards and directly loaded. Also, the timeframe for excavating this volume of soil may be approximately one week. Sites will be exempt from monitoring, fencing, on-site dust control supervisor, stabilizing during periods of inactivity and signage requirements, but must employ the remaining dust control measures. Therefore, earth-moving activities consisting only of excavation activities of soil with applicable toxic air contaminants of less than 500 cubic yards and directly loaded into trucks shall be exempt from all requirements except:

- Paragraph (e)(2) - adequately wet soil;
- Paragraph (e)(3) - vehicles;
- Paragraph (e)(4) – stockpiles;
- Paragraphs (e)(5) and (e)(6) - truck loading and unloading;
- Paragraph (e)(7) - spilled soil;
- Paragraph (e)(8) - wind speed;
- Paragraph (e)(11) - schools, early education centers, and joint use agreement properties;
- Subdivision (f) - notification requirements;
- Subdivision (h) - recordkeeping requirements; and
- Subdivision (i) - Executive Officer designated sites.

Earth-moving activities conducted during emergency life-threatening situations, or in conjunction with any officially declared disaster or state of emergency as declared by an authorized health officer, agricultural commissioner, or fire protection officer shall be exempt for all requirements. The Executive Officer must be notified within 48 hours of emergency earth-moving activities and the notification must include a written emergency declaration from the authorized officer. Similarly, earth-moving activities conducted by essential service utilities to provide electricity, natural gas, telephone, water or sewer during periods of service outages and emergency disruptions are also exempt for all requirements. The Executive Officer shall be notified within 48 hours following such earth-moving activities.

## **CHAPTER 2**

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### **ENVIRONMENTAL CHECKLIST**

**Introduction**

**General Information**

**Environmental Factors Potentially Affected**

**Determination**

**Environmental Checklist and Discussion**

## INTRODUCTION

The environmental checklist provides a standard evaluation tool to identify a project's potential adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the proposed project.

## GENERAL INFORMATION

Project Title:	PR 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants
Lead Agency Name:	South Coast Air Quality Management District
Lead Agency Address:	21865 Copley Drive Diamond Bar, CA 91765
CEQA Contact Person:	Mr. Sam Wang (909) 396-2649
PR 1466 Contact Person	Ms. Uyen-Uyen Vo (909) 396-2238
Project Sponsor's Name:	South Coast Air Quality Management District
Project Sponsor's Address:	21865 Copley Drive Diamond Bar, CA 91765
General Plan Designation:	Not applicable
Zoning:	Not applicable
Description of Project:	SCAQMD staff has developed Proposed Rule (PR) 1466 to establish requirements to minimize off-site fugitive particulate matter (PM10) emissions that contain certain toxic air contaminants (TACs) from earth-moving activities at sites within SCAQMD jurisdiction that have been designated as <del>cleanup sites</del> by the United States Environmental Protection Agency (U.S. EPA), the California Department of Toxic Substances Control (DTSC), the California Environmental Protection Agency's (CalEPA's) State Water Resources Control Board or Regional Water Quality Control Board. Thus, some sites that may be affected by PR 1466 may also be identified on lists compiled by the DTSC per Government Code § 65962.5. PR 1466 requirements would also apply to any site conducting earth-moving activities that is identified by the SCAQMD's Executive Officer <del>as having soil that contains certain TACs at levels exceeding soil cleanup thresholds</del> . PR 1466 establishes a PM10 ambient dust limit and dust control measures at PR 1466 applicable sites, and would require notification to the Executive Officer when cleanup operations begin or PM10 emission limits are not met. PR 1466 applicable sites will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional

requirements to limit cleanup activities for sites at schools and early education centers. In situations where additional regulatory flexibility is necessary, PR 1466 allows alternative dust control measures if approved by the Executive Officer. While the reduction of TACs and PM10 will be expected to create an environmental benefit, the activities that site operators may undertake to comply with PR 1466 may also create secondary adverse environmental impacts. However, analysis of PR 1466 in the Draft EA did not result in the identification of any environmental topic areas that would be significantly adversely affected

Surrounding Land Uses and Setting: Various

Other Public Agencies Whose Approval is Required: Not applicable

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The following environmental impact areas have been assessed to determine their potential to be affected by the proposed project. As indicated by the checklist on the following pages, environmental topics marked with a "✓" involve at least one impact that is a "Potentially Significant Impact". An explanation relative to the determination of impacts can be found following the checklist for each area.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                               | <input type="checkbox"/> Geology and Soils               | <input type="checkbox"/> Population and Housing             |
| <input type="checkbox"/> Agriculture and Forestry Resources       | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Air Quality and Greenhouse Gas Emissions | <input type="checkbox"/> Hydrology and Water Quality     | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Biological Resources                     | <input type="checkbox"/> Land Use and Planning           | <input type="checkbox"/> Solid and Hazardous Waste          |
| <input type="checkbox"/> Cultural Resources                       | <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Transportation and Traffic         |
| <input type="checkbox"/> Energy                                   | <input type="checkbox"/> Noise                           | <input type="checkbox"/> Mandatory Findings of Significance |



**DETERMINATION**

On the basis of this initial evaluation:

- I find the proposed project, in accordance with those findings made pursuant to CEQA Guideline § 15252, COULD NOT have a significant effect on the environment, and that an ENVIRONMENTAL ASSESSMENT with no significant impacts has been prepared.
- I find that although the proposed project could have a significant effect on the environment, there will NOT be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. An ENVIRONMENTAL ASSESSMENT with no significant impacts will be prepared.
- I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL ASSESSMENT will be prepared.
- I find that the proposed project MAY have a "potentially significant impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and, 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL ASSESSMENT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: 1) have been analyzed adequately in an earlier ENVIRONMENTAL ASSESSMENT pursuant to applicable standards; and, 2) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL ASSESSMENT, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**Date:** May 12, 2017

**Signature:**



Barbara Radlein  
Program Supervisor, CEQA Special Projects  
Planning, Rules, and Area Sources

## ENVIRONMENTAL CHECKLIST AND DISCUSSION

As discussed in Chapter 1, the main focus of PR 1466 is to reduce toxic PM10 emissions from earth-moving activities at sites with soils that contain any of the following TACs: arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, or PCBs. PR 1466 establishes dust control measures to minimize off-site fugitive particulate matter emissions that contain the Applicable TACs from earth-moving activities at sites where either the U.S. EPA, DTSC, State Water Board, Regional Water Board, or SCAQMD have determined that one or more of the Applicable TACs are contained in the soil where earth -moving activities are occurring. However, implementation of PR 1466 itself would not cause any soil cleanup activities.

PR 1466 has been evaluated relative to each of the 17 environmental topics identified in the following environmental checklist. Several requirements in PR 1466 would not be expected to cause any physical changes that that could have secondary adverse environmental effects. For example, requirements to keep records, provide notifications and post signage are administrative or procedural in nature and would not be expected to create any secondary adverse environmental effects.

PR 1466 also contains requirements that may cause physical activities to occur at sites affected by the proposed rule and these activities may create secondary adverse environmental impacts. For example, PR 1466 contains fugitive dust control measures and would require monitoring of ambient PM10 emissions at ~~a cleanup~~ the site. Thus, the analysis in this EA focuses on the potential secondary adverse environmental impacts associated with implementing the fugitive dust control measures and conducting monitoring. It is important to note, that some of these fugitive dust control measures may already be required and implemented pursuant to Rule 403 as Rule 403 provides a series of suggested fugitive dust mitigation measures for certain sites. To evaluate these impacts, the following assumptions were relied upon in the foregoing analyses:

- Implementation of the fugitive dust control measures during earth-moving activities at the ~~cleanup~~ sites are treated as construction activities because: 1) the cleanup activities are typically short-term (e.g., less than one year) by nature and involve earth-moving activities such as land clearing, excavation, grading, stockpiling, and trenching; and 2) the cleanup activities involve mobile off-road equipment typically associated with construction. PR 1466 is assumed to not have operational activities because once the cleanup activities are completed, the land is either left vacant or developed with its own construction of buildings or other structures for some eventual operational use at a future time. These actions after the cleanup will require their own CEQA evaluation and are not analyzed here since these actions are not foreseeable and are not ~~part of~~ required by PR 1466. Therefore, the benefits and impacts from implementing PR 1466 are expected to occur only during construction with no environmental impacts occurring during operation.
- SCAQMD staff estimates up to ten ~~soil cleanup~~ sites per year will be subject to PR 1466 and up to six sites will have soil cleanup activities occurring on a peak day.
- While there are other rules that may be applicable to ~~soil cleanup~~ the sites concurrent with implementing PR 1466, specific to PR 1466, the analysis assumes that each of the six sites will have an additional two water trucks, one compliance supervisor vehicle, and one monitoring vehicles on a peak day. In addition, the analysis includes the assumption that

there will be two trucks to deliver fencing/windscreen materials and one truck to deliver tarps (plastic sheeting) for covering stockpiles occurring on the same peak day.

- All trucks are in-state construction heavy trucks (T6 trucks) and all vehicles are light duty automobiles (LDA)
- Each LDA, delivery truck, and water truck are assumed to travel up to 40 miles (one round trip), 40 miles (one round trip), and 20 miles (five round trips), respectively.
- The Gross Vehicle Weight (GVW) for each water truck is assumed to be 52,000 pounds and is assumed to have the capacity to carry 4,000 gallons of water.
- Each water truck is assumed to make five round trips and distribute up to 20,000 gallons of water over the ~~cleanup~~ site on a peak day.
- Since most sites will complete their cleanup/earth-moving activities in three months, the analysis assumes that the cleanup activities will occur over 65 working days for each site.
- SCAQMD staff estimates that up to half of the sites will need new fencing/windscreen and tarps (plastic sheeting) while the remainder are expected to have these features in place due to requirements imposed by other non-SCAQMD rules/regulations.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

The proposed project impacts on aesthetics will be considered significant if:

- The project will block views from a scenic highway or corridor.
- The project will adversely affect the visual continuity of the surrounding area.
- The impacts on light and glare will be considered significant if the project adds lighting which would add glare to residential areas or sensitive receptors.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**I. a), b) & c) Less Than Significant Impact.** In order for sites to become subject to PR 1466, they must first be designated by a federal, state, or local agency as requiring soil cleanup. Thus, cleanup activities required by these agencies will already involve heavy-duty construction equipment such as tractors, loaders, backhoes, excavators, heavy duty and medium duty trucks for hauling, material delivery and spraying water, and worker vehicles and most of the equipment and activities occur within the confines of each ~~cleanup-affected~~site with some activities occurring at the entry/exit points. For ~~implementation~~ing of the dust control measures contained in PR 1466,

some additional water trucks, delivery trucks, and worker vehicles will be needed. As such, because each affected ~~cleanup~~-site will already have an assortment of construction equipment and vehicles on site and going to and from the site throughout the day, the additional water trucks, delivery trucks, and worker vehicles that may be needed to implement PR 1466 are not expected to be substantially discernable from any of the other equipment or vehicles that may already be present on-site for cleanup activities. Further, depending on the location of the site undergoing cleanup activities and depending on where the cleanup activities are occurring within each site ~~property~~, the views of scenic highways or corridors and the visual continuity of the area surrounding the ~~cleanup~~-site may already be adversely affected as part of the existing setting. For this reason, any additional water trucks, delivery trucks and worker vehicles that will be needed to implement PR 1466, are not expected to introduce significant visual changes to areas outside each ~~cleanup~~-affected site, if at all, depending on the location of the construction activities within the site.

The dust control measures in PR 1466 have several requirements that may temporarily contribute to the overall appearance of each affected site and its perimeter while cleanup activities are occurring. For example, installation of a windscreen and perimeter fencing may be required to surround the area of the earth-moving activities to provide a wind break, act as containment, provide security, and limit access to unauthorized persons. The windscreen must be at least 6 feet tall and must be as tall as the highest stockpile and must have a porosity of 50%. The windscreen will likely obstruct ~~the~~ views onto the site so that the cleanup activities and equipment on-site may not be visible, or may only be partially visible above the fence, depending on the geography of the site. Since the perimeter fencing will be installed prior to the creation of stockpiles, PR 1466 also restricts the heights of stockpiles on-site so that they cannot exceed the height of the perimeter fencing and windscreen. The perimeter fencing and windscreen are temporary installations since once the cleanup activities are completed (typically within two to three months), the perimeter fencing and windscreen may be removed. Under most ~~of the~~ City and County construction codes throughout the Basin as well as and under SCAQMD's Rule 403 – Fugitive Dust, most of the ~~cleanup~~-affected sites already require fencing for both construction and cleanup activities. Further, if the size of the ~~cleanup~~-site is small, the installation of fencing with a windbreak at a ~~cleanup~~-site may qualify for an exemption from CEQA pursuant to CEQA Guideline § 15330 - Minor Actions To Prevent, Minimize, Stabilize, Mitigate Or Eliminate The Release Or Threat Of Release Of Hazardous Waste Or Hazardous Substances. For these reasons, the installation of fencing with windscreens and limitations oning the heights of stockpiles required as part of the implementationing of the dust control measures in PR 1466, are not expected to introduce new permanent significant visual changes to areas outside each ~~cleanup~~ site.

In addition, PR 1466 requires each affected site to have signs posted at all entrances with contact phone numbers and limit vehicle speeds to 15 mph. Again, under most ~~of the~~ City and County construction codes throughout the Basin, an assortment of other types of signage is required for construction ~~and cleanup~~-sites. As such, the additional signage requirements in PR 1466 are expected to comply with city and county ordinances and are not expected to introduce new permanent significant visual changes to areas outside each ~~cleanup~~-site.

To prevent bulk materials that are being hauled off of any ~~cleanup~~-affected site from creating a visibility problem, prior to leaving the site PR 1466 contains requirements for truck operators to clean the bulk material from their trucks, trailers, and tires including each vehicle egress from the site to a paved public road shall employ at least one of the following measures: 1) install a pad that consists of washed gravel (minimum-size: one inch) to a depth of at least six inches, a width

of at least 30 feet wide, and at length of at least 50 feet; 2) pave the surface so that it extends at least 100 feet from the property line and is at least 20 feet wide; 3) utilize a wheel shaker or wheel spreading device that consists of raised dividers (rails, pipe, or grates) at least 24 feet long and 10 feet wide; or 4) install and utilize a wheel washing system to remove bulk material from tires and vehicle undercarriages. Any track out created shall not extend more than 25 feet from the property line and must be removed using a high efficiency particulate arrestor (HEPA) vacuum at the end of each day. Because these track out measures would be expected to prevent visible emissions from being generated, no new permanent significant visual changes to areas outside each ~~cleanup~~ affected site are expected to occur.

While PR 1466 is designed to apply to sites that are already conducting earth-moving activities, PR 1466 does not require soil cleanup or earth-moving activities to occur. The additional equipment needed on site to implement PR 1466 (e.g., water trucks, delivery trucks and worker vehicles) are in addition to the equipment that is already present for the earth-moving activities as part of the baseline. The construction activities as a result of PR 1466 are expected to be temporary in nature and will cease following completion of the cleanup of soils contaminated with Applicable TACs. Once the cleanup is completed, all construction equipment, including the vehicles needed to implement PR 1466, will be removed from each site.

PR 1466 imposes limits on ambient PM10 concentration levels and fugitive dust emission control requirements. To that extent, toxic and PM10 emission reductions are achieved through PR 1466, and, thus, improvements in visibility would also be expected to occur as fugitive dust control measures are implemented. Better visibility will be expected to improve the existing visual character or quality of areas in the vicinity of affected ~~cleanup~~ sites.

Finally, PR 1466 contains provisions that would allow the SCAQMD's Executive Officer to exercise discretion and evaluate any project site on a case-by-case basis to adjust the dust mitigation requirements, including the perimeter fencing and signage requirements ~~accordingly~~. Because PR 1466 contains this flexibility, the SCAQMD is committed to work with the any applicable local, state and federal agencies that may be involved to minimize or prevent block views from a scenic highway or corridor and avoid visual continuity of the surrounding area. Therefore, less than significant impacts are anticipated overall from implementing the various dust control measures contained in PR 1466.

~~Therefore,~~ Based on the foregoing analysis, implementing PR 1466 would not be expected to damage, degrade, or obstruct scenic resources and the existing visual character of any site in the vicinity of affected sites.

**I. d) No Impact.** There are no components in PR 1466 that would require construction activities to occur at night. Further, cities and counties typically have their own limitations and prohibitions that restrict construction from occurring during evening hours and weekends. Therefore, no additional temporary construction lighting at the ~~cleanup-affected~~ sites would be expected or caused by PR 1466. Therefore, the proposed project is not expected to create a new source of substantial light or glare at any of the affected ~~cleanup~~ sites in a manner that would adversely affect day or nighttime views in the surrounding areas.

**Conclusion**

Based upon these considerations, significant adverse aesthetics impacts are not expected from implementing PR 1466. Since no significant aesthetics impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Project-related impacts on agriculture and forestry resources will be considered significant if any of the following conditions are met:

- The proposed project conflicts with existing zoning or agricultural use or Williamson Act contracts.
- The proposed project will convert prime farmland, unique farmland or farmland of statewide importance as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California Resources Agency, to non-agricultural use.
- The proposed project conflicts with existing zoning for, or causes rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g)).
- The proposed project would involve changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.



## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**II. a), b), c), & d) No Impact.** The ~~cleanup~~affected sites that may be subject to PR 1466 may be located in existing industrial, commercial, residential, or mixed land use areas within the Basin. Because of the types of TACs that would be found in the contaminated soil at any affected site subject to PR 1466, each affected ~~cleanup~~ site is not expected to be located on or near areas zoned for agricultural, forestry or timberland use, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency. Further, while PR 1466 would require the installation of temporary perimeter fencing, windscreens, and signage, PR 1466 would not require the construction of any permanent new buildings or other structures. Thus, implementation of PR 1466 would not require the conversion of existing farmland to non-agricultural use, conversion of forest land to non-forest use, conflict with zoning for agricultural use or a Williamson Act contract, or conflict with existing zoning for, or cause rezoning of, forest land or timberland. Since the compliance activities that would occur as a result of implementing PR 1466 would occur within the existing boundaries of each affected site, there are no provisions in PR 1466 that would affect land use plans, policies, or regulations. Land use and other planning considerations are determined by local governments and no land use or planning requirements relative to agricultural or forestry/timberland resources would be altered by the proposed project. Therefore, the proposed project is not expected to result in converting farmland to non-agricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract. Further, the proposed project is not expected to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g)) or result in the loss of forest land or conversion of forest land to non-forest use.

Consequently, the proposed project would not create any significant adverse agriculture or forestry resources impacts.

## Conclusion

Based upon these considerations, significant adverse agriculture and forestry resources impacts are not expected from implementing PR 1466. Since no significant agriculture and forestry resources impacts were identified, no mitigation measures are necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY AND GREENHOUSE GAS EMISSIONS.</b>				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Diminish an existing air quality rule or future compliance requirement resulting in a significant increase in air pollutant(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria**

To determine whether or not air quality and greenhouse gas impacts from implementing PR 1466 are significant, impacts will be evaluated and compared to the criteria in Table 2-1. PR 1466 will be considered to have significant adverse impacts if any one of the thresholds in Table 2-1 are equaled or exceeded.

**Table 2-1  
SCAQMD Air Quality Significance Thresholds**

<b>Mass Daily Thresholds <sup>a</sup></b>		
<b>Pollutant</b>	<b>Construction <sup>b</sup></b>	<b>Operation <sup>c</sup></b>
<b>NO<sub>x</sub></b>	100 lbs/day	55 lbs/day
<b>VOC</b>	75 lbs/day	55 lbs/day
<b>PM<sub>10</sub></b>	150 lbs/day	150 lbs/day
<b>PM<sub>2.5</sub></b>	55 lbs/day	55 lbs/day
<b>SO<sub>x</sub></b>	150 lbs/day	150 lbs/day
<b>CO</b>	550 lbs/day	550 lbs/day
<b>Lead</b>	3 lbs/day	3 lbs/day
<b>Toxic Air Contaminants (TACs), Odor, and GHG Thresholds</b>		
<b>TACs</b> (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk $\geq$ 10 in 1 million Cancer Burden $>$ 0.5 excess cancer cases (in areas $\geq$ 1 in 1 million) Chronic & Acute Hazard Index $\geq$ 1.0 (project increment)	
<b>Odor</b>	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
<b>GHG</b>	10,000 MT/yr CO <sub>2</sub> eq for industrial facilities	
<b>Ambient Air Quality Standards for Criteria Pollutants <sup>d</sup></b>		
<b>NO<sub>2</sub></b> 1-hour average annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.03 ppm (state) and 0.0534 ppm (federal)	
<b>PM<sub>10</sub></b> 24-hour average annual average	10.4 $\mu\text{g}/\text{m}^3$ (construction) <sup>e</sup> & 2.5 $\mu\text{g}/\text{m}^3$ (operation) 1.0 $\mu\text{g}/\text{m}^3$	
<b>PM<sub>2.5</sub></b> 24-hour average	10.4 $\mu\text{g}/\text{m}^3$ (construction) <sup>e</sup> & 2.5 $\mu\text{g}/\text{m}^3$ (operation)	
<b>SO<sub>2</sub></b> 1-hour average 24-hour average	0.25 ppm (state) & 0.075 ppm (federal – 99 <sup>th</sup> percentile) 0.04 ppm (state)	
<b>Sulfate</b> 24-hour average	25 $\mu\text{g}/\text{m}^3$ (state)	
<b>CO</b> 1-hour average 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)	
<b>Lead</b> 30-day Average Rolling 3-month average	1.5 $\mu\text{g}/\text{m}^3$ (state) 0.15 $\mu\text{g}/\text{m}^3$ (federal)	

<sup>a</sup> Source: SCAQMD CEQA Handbook (SCAQMD, 1993)

<sup>b</sup> Construction thresholds apply to both the South Coast Air Basin and Coachella Valley (Salton Sea and Mojave Desert Air Basins).

<sup>c</sup> For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.

<sup>d</sup> Ambient air quality thresholds for criteria pollutants based on SCAQMD Rule 1303, Table A-2 unless otherwise stated.

<sup>e</sup> Ambient air quality threshold based on SCAQMD Rule 403.

KEY: lbs/day = pounds per day    ppm = parts per million     $\mu\text{g}/\text{m}^3$  = microgram per cubic meter     $\geq$  = greater than or equal to  
MT/yr CO<sub>2</sub>eq = metric tons per year of CO<sub>2</sub> equivalents     $>$  = greater than

Revision: March 2015

## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**III. a) No Impact.** The SCAQMD is required by law to prepare a comprehensive AQMP which includes strategies (e.g., control measures) to reduce emission levels to achieve and maintain state and federal ambient air quality standards in areas under the SCAQMD's jurisdiction, and to ensure that new sources of emissions are planned and operated to be consistent with the SCAQMD's air quality goals. The AQMP's air pollution reduction strategies include control measures which target stationary, area, mobile, and indirect sources. These control measures are based on feasible methods of attaining ambient air quality standards. Pursuant to the provisions of both the state and federal Clean Air Acts, the SCAQMD is also required to attain the state and federal ambient air quality standards for all criteria pollutants.

The most recent regional blueprint for how the SCAQMD will achieve air quality standards and healthful air is outlined the Final 2016 AQMP which contains multiple goals promoting reductions of criteria air pollutants, greenhouse gases, and toxics. Relative to toxics emissions, more information obtained from the Final 2016 AQMP about soil cleanup sites indicating that more fugitive dust controls are needed to address fugitive toxic particulate emissions, especially metal particulates. Since heavy metals, such as arsenic, cadmium, hexavalent ~~chrome~~chromium, lead, mercury, and nickel have high relative risks compared to other toxics and can create health problems from ingestion, dermal exposure, and through consumption of breast-milk, the Final 2016 AQMP contains air toxics control strategy TXM-04 - Control of Toxic Metal Particulate Emissions from Contaminated Soil, to specifically address reducing particulate emissions with certain TACs at sites conducting soil cleanup activities. PR 1466 has been developed to implement TXM-04 by establishing dust control measures that can be applied during earth-moving activities at soil cleanup sites to minimize the re-entrainment of toxic particulates from soil containing any of the following TACs: arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and/or PCBs. Thus, consistent with the goals of the Final 2016 AQMP, PR 1466, once implemented, is expected to reduce PM and TAC emissions as well as reduce the associated health risks affecting neighboring businesses and residents. Further, because implementing PR 1466 to reduce PM and TAC emissions from earth-moving activities at ~~cleanup~~the sites would implement the control strategy TXM-04, PR 1466 would not be expected to conflict with or obstruct implementation of the Final 2016 AQMP. Since no significant impacts were identified for this issue, no mitigation measures are necessary or required.

### III. b) and f) Less Than Significant Impact.

#### **Construction Analysis:**

The primary source of air quality and greenhouse gas (GHG) impacts that are expected to occur as a result of implementing PR 1466 are from implementing the fugitive dust control measures, monitoring the ambient PM10 emissions, and performing daily supervision and inspections during cleanup activities. It is important to note that the earth-moving activities at the ~~cleanup~~-sites such as land clearing, excavation, grading, stockpiling, and trenching are construction activities and the associated mobile on-road vehicles used by the employees and supervisors are already part of ~~in~~ the baseline or existing setting because PR 1466 will ~~is not causing~~ the earth-moving activities to occur.

A review of notifications of hazardous site cleanup actions by federal, state, and local regulatory agencies between 2014 and 2016 within SCAQMD's jurisdiction indicates that approximately 25 sites would have been subject to PR 1466 had it existed during that time period. Appendix C contains a list of the cleanup sites between 2014 and 2016 which includes the name, type and acreage of each ~~contaminated~~-site, and the associated environmental concern(s) including the maximum water usages. During the 2014-2016 period, the highest number of active sites undergoing cleanup activities at one time was six and the combined size of the six cleanup sites ~~combined~~ was 27 acres. Of the six sites, two were located on school properties. In terms of total acreage undergoing cleanup over in a six-month period, the most active period of time had three sites performing cleanup over 88 acres. Thus, the focus of the analysis in this EA assumes that six sites undergoing simultaneous cleanup activities would be representative of a peak day for the purpose of the conducting a worst-case CEQA analysis.

The total time needed to complete the cleanup will vary depending on the size of the ~~cleanup~~-site and the complexity of the cleanup work. However, based on the previous cleanup projects that are summarized in Appendix B, the actual time needed to complete the cleanup is typically two to three months for most of the sites. Because the activities to implement PR 1466 will need to occur concurrently with the cleanup activities, this analysis assumes that compliance with PR 1466 will also occur over the same time period.

Table 2-2 summarizes the baseline/existing setting activities of any affected ~~cleanup~~-site and the key requirements in PR 1466 that may cause new physical actions to occur that have the potential to create secondary adverse air quality and GHG emission impacts.

**Table 2-2  
Sources of Potential Secondary Adverse Air Quality and GHG Impacts  
from Implementing PR 1466**

<b>PR 1466 Requirements</b>	<b>Baseline/Existing Physical Actions Occurring During Cleanup without PR 1466</b>	<b>Physical Actions Anticipated due to PR 1466</b>	<b>Sources of Potential Secondary Adverse Air Quality and GHG Impacts</b>
Fencing, Windscreen, and Plastic Sheeting	Fencing and windscreen are required at most <del>cleanup</del> -sites due to <u>existing</u> city or county regulations as well as <del>or</del> other SCAQMD rules (e.g., Rule 403).	Fencing and windscreen installation for the <del>cleanup</del> affected sites that are not required by <u>other</u> city, county, or SCAQMD rules; and  Plastic sheeting (tarps) apply to the stockpiles.	Emissions from truck delivering fencing/windscreen materials and plastic sheeting (tarps) materials.
Fugitive Dust Control Measures	Workers use water trucks to ensure the working areas are adequately wet and chemically stabilized during earth-moving activities, such as land clearing, excavation, grading, stockpiling, and trenching.  Off-road construction equipment will be used for earth-moving activities during cleanup.	Workers to use additional water trucks to ensure the working areas are adequately wet and chemically stabilized during earth-moving activities.  No additional off-road construction equipment will be required due to PR 1466.	1. Emissions from water trucks working on <del>cleanup</del> affected site; 2. Emissions from trucks delivering water to <del>cleanup</del> the site; and 3. Emissions from workers' vehicles commuting to/from <del>cleanup</del> site.
Monitoring, Supervision and Inspection	Workers to conduct supervision and inspection on vehicle control, earth-moving control, stockpile control and truck loading controls pursuant to city, county, or other SCAQMD rules, general construction management, and/or safety requirements.	Additional workers may be needed to conduct hourly monitoring for PM10 emissions and meteorological monitoring  Additional workers may be needed to implement daily supervision and inspection on vehicle control, earth-moving control, stockpile control and truck loading controls.	1. Emissions from vehicles used as part of conducting monitoring and inspection of <del>cleanup</del> the site 2. Emissions from workers' vehicles commuting to/from <del>cleanup</del> the site

The following summarizes the assumptions that have been made to estimate the secondary air quality and GHG impacts from implementing PR 1466:

- SCAQMD staff estimates up to ten ~~soil cleanup~~ sites per year will be subject to PR 1466 and up to six sites will have soil cleanup activities occurring on a peak day.
- While there are other rules that may be applicable to ~~soil cleanup~~ affected sites concurrent with implementing PR 1466, specific to PR 1466, the analysis assumes that each of the six sites will have an additional two water trucks, one compliance supervisor vehicle, and one monitoring vehicles on a peak day. In addition, the analysis includes the assumption that there will be two trucks to deliver fencing/windscreen materials and one truck to deliver tarps (plastic sheeting) for covering stockpiles occurring on the same peak day.
- All trucks are instate construction heavy trucks (T6 trucks) and all vehicles are light duty automobiles, (LDA).
- Each LDA, delivery truck, and water truck are assumed to travel up to 40 miles (one round trip), 40 miles (one round trip), and 20 miles (five round trips), respectively.
- The Gross Vehicle Weight (GVW) for each water truck is assumed to be 52,000 pounds and is assumed to have the capacity to carry 4,000 gallons of water.
- Each water truck is assumed to make five round trips and distribute up to 20,000 gallons of water over the ~~cleanup~~ affected site on a peak day.
- Since most sites will complete their cleanup/earth-moving activities in three months, the analysis assumes that the cleanup activities will occur over 65 working days for each site.
- SCAQMD staff estimates that up to half of the sites will need new fencing/windscreen and tarps (plastic sheeting) while the remainder are expected to have these features in place due to requirements imposed by other non-SCAQMD rules/regulations.
- Emissions from the mobile on-road and off-road vehicles will be compared to the SCAQMD's air quality significance thresholds for construction.

The criteria pollutant emissions were estimated for all on-road vehicles transporting workers, delivery trucks, and water trucks travelling using the data generated from CARB's EMFAC2014, methods from U.S. EPA AP-42, and the assumptions from California Emissions Estimator Model<sup>9</sup>® version 2016.3.1 (CalEEMod). Appendix B contains the assumptions used and results of this analysis.

Table 2-3 summarizes the peak daily criteria pollutant emissions associated with construction activities occurring at all six ~~cleanup~~ sites.

<sup>9</sup> CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects.

**Table 2-3  
Peak Daily Construction Emissions**

<b>Key Requirements</b>	<b>VOC (lb/day)</b>	<b>NOx (lb/day)</b>	<b>CO (lb/day)</b>	<b>SOx (lb/day)</b>	<b>PM10 (lb/day)</b>	<b>PM2.5 (lb/day)</b>
Fencing, windscreen, and plastic sheeting <sup>a</sup>	0.06	1.55	0.17	0.003	0.60	0.18
Fugitive Dust Control Measures	0.11	3.21	0.37	0.006	17.11	1.79
Monitoring, Supervision and Inspection	0.03	0.10	1.17	0.004	0.21	2.15
<b>Total<sup>a</sup></b>	<b>0.20</b>	<b>4.86</b>	<b>1.71</b>	<b>0.01</b>	<b>17.92</b>	<b>4.11</b>
<b>SIGNIFICANCE THRESHOLD DURING CONSTRUCTION</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>SIGNIFICANT?</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>

Notes:

<sup>a</sup>. Total daily emission calculations are based on the emissions from 12 diesel water trucks, 3 diesel delivery trucks, and 12 gasoline vehicles at all six sites. See Appendix B for the detailed calculations.

Therefore, as shown in Table 2-3, the peak daily construction emissions for the criteria pollutants that may occur as a result of implementing PR 1466 are less than the air quality significance thresholds for construction. Thus, the proposed project is not expected to result in significant adverse criteria pollutant emission impacts during construction.

Since the cleanup activities and the associated activities with implementing PR 1466 only involve equipment fueled by either diesel or gasoline, no electricity consumption is expected to occur from implementing PR 1466. Thus, there will be no secondary air quality and GHG impacts from electricity generation or consumption during construction.

#### Toxic Air Contaminants During Construction

The analysis assumes that a relatively small quantity of diesel-fueled on-road vehicles may be utilized on a peak day to implement PR 1466. Diesel particulate matter (DPM) is considered a carcinogen and has chronic non-cancer effects. Since the use of diesel-fueled vehicles is a small number per affected site (e.g., 12 water trucks and 3 delivery trucks) and will only occur over a short-term 65 working days (less than six months), a Health Risk Assessment (HRA) was not conducted. For these reasons, the amount of DPM to be generated on a peak day is expected to be less than significant.

Since the type of contamination at ~~cleanup~~ the sites can vary widely from site to site, staff is unable to predict what the speciation of the contamination may be for future affected sites or quantify the potential reduction of the Applicable TACs (e.g., arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and/or PCBs) that may occur as a result of implementing PR 1466. However, implementation of PR 1466 is expected to create an environmental benefit by reducing baseline TAC impacts from contaminated soils at existing ~~cleanup~~ sites through ~~implementation~~ implementation of measures to minimize fugitive PM emissions containing certain TACs during soil cleanup activities. Therefore, PR 1466 is not expected to generate significant adverse TAC impacts.



**Operational Analysis:**

PR 1466 is assumed to not have operational impacts because once the cleanup activities are completed and the soil is stabilized, the land is either left vacant or developed with its own construction of buildings or other structures for some eventual operational use at a future time. Again, any activities that occur at an affected site after cleanup is completed are not assumed to occur as a result of PR 1466. Therefore, the benefits and impacts from implementing PR 1466 are expected to occur only during construction with no environmental impacts occurring during operation.

**III. c) Less Than Significant Impact.****Cumulative Impacts**

Based on the foregoing analysis, since criteria pollutant project-specific air quality impacts from implementing PR 1466 would not be expected to exceed the air quality significance thresholds during construction in Table 2-1, cumulative air quality impacts are also expected to be less than significant. SCAQMD cumulative significance thresholds are the same as project-specific significance thresholds. Therefore, potential adverse impacts from implementing PR 1466 would not be “cumulatively considerable” as defined by CEQA Guidelines § 15064(h)(1) for air quality impacts. Per CEQA Guidelines § 15064(h)(4), the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable.

The SCAQMD guidance on addressing cumulative impacts for air quality is as follows: “As Lead Agency, the SCAQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR.” “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.”<sup>10</sup>

This approach was upheld by the Court in *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal. App. 4th 327, 334. The Court determined that where it can be found that a project did not exceed the SCAQMD’s established air quality significance thresholds, the City of Chula Vista properly concluded that the project would not cause a significant environmental effect, nor result in a cumulatively considerable increase in these pollutants. The court found this determination to be consistent with CEQA Guidelines § 15064.7, stating, “The lead agency may rely on a threshold of significance standard to determine whether a project will cause a significant environmental effect.” *Id.* The court found that, “Although the project will contribute additional air pollutants to an existing nonattainment area, these increases are below the significance criteria.” *Id.* “Thus, we conclude that no fair argument exists that the Project will cause a significant unavoidable cumulative contribution to an air quality impact.” *Id.* As in *Chula Vista*, here the SCAQMD has demonstrated, using accurate and appropriate data and assumptions, that the project will not exceed the established SCAQMD significance thresholds.

<sup>10</sup> SCAQMD Cumulative Impacts Working Group White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution, August 2003, Appendix D, Cumulative Impact Analysis Requirements Pursuant to CEQA, at D-3, <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper-appendix.pdf>.

See also, *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal. App. 4th 899. Here again the court upheld the SCAQMD's approach to utilizing the established air quality significance thresholds to determine whether the impacts of a project would be cumulatively considerable. Thus, it may be concluded that the proposed project will not contribute to a significant unavoidable cumulative air quality impact.

### **III. d) Less than Significant Impact.**

#### ***Impacts on Sensitive Receptors***

The analysis in Section III. b) and f) concluded that the quantity of pollutants that may be generated from implementing the proposed project would be less than significant during construction and would create no impacts during operation. Thus, the quantity of pollutants that may be generated from implementing PR 1466 would not be considered substantial, irrespective of whether sensitive receptors are located near the affected ~~cleanup~~-sites.

Because PR 1466 is applicable to ~~cleanup~~ the sites that are first designated by federal, state or local agencies on a case-by-case basis, SCAQMD staff is unable to predict or forecast whether any ~~designated cleanup~~ affected site would be located near one or more sensitive receptors. Therefore, in accordance with CEQA Guidelines § 15145, an evaluation of the proximity of each future ~~designated cleanup~~ affected site to sensitive receptors and whether PR 1466 would adversely affect the sensitive receptors is concluded to be speculative and will not be evaluated further in this analysis.

Implementation of PR 1466 is expected to create an environmental benefit by reducing baseline TAC impacts from contaminated soils at existing ~~cleanup~~-sites through ~~implementation~~ ing of measures to minimize fugitive PM emissions containing certain TACs during soil cleanup activities. Thus, PR 1466 is not expected to create significant adverse impacts to sensitive receptors. Since no significant impacts were identified for this issue, no mitigation measures are necessary or required.

### **III. e) Less than Significant Impact.**

#### ***Odor Impacts***

As previously explained, this analysis assumes that an additional 12 diesel-fueled water trucks and 3 delivery trucks will be used intermittently as required for fencing and dust control at each affected ~~cleanup~~-site in response to PR 1466. However, each affected ~~cleanup~~-site will already have other diesel-fueled equipment and vehicles operating on-site during the cleanup activities as part of the existing setting. With regard to odors associated with diesel fuel exhaust, diesel fuel is required to have a low sulfur content (e.g., 15 ppm by weight or less) in accordance with SCAQMD Rule 431.2 – Sulfur Content of Liquid Fuels, which already has the effect of minimizing emissions and odors. The operation of 12 additional water trucks and 3 additional delivery trucks is not expected to significantly contribute to the overall odor profile at any of the affected sites because: 1) the fencing and watering activities will occur within the confines of the existing ~~cleanup~~-sites; and 2) diesel vehicles are typically fitted with air pollution control equipment such as diesel

particulate filters, for example, that may be effective at minimizing odors from the exhaust<sup>11</sup>; and 3) sufficient dispersion of diesel emissions over distance generally occurs such that odors associated with diesel emissions may not be discernable to off-site receptors, depending on the location of the trucks and the other diesel-fueled equipment and vehicles operating on-site and their distance relative to the nearest off-site receptor(s). Further, all diesel vehicles, including the water trucks and delivery trucks, that will be operated at each ~~cleanup-affected~~ site will not be allowed to idle longer than five minutes per any one location in accordance with the CARB idling regulation<sup>12</sup>, so odors from all of the diesel vehicles would be minimized. Therefore, the intermittent use of 12 additional diesel-fueled water trucks and 3 additional diesel-fueled delivery trucks over ~~up to~~ approximately a three-month period would not be expected to significantly contribute to diesel exhaust odors at each affected ~~cleanup~~ site at a level greater than what is already typically present.

Thus, PR 1466 is not expected to create significant adverse objectionable odors above the existing odor profile at each affected ~~cleanup~~ site. Since no significant impacts were identified for this issue, no mitigation measures for odors are necessary or required.

### **III. g) and h) Less Than Significant Impact.**

#### ***Greenhouse Gas (GHG) Impacts***

Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of GHG emissions in the atmosphere. GHGs trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming. State law defines GHG to include the following: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>) (Health and Safety Code § 38505(g)). The most common GHG that results from human activity is CO<sub>2</sub>, followed by CH<sub>4</sub> and N<sub>2</sub>O.

Traditionally, GHGs and other global warming pollutants are perceived as solely global in their impacts and that increasing emissions anywhere in the world contribute to climate change anywhere in the world. A study conducted on the health impacts of CO<sub>2</sub> “domes” that form over urban areas cause increases in local temperatures and local criteria pollutants, which have adverse health effects<sup>13</sup>.

The analysis of GHGs is a different analysis than the analysis of criteria pollutants for the following reasons. For criteria pollutants, the significance thresholds are based on daily emissions because attainment or non-attainment is primarily based on daily exceedances of applicable ambient air

<sup>11</sup> Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use Heavy-Duty Diesel-Fueled Vehicles (including Tier 1 through Tier 4 engines) is in Title 13, California Code of Regulation (CCR), Section 2025. <https://www.arb.ca.gov/msprog/onrdiesel/documents/tbfinalreg.pdf>

<sup>12</sup> Title 13, California Code of Regulation (CCR), section 2485. [https://www.arb.ca.gov/msprog/truck-idling/13CCR2485\\_09022016.pdf](https://www.arb.ca.gov/msprog/truck-idling/13CCR2485_09022016.pdf)

<sup>13</sup> Jacobsen, Mark Z. “Enhancement of Local Air Pollution by Urban CO<sub>2</sub> Domes,” Environmental Science and Technology, as describe in Stanford University press release on March 16, 2010 available at: <http://news.stanford.edu/news/2010/march/urban-carbon-domes-031610.html>.

quality standards. Further, several ambient air quality standards are based on relatively short-term exposure effects on human health (e.g., one-hour and eight-hour standards). Since the half-life of CO<sub>2</sub> is approximately 100 years, for example, the effects of GHGs occur over a longer term which means they affect the global climate over a relatively long time frame. As a result, the SCAQMD's current position is to evaluate the effects of GHGs over a longer timeframe than a single day (i.e., annual emissions). GHG emissions are typically considered to be cumulative impacts because they contribute to global climate effects. GHG emission impacts from implementing PR 1466 were calculated at the project-specific level. For example, the analysis assumes that 12 additional diesel-fueled water trucks, 3 additional diesel-fueled delivery trucks, and 12 gasoline-fueled vehicles will be needed to implement PR 1466 and use of these vehicles at the affected ~~cleanup~~ sites has the potential to increase the use of fuel (e.g., gasoline and diesel) which will in turn increase CO<sub>2</sub> emissions.

The SCAQMD convened a “Greenhouse Gas CEQA Significance Threshold Working Group” to consider a variety of benchmarks and potential significance thresholds to evaluate GHG impacts. On December 5, 2008, the SCAQMD adopted an interim CEQA GHG Significance Threshold for projects where SCAQMD is the lead agency (SCAQMD 2008). This GHG interim threshold is set at 10,000 metric tons of CO<sub>2</sub> equivalent emissions (CO<sub>2</sub>eq) per year (MT/yr). Projects with incremental increases below this threshold will not be cumulatively considerable.

Table 2-4 summarizes the GHG analysis which shows that PR 1466 may result in the generation of 49 amortized MT/yr of CO<sub>2</sub>eq emissions<sup>14</sup> from all the additional water trucks, delivery trucks, and other vehicles that may be used at the six sites. The detailed calculations of GHG emissions from implementation of PR 1466 can be found in Appendix B.

**Table 2-4**  
**PR 1466 GHG Emissions**

<b>Activity</b>	<b>CO<sub>2</sub>eq (MT/year<sup>a</sup>)</b>
Total Project GHG Emissions	49
<b>SIGNIFICANCE THRESHOLD</b>	<b>10,000</b>
<b>SIGNIFICANT?</b>	<b>NO</b>

<sup>a</sup> 1 metric ton = 2,205 pounds

Thus, as shown in Table 2-4, the SCAQMD's GHG significance threshold will not be exceeded if PR 1466 is implemented. For this reason, implementing PR 1466 is also not expected to generate significant adverse cumulative GHG air quality impacts. Further, PR 1466 is not expected to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation<sup>15</sup> adopted for the purpose of reducing the emissions of GHG gases.

<sup>14</sup> GHGs from short-term construction activities are amortized over 30 years. To amortize GHGs from temporary construction activities over a 30-year period (*est. life of the project/ equipment*), the amount of CO<sub>2</sub>eq emissions during construction are calculated and then divided by 30. Since the construction activities associated with PR 1466 are expected to occur every year in the future, the total project annual amortized emissions is equal to the peak annual GHG emissions during construction.

<sup>15</sup> Including but not limited to California Assembly Bill (AB) 32, SCAQMD Final 2016 AQMP, Southern California Association of Governments (SCAG) 2016 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS), and etc.

**Conclusion**

Based upon these considerations, significant air quality and GHG emissions impacts are not expected from implementing PR 1466. Since no significant air quality and GHG emissions impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b>				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by § 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Significance Criteria

Impacts on biological resources will be considered significant if any of the following criteria apply:

- The project results in a loss of plant communities or animal habitat considered to be rare, threatened or endangered by federal, state or local agencies.
- The project interferes substantially with the movement of any resident or migratory wildlife species.
- The project adversely affects aquatic communities through construction or operation of the project.

## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**IV. a), b), c), & d) No Impact.** The future ~~cleanup~~the sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. Also, PR 1466 does not require the acquisition of additional land or further conversions of riparian habitats or sensitive natural communities where endangered or sensitive species may be found. Thus, PR 1466 would not be expected to cause a specific disturbance of habitat or have a direct or indirect impact on plant or animal species on land or in water. Also, PR 1466 does not require the development or acquisition of additional land or further conversions of riparian habitats or sensitive natural communities where endangered or sensitive species may be found. Therefore, PR 1466 would have no direct or indirect impacts that could adversely affect plant or animal species or the habitats on which they rely within the SCAQMD's jurisdiction.

**IV. e) & f) No Impact.** The future ~~cleanup~~the sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. PR 1466 does not require the development or acquisition of additional land. Therefore, PR 1466 is not envisioned to conflict with local policies or ordinances protecting biological resources or local, regional, or state conservation plans. Land use and other planning considerations are determined by local governments and no land use or planning requirements would be altered by implementing PR 1466. Additionally, PR 1466 would not conflict with any

adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other relevant habitat conservation plan, and would not create divisions in any existing communities because all activities associated with complying with PR 1466 would occur at existing ~~cleanup~~ sites in previously disturbed areas which are not typically subject to Habitat or Natural Community Conservation Plans.

The SCAQMD, as the Lead Agency, has found that, when considering the record as a whole, there is no evidence that implementing of PR 1466 would have potential for any new adverse effects on wildlife resources or the habitat upon which wildlife depends. Accordingly, based upon the preceding information, the SCAQMD has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in Title 14 of the California Code of Regulations § 753.5(d) - Projects Eligible for a No Effect Determination.

### **Conclusion**

Based upon these considerations, significant biological resource impacts are not expected from implementing PR 1466. Since no significant biological resource impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource, site, or feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code § 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts to cultural resources will be considered significant if:

- The project results in the disturbance of a significant prehistoric or historic archaeological site or a property of historic or cultural significance, or tribal cultural significance to a community or ethnic or social group or a California Native American tribe.
- Unique paleontological resources or objects with cultural value to a California Native American tribe are present that could be disturbed by construction of the proposed project.
- The project would disturb human remains.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**V. a), b), c), & d) No Impact.** There are existing laws in place that are designed to protect and mitigate potential impacts to cultural resources. For example, the CEQA Guidelines state that generally, a resource shall be considered “historically significant” if the resource meets the criteria for listing in the California Register of Historical Resources, which include the following:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
- Has yielded or may be likely to yield information important in prehistory or history (CEQA Guidelines § 15064.5).

Buildings, structures, and other potential culturally significant resources that are less than 50 years old are generally excluded from listing in the National Register of Historic Places, unless they are shown to be exceptionally important.

The future ~~cleanup~~ sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. Earth-moving activities would occur in areas where there are no existing buildings or structures present. Therefore, PR 1466 would not be expected to affect any cultural or historical buildings and has no potential to cause a substantial adverse change to a historical or archaeological resource, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains, including those interred outside formal cemeteries. Implementation of PR 1466 is, therefore, not anticipated to result in any activities or promote any programs that could have a significant adverse impact on cultural resources within the SCAQMD’s jurisdiction.

**V. e) No Impact.** The future ~~cleanup~~ sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. For these reasons, PR 1466 is not expected to require physical changes to a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American Tribe. Furthermore, PR 1466 is not expected to result in a physical change to a resource determined to be eligible for inclusion or listed in the California Register of Historical Resources or included in a local register of historical resources. Thus, PR 1466 is not expected to cause any substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code § 21074.

As part of releasing this CEQA document for public review and comment, the SCAQMD also provided a formal notice of the proposed project to all California Native American Tribes (Tribes) that requested to be on the Native American Heritage Commission’s (NAHC) notification list per Public Resources Code § 21080.3.1(b)(1). The NAHC notification list provides a 30-day period

during which a Tribe may respond to the formal notice, in writing, requesting consultation on the proposed project.

In the event that a Tribe submits a written request for consultation during this 30-day period, the SCAQMD will initiate a consultation with the Tribe within 30 days of receiving the request in accordance with Public Resources Code § 21080.3.1(b). Consultation ends when either: 1) both parties agree to measures to avoid or mitigate a significant effect on a Tribal Cultural Resource and agreed upon mitigation measures shall be recommended for inclusion in the environmental document [see Public Resources Code § 21082.3(a)]; or, 2) either party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached [see Public Resources Code § 21080.3.2(b)(1)-(2) and § 21080.3.1(b)(1)].

### **Conclusion**

Based upon these considerations, significant adverse cultural resources impacts are not expected from implementing PR 1466. Since no significant cultural resources impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VI. ENERGY.</b> Would the project:				
a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the need for new or substantially altered power or natural gas utility systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create any significant effects on local or regional energy supplies and on requirements for additional energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create any significant effects on peak and base period demands for electricity and other forms of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with existing energy standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts to energy resources will be considered significant if any of the following criteria are met:

- The project conflicts with adopted energy conservation plans or standards.
- The project results in substantial depletion of existing energy resource supplies.
- An increase in demand for utilities impacts the current capacities of the electric and natural gas utilities.
- The project uses non-renewable resources in a wasteful and/or inefficient manner.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**VI. a), b), c), & e) No Impact.** The future ~~cleanup~~ sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by the federal, state, and local

regulatory agencies. As such, PR 1466 is not expected to conflict with any adopted energy conservation plans or violate any energy conservation standards because any ~~cleanup-affected~~ sites that are subject to PR 1466 would be expected to continue implementing any existing energy conservation plans that are currently in place regardless of whether PR 1466 is implemented. While implementation of PR 1466 will require the use of additional fuel to operate the additional water trucks, delivery trucks and worker vehicles (see Section VI. d for the analysis of these impacts), the use of the additional fuel would not be considered wasteful. For these reasons, PR 1466 would not be expected to conflict with energy conservation plans or existing energy standards, or use non-renewable resources in a wasteful manner. No additional electricity or natural gas will be needed when implementing PR 1466. Therefore, PR 1466 will not result in the need for new or substantially altered power or natural gas utility systems and will not create any significant effects on local or regional energy supplies and on requirements for additional energy.

**VI. d) Less Than Significant Impact.** The future ~~cleanup~~-sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. Implementation of PR 1466 at each affected ~~cleanup~~-sites is expected to cause an increase the use of diesel fuel and gasoline from the use of 12 additional water trucks, 3 delivery trucks, and 12 additional worker vehicles, but no additional electricity or natural gas will be needed. The following sections evaluate the energy sources and consumption that may be affected by the implementation of PR 1466.

The water trucks are expected to be used to implement the fugitive dust control measures. The delivery trucks are expected to be used to deliver the fence, windscreen, and plastic sheeting and the worker vehicles are expected to be used to transport the additional workers required by PR 1466 to conduct monitoring. To estimate “worst-case” energy impacts from fuel use associated with these vehicles, the SCAQMD staff used the reference<sup>16</sup> of fuel economy from National Highway Traffic Safety Administration (NHTSA) and U.S. EPA Fuel Economy report and estimate the diesel fuel consumptions for heavy duty trucks and gasoline fuel for light duty worker vehicles are approximately 2 and 20 miles per gallon, respectively. The fuel usage per construction worker commute round trips was calculated based on assuming 40 miles round trip to and from the construction ~~cleanup~~-site in one day. It is also assumed each water truck will travel 20 miles per day and each delivery trucks will travel 40 miles per day. As explained previously, a peak construction day is based on six ~~cleanup~~-sites occurring on a given day. Table 2-5 lists the projected energy impacts associated with the construction activities from all ~~cleanup~~-sites. Appendix B contains the assumptions and calculations for estimating fuel usage associated with these activities.

<sup>16</sup> National Highway Traffic Safety Administration (NHTSA) vocational vehicle standards.  
[https://www.dieselnet.com/standards/us/fe\\_hd.php](https://www.dieselnet.com/standards/us/fe_hd.php)

**Table 2-5  
Projected Fuel Usage**

<b>Fuel Type</b>	<b>Year 2015 Estimated Basin Fuel Demand<sup>a</sup> (mmgal/yr)</b>	<b>Fuel Usage<sup>b</sup> (mmgal/yr)</b>	<b>Total % Above Baseline</b>	<b>Exceeds Threshold of Significance?<sup>c</sup></b>
Gasoline	6,783	0.003	0.0004	No
Diesel	756	0.016	0.0021	No

<sup>a</sup> California Annual Retail Fuel Outlet Report Results in 2015, 2015 California Energy Commission ([http://www.energy.ca.gov/almanac/transportation\\_data/gasoline/2015\\_A15\\_Results.xlsx](http://www.energy.ca.gov/almanac/transportation_data/gasoline/2015_A15_Results.xlsx)). [Accessed April 25, 2017.]

<sup>b</sup> Estimated peak fuel usage from additional water trucks, delivery trucks, and worker vehicles.

<sup>c</sup> SCAQMD's energy threshold for both types of fuel used is 1% of fuel supply.

The 2015 California Annual Retail Fuel Outlet Report Results from the California Energy Commission (CEC) state that 6,783 million gallons of gasoline and 756 million gallons of diesel were consumed in 2015 in the South Coast Air Basin. Thus, if an additional 0.003 million gallons of gasoline and 0.016 million gallons of diesel consumed per year during implementing PR 1466, less than significant adverse impact on fuel supplies would be expected.

## Conclusion

Based upon these considerations, significant adverse energy impacts are not expected from implementing PR 1466. Since no significant energy impacts were identified, no mitigation measures are necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts on the geological environment will be considered significant if any of the following criteria apply:

- Topographic alterations would result in significant changes, disruptions, displacement, excavation, compaction or over covering of large amounts of soil.
- Unique geological resources (paleontological resources or unique outcrops) are present that could be disturbed by the construction of the proposed project.

- Exposure of people or structures to major geologic hazards such as earthquake surface rupture, ground shaking, liquefaction or landslides.
- Secondary seismic effects could occur which could damage facility structures, e.g., liquefaction.
- Other geological hazards exist which could adversely affect the facility, e.g., landslides, mudslides.

## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**VII. a) & b): No Impact.** Since PR 1466 would result in reducing fugitive particulate emissions from soils with certain TACs by implementing fugitive dust control measures during earth-moving activities, the project does not cause or require a new facility to be constructed. Thus, PR 1466 would not alter the exposure of people or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or other natural hazards. As a result, substantial exposure of people or structures to the risk of loss, injury, or death involving the rupture of an earthquake fault, seismic ground shaking, ground failure or landslides is not anticipated.

Further, the fugitive dust emissions from wind erosion are expected to be minimized under PR 1466. In addition, ~~cleanup~~ site operators must control fugitive dust through a number of soil stabilizing measures such as watering the site ~~and or~~ using chemical soil stabilizers in order to comply with the requirements of PR 1466. Therefore, no adverse impacts to the loss of topsoil and soil erosion are expected.

**VII. c), d), & e) No Impact.** Since the future ~~cleanup~~ sites that will be affected by PR 1466 will be the ones already designated by federal, state, and local regulatory agencies. It is expected that the soil types present at the affected ~~cleanup~~ sites will not be made further susceptible to expansion or liquefaction. Furthermore, subsidence is not anticipated to be a problem since excavation, grading, or filling activities are not expected to occur due to implementing PR 1466 at the affected ~~cleanup~~ sites. Therefore, because PR 1466 would not involve locating sites on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, no impacts are anticipated.

Since PR 1466 will reduce fugitive particulate emissions from soils with certain TACs by implementing fugitive dust control measures during earth-moving activities at sites that have been designated as ~~cleanup sites~~ by federal, state, and local regulatory agencies, people or property will not be exposed to new impacts related to expansive soils to create substantial risks to life or



property or soils incapable of supporting water disposal. Furthermore, implementation of PR 1466 does not require the installation of septic tanks. Therefore, PR 1466 will not adversely affect soils associated with a installing a new septic system or alternative wastewater disposal system or modifying an existing sewer.

**Conclusion**

Based upon these considerations, significant adverse geology and soils impacts are not expected from the implementation of PR 1466. Since no significant geology and soils impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, and disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport or a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Significantly increased fire hazard in areas with flammable materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Significance Criteria

Impacts associated with hazards will be considered significant if any of the following occur:

- Non-compliance with any applicable design code or regulation.
- Non-conformance to National Fire Protection Association standards.
- Non-conformance to regulations or generally accepted industry practices related to operating policy and procedures concerning the design, construction, security, leak detection, spill containment or fire protection.
- Exposure to hazardous chemicals in concentrations equal to or greater than the Emergency Response Planning Guideline (ERPG) 2 levels.

## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**VIII. a) & b) No Impact.** The sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. Thus, the cleanup activities that occur at these sites involve the routine transport, use, and disposal of hazardous materials (e.g., contaminated soil) as part of the existing setting and, as such, may create reasonably foreseeable upset conditions involving the release of hazardous materials into the environment as fugitive dust containing TACs. Because PR 1466 is designed to minimize fugitive dust generated during these cleanup activities, PR 1466 would not be expected to cause any increase in the severity of these existing conditions at ~~cleanup~~the sites. It is important to note that there are no provisions in PR 1466 that would require the earth-moving activities to occur. Instead, PR 1466 imposes requirements to minimize and monitor toxic fugitive dust if and when earth-moving activities occur during soil cleanup. In particular, PR 1466 contains dust control strategies that may employ stabilizing disturbed soils by either applying water or non-toxic chemical stabilizer. PR 1466 also contains requirements for tarping stockpiles, limiting the vehicle speed on the ~~cleanup~~the sites, and employing measures to prevent soil from leaving the property via drag out or track out via vehicle wheel shaking or washing and vacuuming entry/exit points. Overall, minimizing the amount of off-site fugitive dust emissions containing TACs during cleanup will, in turn, be health protective over the long term. ~~Therefore, PR 1466~~ will not itself ~~does not~~ cause any removal of contaminated soils.

Because the cleanup activities are part of the existing setting, they ~~cleanup activities~~ may involve existing hazards impacts to the public or environment through the routine transport, use, and disposal of hazardous materials or create reasonably foreseeable upset conditions involving the release of hazardous materials into the environment. However, implementation of PR 1466 would not be expected to change these existing conditions. Further, because the type of contamination

at ~~cleanup~~ the sites can vary widely from site to site, staff is unable to predict what the speciation of the contamination may be for future affected sites or quantify the potential reduction of the Applicable TACs (e.g., arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and/or PCBs) that may occur as a result of implementing PR 1466.

**VIII. c) No Impact.** PR 1466 is applicable to ~~cleanup~~ the sites that are designated by federal, state and local regulatory agencies on a case-by-case basis. However, SCAQMD staff is unable to predict or forecast whether any designated ~~cleanup~~ site will be located at or within a one-quarter mile of a school. Because it is entirely possible that there will be ~~designated cleanup~~ affected sites that are located at or near a school, PR 1466 was specifically crafted to include additional requirements to limit cleanup activities at a school or early education center. For example, PR 1466 would: 1) prohibit all earth-moving activities when the school or early education center is in session or during a school/early education sponsored activity; and 2) require the contaminated soil to be placed in leak-tight containers, directly loaded onto trucks and hauled off site, or 3) require the contaminated soil to be stockpiled in fenced and locked area ~~any other alternative storage approved by the Executive Officer~~. Therefore, PR 1466 would not cause ~~emit~~ hazardous emissions, or result in the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, but would include measures to reduce the exposure to schools from cleanup activities.

**VIII. d) No Impact.** Government Code § 65962.5 refers to hazardous waste handling practices at sites that are subject to the Resources Conservation and Recovery Act (RCRA). The future ~~cleanup~~ affected sites that may be subject to PR 1466 will be sites that have already been designated for cleanup by federal, state or local regulatory agencies and PR 1466 will not cause a site to be included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5. However, compliance with PR 1466 will minimize the generation of fugitive dust during cleanup activities which may be toxic and hazardous. The less fugitive dust that is generated, the less that it will be emitted directly to the atmosphere. The excavated contaminated soil from the affected ~~cleanup~~ sites is required to be managed in accordance with applicable federal, state, and local rules and regulations and compliance with these regulations is expected to continue after PR 1466 is implemented. Therefore, compliance with PR 1466 would not create a new significant hazard to the public or environment.

**VIII. e) No Impact.** Future ~~cleanup~~ sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. PR 1466 was crafted in response to recognizing potential hazards that may arise during cleanup activities to provide an environmental benefit when compared to the existing setting. Further, SCAQMD staff is unable to predict or forecast whether any ~~designated cleanup~~ affected site would be located within an airport land use plan or within two miles of a public use airport or private airstrip. Therefore, in accordance with CEQA Guidelines § 15145, an evaluation of the proximity of each future ~~designated cleanup~~ affected site to an airport land use plan or within two miles of a public use airport or private airstrip is concluded to be speculative and will not be evaluated further in this analysis. In any case, PR 1466 would not be expected to result in a new safety hazard for people residing or working in the area of any ~~cleanup~~ affected site, regardless of whether ~~the affected cleanup~~ site may be located within an airport land use plan or within two miles of a public use airport or private airstrip.

**VIII. f) No Impact.** Health and Safety Code § 25507 specifically requires all businesses handling hazardous materials to submit a business emergency response plan to assist local administering

agencies in the emergency release or threatened release of a hazardous material. Business emergency response plans generally require the following:

- Identification of individuals who are responsible for various actions, including reporting, assisting emergency response personnel and establishing an emergency response team;
- Procedures to notify the administering agency, the appropriate local emergency rescue personnel, and the California Office of Emergency Services;
- Procedures to mitigate a release or threatened release to minimize any potential harm or damage to persons, property or the environment;
- Procedures to notify the necessary persons who can respond to an emergency within the facility;
- Details of evacuation plans and procedures;
- Descriptions of the emergency equipment available in the facility;
- Identification of local emergency medical assistance; and,
- Training (initial and refresher) programs for employees in:
  1. The safe handling of hazardous materials used by the business;
  2. Methods of working with the local public emergency response agencies;
  3. The use of emergency response resources under control of the handler;
  4. Other procedures and resources that will increase public safety and prevent or mitigate a release of hazardous materials.

In general, every county or city and all facilities using a minimum amount of hazardous materials are required to formulate detailed contingency plans to eliminate, or at least minimize, the possibility and effect of fires, explosion, or spills. In conjunction with the California Office of Emergency Services, local jurisdictions have enacted ordinances that set standards for area and business emergency response plans. These requirements include immediate notification, mitigation of an actual or threatened release of a hazardous material, and evacuation of the emergency area.

Emergency response plans are typically prepared in coordination with the local city or county emergency plans to ensure the safety of not only the public (surrounding local communities), but the facility employees as well. Some of the existing ~~cleanup~~ sites that may be subject to PR 1466 may already have emergency response plans in place, as applicable. Further, PR 1466 contains no requirements that would impair implementation of, or physically interfere with any adopted emergency response plan or emergency evacuation plan. PR 1466 ~~does~~ will not itself cause any soil cleanup or earth-moving activities. Thus, PR 1466 is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**VIII. g) & h) No Impact.** PR 1466 is applicable to ~~cleanup~~ sites that are first designated by federal, state and local regulatory agencies on a case-by-case basis. However, PR 1466 does not involve the construction of structures or placement of people in urban areas next to wildlands causing those risks. Therefore, PR 1466 would be not expected to expose people or structures to

a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Further, because the type of contamination at ~~cleanup~~the sites can vary widely from site to site, staff is unable to predict: 1) what the speciation of the contamination may be at future affected designated ~~cleanup~~the sites; 2) whether any of the contaminants found would contain any of the Applicable TACs (e.g., arsenic, asbestos, cadmium, hexavalent chromium, lead, mercury, nickel, and polychlorinated biphenyls); and, 3) whether any of these TACs are part of a compound or chemical mixture that is flammable. In any case, ~~the type of~~TACs found in the contaminated soil ~~are~~is part of the existing setting of the affected ~~cleanup~~sites and. PR 1466 will not be introducing flammable materials to the sites since the soil stabilizer is typically water or water-based mixtures that are not flammable. Thus, since PR 1466 will only apply to ~~cleanup~~the sites that have found these TACs in the soil, complying with PR 1466 will not create a new fire hazard above the existing setting because PR 1466 would not change how contaminated soil will be handled, irrespective of whether it contains flammable materials or compounds. Therefore, PR 1466 would be not expected significantly increase the fire hazard in areas with flammable materials.

### **Conclusion**

Based upon these considerations, no significant adverse hazards and hazardous materials impacts are expected from implementing PR 1466. Since no significant hazards and hazardous materials impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards, waste discharge requirements, exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, or otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion or siltation on- or off-site or flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Place housing or other structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Require or result in the construction of new water or wastewater treatment facilities or new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Potential impacts on water resources will be considered significant if any of the following criteria apply:

Water Demand:

- The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use more than 262,820 gallons per day of potable water.
- The project increases demand for total water by more than five million gallons per day.

Water Quality:

- The project will cause degradation or depletion of ground water resources substantially affecting current or future uses.
- The project will cause the degradation of surface water substantially affecting current or future uses.



- The project will result in a violation of National Pollutant Discharge Elimination System (NPDES) permit requirements.
- The capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project.
- The project results in substantial increases in the area of impervious surfaces, such that interference with groundwater recharge efforts occurs.
- The project results in alterations to the course or flow of floodwaters.

## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**IX. a), g) and i) No Impact.** PR 1466 contains an assortment of dust control measures to be implemented during earth-moving activities at affected ~~cleanup~~ sites and the use of water or a chemical stabilizer are options that may be used to ~~stabilize the soil and~~ minimize fugitive dust. If a person conducting the soil cleanup activities elects to utilize water to stabilize the soil, water used for dust suppression does not have to be of potable quality, but can be recycled water. Due to the limited availability of recycled water, the type of water to be used for dust suppression is predominantly potable water that is either delivered to an affected site via an existing water connection to the local water provider or by truck. Uncontaminated groundwater and/or recycled water may also be used, if available. However, any use of contaminated or potentially contaminated water for this purpose would not only defeat the overall purpose of the soil cleanup activities, but would violate water quality standards and thereby would be prohibited for use. When water is the soil stabilizer of choice, water trucks will spray the water onto the affected area(s) and the soil will absorb the water so there is no surface run-off. Eventually the soil will dry out due to water evaporation off of the soil surface, and the process of spraying water via water truck will need to be repeated, as needed. Therefore, no surface run-off and no wastewater will be generated from conducting watering in an effort to stabilize the soil.

If a person conducting the soil cleanup activities elects to utilize a chemical stabilizer as a dust suppressant, then PR 1466 requires the user of the chemical stabilizer to verify that the product is: 1) non-toxic; 2) capable of meeting any specifications, criteria, or tests required by any federal, state, or local agency or any applicable law, rule, or regulation, including the Regional Water Quality Control Board; and 3) not prohibited for use by any federal, state, or local agency or any applicable law, rule, or regulation, including the Regional Water Quality Control Board. As with water, when chemical stabilizer is the ~~soil stabilizer~~dust suppressant of choice and it is spread in liquid form, water trucks will spray the chemical stabilizer onto the affected area(s) and the soil

will absorb the chemical stabilizer. Therefore, the application of chemical stabilizer would not be expected to generate wastewater.

Since no wastewater will be generated as a result of using watering or applying chemical stabilizer to minimize the generation of fugitive dust, PR 1466 would not be expected to cause any affected ~~cleanup~~ sites to violate any water quality standards, waste discharge requirements, exceed wastewater treatment requirements of the applicable of the Publicly Owned Treatment Works (POTW) or Regional Water Quality Control Board, or otherwise substantially degrade water quality that the requirements are meant to protect. Also, since no wastewater will be generated from the application of water or chemical stabilizer, PR 1466 would not require or result in the construction of new water or wastewater treatment facilities or new storm water drainage facilities, or expansion of existing facilities. Finally, since no wastewater will be generated from the application of water or chemical stabilizer, PR 1466 would not trigger the need for an adequate wastewater capacity determination by any wastewater treatment provider that may be serving each affected ~~cleanup~~ site, if any. Therefore, no impacts to either wastewater or wastewater treatment are expected to occur as a result of implementing PR 1466 at any affected ~~cleanup~~ sites.

**IX. c), d), e), and f) No Impact.** The future ~~cleanup~~ sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize and monitor toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. Therefore, PR 1466 is not expected to result in placing new housing or structures in 100-year flood hazard areas that could create new flood hazards or create significant adverse risk impacts from flooding as a result of failure of a levee or dam or inundation by seiches, tsunamis, or mudflows.

PR 1466 is also not expected to have any significant adverse effects on any existing drainage patterns, or cause an increase rate or amount of surface runoff water that would exceed the capacity of the sites' existing or planned storm water drainage systems because, as explained in Section IX. a), g) and i), PR 1466 is not expected generate wastewater or surface run-off and does not contain any requirements that would change existing drainage patterns or the procedures for how surface runoff water is handled. In addition, PR 1466 would not require or result in the construction of new water or wastewater treatment facilities or new storm water drainage facilities, or expansion of existing facilities. PR 1466 would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

**IX. b) and h) Less than Significant Impact.** While PR 1466 allows a person conducting soil cleanup to utilize water to suppress the generation of fugitive dust during earth-moving activities, the type of water to be used for this purpose (e.g., potable, groundwater, or recycled water) is not prescribed. As explained in Section IX. a), g) and i), if a person conducting the soil cleanup activities elects to utilize water to ~~stabilize the soil~~ suppress fugitive dust, the type of water to be used for this purpose is typically potable water, which is either delivered to an affected site via an existing water connection to the local water provider or by truck. In some areas within the SCAQMD's jurisdiction, recycled water may also be available via an existing water connection to the local recycled water provider or by truck. The availability of groundwater for dust suppression purposes, however, is a different matter as there are more restricting factors. Because PR 1466 is applicable to ~~cleanup the~~ sites that are first designated by federal, state and local agencies on a

case-by-case basis, SCAQMD staff is unable to predict or forecast whether any designated ~~cleanup~~ site will have access to groundwater and whether the groundwater will be of a sufficient quality or supply to apply to soil for dust suppression purposes. Nonetheless, if a ~~cleanup~~ site has a well on its property, groundwater may be used for the purpose of dust suppression provided that the property owner has groundwater pumping rights and sufficient supply, and either the groundwater is not contaminated, or the groundwater is first treated by a groundwater treatment system to remove contaminants prior to application. Of course if groundwater is not available at an affected site, then potable or recycled water will need to be used.

Preliminary indications and analyses in the previous Sections estimate current water usage of roughly 1,000 gallons per acre per day to mitigate fugitive dust. Staff estimates that water usage would increase to 2,600 gallons per acre per day under the proposed rule over 88 acres. Therefore, as summarized in Table 2-6, the maximum amount of water that may be needed to conduct watering for dust suppression activities at all six ~~cleanup~~ sites is estimated to be up to 141,000 gallons per day and this potential increase in water use is less than the SCAQMD's significance thresholds of five million gallons per day of total water (e.g., potable, recycled, and groundwater combined) and 262,820 gallons per day of potable water. Thus, regardless of whether 100 percent of potable, recycled, or groundwater is used, or any combination thereof, the amount of water that may be needed for dust suppression is at less than significant levels.

**Table 2-6  
Projected Water Demand**

<b>PR 1466 Water Used For Fugitive Dust Control</b>	<b>Additional Water Demand on a Peak Day (gal/day)</b>
<b>PR 1466 Watering</b>	141,000
<b>Significance Threshold for Potable Water:</b>	262,820
<b>SIGNIFICANT FOR POTABLE WATER?</b>	<b>NO</b>
<b>Significance Threshold for Total Water:</b>	5,000,000
<b>SIGNIFICANT FOR TOTAL WATER?</b>	<b>NO</b>

Even so, due to site-specific factors that tend to limit the use of groundwater and the unlikely possibility that all of the affected ~~cleanup~~ sites will have access to groundwater of a suitable quality and amount, implementation of PR 1466 is not expected to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted. Similarly, if the water demand for dust suppression purposes is entirely supplied by potable water, since the estimated potable water demand and total water demand would be less than significance thresholds for potable and total water, respectively, the water demand impacts that are expected occur from implementing PR 1466 would be less than significant. Further, existing water supplies are expected to be sufficiently available to serve the affected ~~cleanup~~ sites without the need for new or expanded entitlements. Therefore, PR 1466 is not expected to have significant adverse water demand impacts.

**Conclusion**

Based upon these considerations, significant adverse hydrology and water quality impacts are not expected from implementing PR 1466. Since no significant hydrology and water quality impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>X. LAND USE AND PLANNING.</b>				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria**

Land use and planning impacts will be considered significant if the project conflicts with the land use and zoning designations established by local jurisdictions.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**X. a) Less than Significant Impact.** PR 1466 does not require the construction of new facilities, and any physical effects that will result from PR 1466, will occur at existing ~~cleanup~~ sites and would not be expected to go beyond existing boundaries. However, PR 1466 contains dust control measures that may cause physical modifications to an affected ~~cleanup~~ site. Of the dust control measures, a windscreen and perimeter fencing is required to surround each affected ~~cleanup~~ site to provide a wind break, act as containment, provide security, and limit access to unauthorized persons. The windscreen must be at least six feet tall and must be as tall as the highest stockpile and must have a porosity of 50  $\pm$  5%. For small to medium-sized ~~cleanup~~ sites, the installation of temporary perimeter fencing as part of implementing PR 1466 would ordinarily not be expected to physically divide an established community. However, for large to extra-large ~~cleanup~~ sites (e.g., over 25 acres), the installation of perimeter fencing could be extensive and depending on the location of the ~~cleanup~~ site relative to its surroundings, could potentially temporarily divide an established community until the cleanup activities are completed. For this reason, PR 1466

contains provisions that would allow the SCAQMD's Executive Officer to exercise discretion and evaluate the project site on a case-by-case basis to adjust the dust mitigation requirements, including the perimeter fencing requirements accordingly. Because PR 1466 contains this flexibility, the SCAQMD is committed to work with any applicable local, state and federal agencies that may be involved to minimize or prevent dividing an established community under these circumstances. Therefore, less than significant impacts are anticipated.

**X. b) Less than Significant Impact.** Land use and other planning considerations are determined by local governments and no land use or planning requirements are intended to be altered by PR 1466. PR 1466 contains dust control measures that may cause physical modifications to an affected ~~cleanup~~ site. Of the dust control measures, a windscreen and perimeter fencing may be required to surround the area of the earth-moving activities to provide a wind break, act as containment, provide security, and limit access to unauthorized persons. The windscreen must be at least six feet tall and must be as tall as the highest stockpile and must have a porosity of  $50 \pm 5\%$ . Generally, all physical modifications that are expected to occur as a result of complying with the dust control measures in PR 1466 will occur within the confines of the existing ~~cleanup~~ sites and would not be expected to affect or conflict with any applicable land use plans, policies, or regulations. Further, no new development or alterations to existing land designations will occur as a result of the implementation of PR 1466. However, in the event that a local, state or federal agency determines that the installation of a perimeter fencing with a windscreen may be impractical or would conflict with local, state or federal regulations, PR 1466 contains provisions that would allow the SCAQMD's Executive Officer to exercise discretion on a case-by-case basis to adjust the dust mitigation requirements accordingly. The impacts from installation of a perimeter fencing with a windscreen are analyzed in Aesthetics Section. Therefore, present or planned land uses in the region will not be significantly affected as a result of implementing PR 1466.

## Conclusion

Based upon these considerations, significant adverse land use and planning impacts are not expected from implementing PR 1466. Since no significant land use and planning impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Project-related impacts on mineral resources will be considered significant if any of the following conditions are met:

- The project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- The proposed project results in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**XI. a) & b) No Impact.** PR 1466 would require the implementation fugitive dust control measures during earth-moving activities, monitoring, supervision, and inspection at affected ~~cleanup~~ sites. These activities necessary to implement PR 1466 would not require the use of a known mineral resource. Thus, there are no provisions in PR 1466 that would result in the loss of availability of a known mineral resource of value to the region and the residents of the state such as aggregate, coal, clay, shale, et cetera, or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

## **Conclusion**

Based upon these considerations, significant adverse mineral resource impacts are not expected from implementing PR 1466. Since no significant mineral resource impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XII. NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of permanent noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria**

Noise impact will be considered significant if:

- Construction noise levels exceed the local noise ordinances or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three decibels (dBA) at the site boundary. Construction noise levels will be considered significant if they exceed federal Occupational Safety and Health Administration (OSHA) noise standards for workers.
- The proposed project operational noise levels exceed any of the local noise ordinances at the site boundary or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three dBA at the site boundary.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~ cleanup the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community

and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

### **XII. a), b), & c) Less than Significant Impact.**

The future ~~cleanup~~-sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize and monitor ~~toxic~~-fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. Thus, the existing noise environment at an affected ~~cleanup~~-site will be typically dominated by noise from existing equipment on-site such as tractor/loader/backhoes, vehicular traffic around the site, and trucks and other vehicles entering and exiting the premises. Thus, the existing noise environment will be expected to have a higher background noise level when compared to other areas when the cleanup activities are occurring. While PR 1466 will contribute additional noise at each affected ~~cleanup~~-site that will be attributable to an additional 12 water trucks, 3 delivery trucks, and 12 additional worker vehicles above the existing setting, the noise impacts from implementing PR 1466 will likely be indistinguishable from the background noise levels at the property line. Operation of the construction equipment would be expected to comply with all existing noise control laws and ordinances. Once the cleanup activities are complete and activities to comply with the dust control measures in PR 1466 are no longer needed, the noise levels are expected to be lessened compared to what is generated on-site as part of conducting cleanup activities.

Due to the attenuation rate of noise based on distance from the source, it is unlikely that noise levels exceeding local noise ordinances from operation new air pollution control equipment would occur beyond a facility's boundaries. Furthermore, OSHA and CAL-OSHA have established noise standards to protect worker health. Furthermore, compliance with local noise ordinances limiting the hours of construction will reduce the temporary noise impacts from construction to sensitive receptors. These potential noise increases are expected to be within the allowable noise levels established by the local noise ordinances for industrial areas, and thus are expected to be less than significant.

**XII. d) Less than Significant Impact.** In order for sites to become subject to PR 1466, they must first be designated by a federal, state, or local agency as requiring soil cleanup. Thus, cleanup activities required by these agencies will involve noise generating heavy-duty construction equipment such as tractors, loaders, backhoes, excavators, heavy duty and medium duty trucks for hauling, material delivery and spraying water, and worker vehicles and most of the equipment and activities occur within the confines of each ~~cleanup~~-affected site with some activities also occurring at the entry/exit points. All noise producing equipment at all ~~cleanup~~-affected sites must comply with local noise ordinances and applicable OSHA or CAL-OSHA workplace noise reduction requirements. For implementationing of the dust control measures contained in PR 1466, some additional water trucks, delivery trucks, and worker vehicles will be needed. However, because each affected ~~cleanup~~-site will already have an assortment of construction equipment and vehicles on site and going to and from the site throughout the day, the additional water trucks, delivery trucks, and worker vehicles and their associated noise profiles are not expected to be substantially discernable from any of the other noise generating equipment or vehicles that may already be present on-site for cleanup activities. Thus, for any ~~cleanup~~-affected site that is located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport or private airstrip, compliance with PR 1466 would not be expected to expose people

residing or working in the vicinity of a ~~designated cleanup~~ site to excessive noise levels. Therefore, the impacts for the topic area are expected to be less than significant.

**Conclusion**

Based upon these considerations, significant adverse noise impacts are not expected from the implementing PR 1466. Since no significant noise impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING.</b>				
Would the project:				
a) Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts of the proposed project on population and housing will be considered significant if the following criteria are exceeded:

- The demand for temporary or permanent housing exceeds the existing supply.
- The proposed project produces additional population, housing or employment inconsistent with adopted plans either in terms of overall amount or location.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**XIII. a) & b) No Impact.** The future ~~cleanup~~affected sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. For these reasons, PR 1466 is not expected to require the relocation of individuals, require new housing or commercial facilities, or change the distribution of the population. On a peak day, the analysis assumes to increase up to 12 workers may be needed to perform additional inspection, supervision, and monitoring activities to comply with PR 1466 requirements at all six ~~cleanup~~ sites on a peak day and these workers can be supplied from the existing labor pool in the local Southern California area. The human population within the jurisdiction of the District is

anticipated to grow regardless of whether or not PR 1466 is implemented. As a result, PR 1466 is not anticipated to generate any significant adverse effects, either direct or indirect, on population growth in the Basin or population distribution. Since PR 1466 is designed to reduce fugitive particulate emissions from soils at sites that have been designated ~~for as cleanup sites~~, PR 1466 is not expected to result in the creation of any industry that would affect population growth, directly or indirectly or cause the displacement of substantial numbers of people that would induce the construction of replacement housing elsewhere within SCAQMD's jurisdiction.

### **Conclusion**

Based upon these considerations, no significant population and housing impacts are expected from implementing PR 1466. Since no significant population and housing impacts were identified, no mitigation measures are necessary or required.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>XIV. PUBLIC SERVICES.</b> Would the proposal result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts on public services will be considered significant if the project results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~ the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**XIV. a), b), c), & d) No Impact.** As explained in Section XIII. Population and Housing, PR 1466 is not expected to induce population growth in any way because the local labor pool (e.g., workforce) is expected to be sufficient to accommodate 12 additional workers to perform any inspection, supervision, and monitoring activities that may be necessary at affected ~~cleanup~~ sites. Therefore, with no significant increase in local population, no impacts would be expected on public

service and no need for physically altered the public services, including fire protection, police protection, schools, and government facilities.

**Conclusion**

Based upon these considerations, no significant public services impacts are expected from implementing PR 1466. Since no significant public services impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XV. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment or recreational services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts to recreation will be considered significant if:

- The project results in an increased demand for neighborhood or regional parks or other recreational facilities.
- The project adversely affects existing recreational opportunities.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**XV. a) & b) No Impact.** As explained in Section XIII. Population and Housing, PR 1466 is not expected to induce population growth in any way because the local labor pool (e.g., workforce) is expected to be sufficient to accommodate an additional 12 workers to perform any inspection, supervision, and monitoring activities that may be necessary at affected ~~cleanup~~ sites. The human population within the jurisdiction of the District is anticipated to grow regardless of implementing PR 1466. As a result, PR 1466 is not anticipated to generate any significant adverse effects, either direct or indirect, on population growth in the Basin or population distribution would affect or cause an increase in the demand for or use of existing neighborhood and regional parks or other recreational facilities. Further PR 1466 would not require the construction of new or the expansion of existing recreational facilities that might, in turn, cause adverse physical effects on the



environment because PR 1466 will not directly or indirectly substantively increase or redistribute population.

**Conclusion**

Based upon these considerations, no significant recreation impacts are expected from implementing PR 1466. Since no significant recreation impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XVI. SOLID AND HAZARDOUS WASTE.</b> Would the project:				
a) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Comply with federal, state, and local statutes and regulations related to solid and hazardous waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Significance Criteria**

The proposed project impacts on solid and hazardous waste will be considered significant if the following occurs:

- The generation and disposal of hazardous and non-hazardous waste exceeds the capacity of designated landfills.

**Discussion**

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD’s Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

**XVI. a) & b) Less than Significant.** Landfills are permitted by the local enforcement agencies with concurrence from the California Department of Resources Recycling and Recovery (CalRecycle). Local agencies establish the maximum amount of solid waste which can be received by a landfill each day and the operational life of a landfill. This analysis of solid waste impacts assumes that safety and disposal procedures required by various agencies in California will provide reasonable precautions against the improper disposal of hazardous wastes in a municipal waste landfill. Because of state and federal requirements, some facilities are attempting to reduce or minimize the generation of solid and hazardous wastes by incorporating source reduction technologies to reduce the volume or toxicity of wastes generated, including improving operating procedures, using less hazardous or nonhazardous substitute materials, and upgrading or replacing inefficient processes.

PR 1466 would reduce fugitive particulate emissions from soils with toxic air contaminants by implementing fugitive dust control measures during earth-moving activities at sites that have been designated for ~~as cleanup~~as sites. It is assumed that ~~cleanup~~the site owners ~~and or~~ operators currently comply with all applicable local, state, or federal waste disposal regulations. PR 1466 is

expected to only generate solid and hazardous waste ~~consisting of for its~~ plastic sheeting (tarps), ~~which will be~~ used to cover the stockpiles. The fencing and windscreen materials will be recycled and used at other construction sites ~~and so these will not won't be sending sent to the~~ waste disposal sites. SCAQMD staff estimates ~~ed up to that~~ a small amount of ~~the~~ 15 cubic yards of plastic sheeting waste will be generated per year from all sites. The plastic sheeting waste is expected to be treated as hazardous waste, ~~along~~ with the contaminated soils, ~~and so its disposal will to~~ comply with all local, state, or federal waste disposal regulations. PR 1466 does not contain any provisions that would alter current practices. Thus, implementation of PR 1466 is not expected to interfere with any affected ~~cleanup~~ site ability to comply with applicable local, state, or federal waste disposal regulations in a manner that would cause a significant adverse solid and hazardous waste impact.

### **Conclusion**

Based upon these considerations, significant adverse solid and hazardous waste impacts are not expected from implementing PR 1466. Since no significant solid and hazardous waste impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION AND TRAFFIC.</b>				
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Significance Criteria

Impacts on transportation and traffic will be considered significant if any of the following criteria apply:

- Peak period levels on major arterials are disrupted to a point where level of service (LOS) is reduced to D, E or F for more than one month.
- An intersection's volume to capacity ratio increase by 0.02 (two percent) or more when the LOS is already D, E or F.
- A major roadway is closed to all through traffic, and no alternate route is available.
- The project conflicts with applicable policies, plans or programs establishing measures of effectiveness, thereby decreasing the performance or safety of any mode of transportation.
- There is an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.
- The demand for parking facilities is substantially increased.
- Water borne, rail car or air traffic is substantially altered.
- Traffic hazards to motor vehicles, bicyclists or pedestrians are substantially increased.
- The need for more than 350 employees.
- An increase in heavy-duty transport truck traffic to and/or from the facility by more than 350 truck round trips per day.
- Increase customer traffic by more than 700 visits per day.

## Discussion

PR 1466 will reduce particulate emissions from soils with the Applicable TACs by implementing fugitive dust control measures from earth-moving activities at sites that have been determined to contain the Applicable TACs by U.S. EPA, DTSC, State Water Board, Regional Water Board, or the SCAQMD's Executive Officer. Facilities affected by PR 1466 are located in existing industrial, commercial, residential, other or mixed land use areas. PR 1466 establishes a PM10 ambient dust limit and dust control measures at ~~cleanup~~-the sites, and would require notification to the Executive Officer when earth-moving activities begin or PM10 emission limits are not met. Sites affected by PR 1466 will be required to install and maintain signage to inform the community and discourage unauthorized access. PR 1466 also includes additional requirements to limit cleanup activities for sites at schools and early education centers.

### XVII. a) & b) Less Than Significant Impact

As previously explained in Section III - Air Quality and Greenhouse Gas Emissions, compliance with PR 1466 may require fugitive dust control, inspection, supervision, and monitoring activities at designated ~~cleanup~~-sites. For a "worst case" analysis, approximately additional 12 water trucks (five round trip per vehicle), 3 delivery trucks (one round trip per vehicle), plus 12 worker vehicles (one round trip per vehicle) are assumed to be needed on a peak construction day for six ~~cleanup~~ sites. SCAQMD staff assumed that for the six ~~cleanup~~-sites, implementation of PR 1466 on a peak day would generate a maximum of 15 new vehicle trips (round trips) which can be attributed to implementing the fencing and windscreen requirement as well as additional trips needed for

workers to conduct inspection, supervision, and monitoring. For these reasons, construction is not expected to affect on-site traffic or parking for each ~~cleanup~~-affected site. Further, since the additional 15 vehicle trips that may occur on a peak day are below the significant threshold of 350 round trips, impacts to traffic and transportation are not expected to be significant. The estimated vehicles from all activities is summarized in Table 2-7.

**Table 2-7**  
**Estimation of Vehicle Trips**

Phase	Worker Vehicles	Delivery Trucks	Total
<b>Construction</b> a,b	12 per day (12 round trips)	3 per day (3 round trips)	15 per day (15 round trips)

- <sup>a</sup> The water trucks (each has 5 round trips) will be used on-site and the water will be provided by ~~are from~~ the nearby water hydrants. Therefore the trucks are not considered as transportation impact and are not included in this analysis here.
- <sup>b</sup> The worst case analysis is based on a maximum of 3 delivery truck trips (round trips) for installation of fencing, windscreen, and plastic sheeting (tarps) and 12 worker trips (round-trips) to account for the additional employees to do the inspection, supervision, monitoring activities at 6 ~~cleanup~~-sites together.

While these additional vehicle trips are assumed to overlap on a given day, the 15 round trips that may occur are not expected to significantly adversely affect circulation patterns on local roadways or the level of service at intersections near each of the affected ~~cleanup~~-sites. Thus, implementation of PR 1466 is not expected to cause a significant increase in the number of worker trips at any of the affected ~~cleanup~~-sites

**XVII. c) Less than Significant Impact.** In order for sites to become subject to PR 1466, they must first be designated by a federal, state, or local agency as requiring soil cleanup. Thus, cleanup activities required by these agencies will involve heavy-duty construction equipment such as tractors, loaders, backhoes, excavators, heavy duty and medium duty trucks for hauling, material delivery and spraying water, and worker vehicles and most of the equipment and activities occur within the confines of each ~~cleanup~~-affected site with some activities occurring at the entry/exit points. The height profile of the equipment and vehicles operating at ~~cleanup~~-the affected sites would not be at an elevation that would cause or affect existing air traffic patterns. Similarly, for implementing the dust control measures contained in PR 1466, some additional water trucks, delivery trucks, and worker vehicles will be needed and the height profile of these vehicles will have similar height profiles to the equipment and vehicles already operating at the ~~cleanup~~-sites. As such, implementation of PR 1466 would not be expected to result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Therefore, the impacts for the topic area are expected to be less than significant.

**XVII. d) & e) No Impact.**

The future ~~cleanup~~-sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. To implement PR 1466, as explained previously in Section XVII. a) and b), for a “worst case” analysis, approximately additional 3 delivery trucks plus 12 worker vehicles are assumed to be needed on a peak construction day for six ~~cleanup~~-sites resulting in 15 round trips occurring on local roadways. This

low quantity of additional trips would not require the construction of new roadways. Thus, implementation of PR 1466 would not be expected to change to current public roadway designs. As a result, PR 1466 is not expected to substantially increase traffic hazards or create incompatible uses at or adjacent to the facilities. Emergency access at each of the affected ~~cleanup~~ sites is not expected to be impacted because PR 1466 does not contain any requirements specific to emergency access points and each affected cleanup is expected to continue to maintain their existing emergency access. Since PR 1466 is expected to involve short-term activities that would create new water truck trips and worker vehicle trips that would be expected to cease after cleanup is completed, the proposed project is not expected to alter the existing long-term circulation patterns within the areas of each affected ~~cleanup~~ site. Thus, no long-term impacts on the traffic circulation system are expected to occur during implementation of PR 1466.

**XVII. f) No Impact.** PR 1466 does not contain any requirements that would affect or alter adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Further, the affected ~~cleanup~~ sites would still be expected to comply with, and not interfere with adopted policies, plans, or programs supporting alternative transportation (e.g., bicycles or buses) that exist in their respective cities. Since all of the requirements and compliance activities associated with implementing PR 1466 would be expected to occur on-site, PR 1466 would have no impact on each affected ~~cleanup~~ site's ability to comply with any applicable alternative transportation plans or policies.

### Conclusion

Based upon these considerations, no significant transportation and traffic impacts are expected from implementing PR 1466. Since no significant transportation and traffic impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**XVIII. a) No Impact.** As explained in Section IV - Biological Resources, the future cleanup-sites that will be affected by PR 1466 are previously developed and established sites that will be designated for cleanup by federal, state, and local regulatory agencies. There are no provisions in PR 1466 that would require earth-moving activities, but rather PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup as required by federal, state, and local regulatory agencies. Also, PR 1466 does not require the acquisition of additional land or further conversions of riparian habitats or sensitive natural communities where endangered or sensitive species may be found. Thus, PR 1466 would not be expected to cause a specific disturbance of habitat or have a direct or indirect impact on plant or animal species on land or in water. Therefore, PR 1466 would have no direct or indirect impacts that could adversely affect plant or animal species or the habitats on which they rely within the SCAQMD’s jurisdiction and PR 1466 is not expected to reduce or eliminate any plant or animal species or destroy prehistoric records of the past.



**XVIII. b) Less Than Significant Impact.** Based on the foregoing analyses, PR 1466 would not result in significant adverse project-specific environmental impacts. Potential adverse impacts from implementing PR 1466 would not be “cumulatively considerable” as defined by CEQA Guidelines § 15064(h)(1) for any environmental topic because there are no, or only minor incremental project-specific impacts that were concluded to be less than significant. Per CEQA Guidelines § 15064(h)(4), the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable. SCAQMD cumulative significant thresholds are the same as project-specific significance thresholds.

This approach was upheld by the Court in *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal. App. 4th 327, 334. The Court determined that where it can be found that a project did not exceed the SCAQMD’s established air quality significance thresholds, the City of Chula Vista properly concluded that the project would not cause a significant environmental effect, nor result in a cumulatively considerable increase in these pollutants. The court found this determination to be consistent with CEQA Guidelines § 15064.7, stating, “The lead agency may rely on a threshold of significance standard to determine whether a project will cause a significant environmental effect.” The court found that, “Although the project will contribute additional air pollutants to an existing nonattainment area, these increases are below the significance criteria...” “Thus, we conclude that no fair argument exists that the Project will cause a significant unavoidable cumulative contribution to an air quality impact.” As in *Chula Vista*, here the SCAQMD has demonstrated, when using accurate and appropriate data and assumptions, that the project will not exceed the established SCAQMD significance thresholds. See also, *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal. App. 4th 899. Here again the court upheld the SCAQMD’s approach to utilizing the established air quality significance thresholds to determine whether the impacts of a project would be cumulatively considerable. Thus, the implementation of PR 1466 will not cause a significant unavoidable cumulative impact.

Therefore, there is no potential for significant adverse cumulative or cumulatively considerable impacts to be generated by PR 1466 for any environmental topic.

**XVIII. c) Less Than Significant Impact.** The objective of PR 1466 is to reduce exposure from fugitive dust containing TACs from cleanup activities. Based on the foregoing analyses, PR 1466 is not expected to cause adverse effects on human beings for any environmental topic, either directly or indirectly because: 1) the aesthetics impacts were determined to be less than significance as analyzed in Section I - Aesthetics; 2) the air quality and GHG emission impacts were determined to be less than the significance thresholds as analyzed in Section III – Air Quality and Greenhouse Gases; 3) the increased demand for energy and water can be met by utilizing existing services as analyzed in Section VI – Energy and Section IX - Hydrology and Water Quality, respectively; 4) the hazards and hazardous materials impacts were determined to be less than significance as analyzed in Section VIII – Hazards and Hazardous Materials; 5) the land use and planning impacts were determined to be less than significance as analyzed in Section X – Land Use and Planning; 6) the transportation and traffic impacts were determined to be less than the significance thresholds as analyzed in Section XVI – Transportation and Traffic; and 7) the solid and hazardous waste impacts were determined to be less than the significance as analyzed in Section XVI – Solid and Hazardous Waste. In addition, the analysis concluded that there would be no significant environmental impacts for the remaining environmental impact topic areas:

agriculture and forestry resources, biological resources, cultural resources, geology and soils, mineral resources, population and housing, public services, and recreation.

**Conclusion**

As previously discussed in environmental topics I through XVIII, the proposed project has no potential to cause significant adverse environmental effects. Since no significant adverse environmental impacts were identified for any topic area, no mitigation measures are necessary or required.

## **APPENDICES**

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**Appendix A: Proposed Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants**

**Appendix B: CEQA Impact Evaluations – Assumptions and Calculations**

**Appendix C: List of Cleanup Sites from 2014 to 2016**

**Appendix D: References, Organizations and Persons Consulted**

**Appendix E: Comment Letter on the Draft EA and Responses to Comments**

## **APPENDIX A**

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### **PROPOSED RULE 1466 - CONTROL OF PARTICULATE EMISSIONS FROM SOILS WITH TOXIC AIR CONTAMINANTS**

In order to save space and avoid repetition, please refer to the latest version of Proposed Rule 1466 located in the Governing Board Package (meeting date July 7, 2017). The version of Proposed Rule 1466 that was circulated with the Draft EA and released on May 16, 2017 for a 30-day public review and comment period ending on June 15, 2017 was identified as “PR 1466 April 21, 2017.” Original hard copies of the Draft EA, which include the draft version of the proposed rule listed above, can be obtained through the SCAQMD Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD’s publication request line at (909) 396-2039 or from Fabian Wesson - Assistant Deputy Executive Officer/Public Advisor, AQMD, 21865 Copley Drive, Diamond Bar CA 91765, or [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov)

**APPENDIX B**

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**CEQA IMPACT EVALUATIONS – ASSUMPTIONS AND  
CALCULATIONS**

**Appendix B**

**CEQA Impact Evaluations - Assumptions and Calculations**

(2017/05/11 rev)

**Emissions Summary**

PR 1466 Requirement	CO, lb/day	NOx, lb/day	PM10, lb/day	PM2.5, lb/day	VOC, lb/day	SOX, lb/day
Increased water trucks	0.37	3.21	17.11	1.79	0.11	0.01
Increased delivery trucks	0.17	1.55	0.60	0.18	0.06	0.00
Increased employee vehicles	1.17	0.10	0.21	2.15	0.03	0.00
<b>Total</b>	<b>1.71</b>	<b>4.86</b>	<b>17.92</b>	<b>4.11</b>	<b>0.20</b>	<b>0.01</b>

By Vehicle Class	CO, lb/day	NOx, lb/day	PM10, lb/day	PM2.5, lb/day	VOC, lb/day	SOX, lb/day	CO2, MT/yr	CH4, MT/yr	N2O, MT/yr	CO2e, MT/yr
Diesel Water Trucks (T6 Construction Truck)	0.37	3.21	17.11	1.79	0.11	0.01	30.83	-	-	30.83
Diesel Delivery Trucks (T6 Construction Truck)	0.17	1.55	0.60	0.18	0.06	0.00	0.14	-	-	1.40
Employee Vehicle (LDA)	1.17	0.10	0.21	2.15	0.03	0.00	17.19	-	-	17.19
<b>Total</b>	<b>1.71</b>	<b>4.86</b>	<b>17.92</b>	<b>4.11</b>	<b>0.20</b>	<b>0.01</b>	<b>48.16</b>	<b>-</b>	<b>-</b>	<b>49.42</b>

All sites	
Max. # used/day	Max. # day used/yr
12	1300
3	30
12	1300

**Note:**

1. It is conservatively assumed that there will be up to 6 sites doing cleanup in the peak day and 10 sites in a year.
2. It is conservatively assumed in the peak day, there will be an additional 2 water trucks (T6), 1 supervisor vehicles (LDA) and 1 monitoring vehicles (LDA) at each site. Plus, 2 T6 trucks to deliver fencing/windscreen and 1 T6 truck to deliver tarps.
3. Each LDA, delivery truck, and water truck are assumed to travel round trip up to 40 miles, 40 miles, and 4 miles, respectively
4. Assumed the Gross Vehicle Weight for the T6 instate construction heavy truck (4,000 gallon water truck) is 52,000 lbs.
5. Assumed each 4,000 gallon water truck will handle 20,000 gallon water in a peak day (5 round trips).
6. Assumed 65 working days per site.
7. Assumed half of the sites need new fencing/windscreen and tarps (plastic sheeting).

	Site #
Daily	6
Annual	10

**water truck - T6 instate construction heavy (T6) - each**

	CO	NOx	PM10	PM2.5	VOC	SOX	CO2	CH4	N2O	CO2e
g/mile (RUNEX, PMBW, PMTW, Fugitive)	0.63	5.62	32.36	3.38	0.20	0.01	1,151.66			1,151.66
g/vehicle (IDLEX)	1.48	9.06	0.06	0.05	0.18	0.01	706.18			706.18
lb/day, MT/day for GHG	0.03	0.27	1.43	0.15	0.01	0.00	0.02	-	-	0.02

<b>VMT, mile/day</b>
20.0

EF: from EMFAC2014, EPA AP-42

**delivery truck - T6 instate construction heavy (T6) - each**

	CO	NOx	PM10	PM2.5	VOC	SOX	CO2	CH4	N2O	CO2e
g/mile (RUNEX, PMBW, PMTW, Fugitive)	0.63	5.62	2.27	0.67	0.20	0.01	1,151.66	-	-	1,151.66
g/vehicle (IDLEX)	1.48	9.06	0.06	0.05	0.18	0.01	706.18	-	-	706.18
lb/day, MT/day for GHG	0.06	0.52	0.20	0.06	0.02	0.00	0.05	-	-	0.05

<b>VMT, mile/day</b>
40.0

EF: from EMFAC2014, EPA AP-42

**Light-Duty Automobiles (LDA) - each**

	CO	NOx	PM10	PM2.5	VOC	SOX	CO2	CH4	N2O	CO2e
g/mile (RUNEX, PMBW, PMTW, Fugitive)	1.10	0.10	0.20	2.03	0.03	0.00	330.83			330.83
lb/day, MT/day for GHG	0.10	0.01	0.02	0.18	0.00	0.00	0.01	-	-	0.01

<b>VMT, mile/day</b>
40.0

EF: from EMFAC2014, EPA AP-42

**ENERGY CALS**

Category	EPA/NHTSA Fuel Consumption					gallon fuel consumed per year due to PR 1466	Baseline - Year 2015 Estimated Basin Fuel Demand (mmgal/yr)	Total % Above Baseline
	gal/1,000 ton-mile	ton	1 ton-m/g	mpg				
LDA				20.00		2,600	6,783	0.00004% gasoline
Medium Heavy Class 6-7	22.1	26	45.25	1.74	15,629	756	0.0021% diesel	

**Reference:**

National Highway Traffic Safety Administration (NHTSA) vocational vehicle standards, [https://www.dieselnet.com/standards/us/fe\\_hd.php](https://www.dieselnet.com/standards/us/fe_hd.php)

EPA Fuel Economy report: <https://www.epa.gov/fueleconomy/trends-report>

**PR 1466 - Water Usage**

Estimated Additional Water Usage (gal/day)	2014-2016	Future (peak daily)
	319,176	141,000

Assumed the additional water usage in the peak day after PR 1466 implemented will be about half of the usage in 2014-2016. The actual numbers are from PR 1466 Staff Report.

Water sources: local water hydrants

**APPENDIX C**

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**LIST OF CLEANUP SITES FROM 2014 TO 2016**



**Appendix C**  
**2014-2016 Cleanup Sites**  
(2017/05/11rev)

Contaminated Sites

SCAQMD Log	Name	Site Type	Size (acres)	Estimated Current Water Usage (gal/day)	Estimated Proposed Water Usage (gal/day)	Current Water Trucks <sup>1</sup>	Estimated Proposed Water Trucks <sup>1</sup>	Estimated Water Truck Increases
LAC140220-01	Olympic Base	Military	2	1,936	5,160	1	1	-
LAC140624-05	South Region HS	School	9	8,712	23,220	1	2	1
LAC140627-01	PG&E Topock	Power Generation	11	10,648	28,380	1	2	1
LAC140826-03	Liston Brick	Metal Melting	1	968	2,580	1	1	-
LAC141007-03	Southland Steel	Metal Melting	1	968	2,580	1	1	-
LAC141008-02	Renu Plating	Metal Finishing	1	968	2,580	1	1	-
LAC141009-08	Cal School for Deaf	School	8	7,744	20,640	1	2	1
LAC141112-01	Ecology Controls Ind	Waste Management	9	8,712	23,220	1	2	1
RVC141030-03	Lockheed Beaumont 2	Aerospace	1	968	2,580	1	1	-
LAC141216-06	Malibu High School	School	1	968	2,580	1	1	-
LAC141230-05	APEX Metal Polishing	Metal Finishing	1	968	2,580	1	1	-
LAC150313-05	Jordan Downs	Manufacturing and Trucking	21	20,328	54,180	2	3	1
LAC150416-12	OC Metal Proc	Metal Finishing	2	1,936	5,160	1	1	-
SBC150424-02	Ashland	Chemicals	4	3,872	10,320	1	1	-
LAC150602-03	Cal HS	School	3	2,904	7,740	1	1	-
ORC150609-02	Beverly Hills Civic Ctr	Railway	2	1,936	5,160	1	1	-
LAC150707-13	Parks at Monrovia	Manufacturing	3	2,904	7,740	1	1	-
LAC150707-11	Int'l Light Metals	Metal Melting	12	11,616	30,960	1	2	1
LAC150820-13	Fremont HS	School	1	968	2,580	1	1	-
ORC151117-01	Delru	Metal Finishing	1	968	2,580	1	1	-
SBC160322-05	Las Terrezas	vacant	1	968	2,580	1	1	-
LAC160401-08	Southwest Marine	Manufacturing	25	24,200	64,500	2	4	2
RVC160929-05	AgPark	Military	62	60,016	159,960	4	8	4
LAC161101-10	Ladera Park	School	1	968	2,580	1	1	-
LAC161220-08	Exide	Metal Melting	15	14,520	38,700	1	2	1
			<b>Total</b>	<b>191,664</b>	<b>510,840</b>	<b>30</b>	<b>43</b>	<b>13</b>

319,176

Total acres	198
Average acre per site	8
Max acres in 6 month period	88
Max sites in 6 month period	6
Average sites in one year period	8
Max sites in one year period	10
Plastic sheeting - tarp per site	3 cu. Yd
Plastic sheeting - tarp total site per year	15 cu. Yd
fence/windscreen for 8 acre site	600'x600'x10'

**NOTE:**

<sup>1</sup> Always round up

**APPENDIX D**

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**REFERENCES**

**REFERENCES**

**ORGANIZATIONS AND PERSONS CONSULTED**

## REFERENCES

- California Environmental Quality Act (CEQA) Guidelines, codified at Title 14 California Code of Regulations, §15000 et seq.
- California Energy Commission, California Annual Retail Fuel Outlet Report Results in 2015, [http://www.energy.ca.gov/almanac/transportation\\_data/gasoline/2015\\_A15\\_Results.xlsx](http://www.energy.ca.gov/almanac/transportation_data/gasoline/2015_A15_Results.xlsx)
- California Code of Regulation (CCR), Title 13, section 2025. <https://www.arb.ca.gov/msprog/onrdiesel/documents/tbfinalreg.pdf>
- CCR, Title 13, section 2485. [https://www.arb.ca.gov/msprog/truck-idling/13CCR2485\\_09022016.pdf](https://www.arb.ca.gov/msprog/truck-idling/13CCR2485_09022016.pdf)
- Jacobsen, Mark Z. “Enhancement of Local Air Pollution by Urban CO<sub>2</sub> Domes,” Environmental Science and Technology, as describe in Stanford University press release on March 16, 2010 available at: <http://news.stanford.edu/news/2010/march/urban-carbon-domes-031610.html>
- Lewis-Presley Air Quality Management Act, The, 1976 Cal. Stats., ch 324 (codified at Health and Safety Code, §§40400-40540).
- National Highway Traffic Safety Administration (NHTSA) vocational vehicle standards. [https://www.dieselnet.com/standards/us/fe\\_hd.php](https://www.dieselnet.com/standards/us/fe_hd.php)
- SCAQMD, 2003. SCAQMD Cumulative Impacts Working Group White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution, August 2003, Appendix D, Cumulative Impact Analysis Requirements Pursuant to CEQA, at D-3, <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper-appendix.pdf>.
- SCAQMD, 2008. CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans. Governing Board Letter, December 5, 2008. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-%28ghg%29-ceqa-significance-thresholds/ghgboardsynopsis.pdf>.
- SCAQMD, 2016. Final 2016 Air Quality Management Plan. March 2017. <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp> .

## **ORGANIZATIONS AND PERSONS CONSULTED**

The CEQA statutes and Guidelines require that organizations and persons consulted be provided in the EA. A number of organizations, state and local agencies, and private industry have been consulted. The following organizations and persons have provided input into this document:

California Department of Toxic Substances Control (DTSC)  
5796 Corporate Ave. Cypress, CA 90630  
(714) 484-5300

**APPENDIX E**

**COMMENT LETTER ON THE DRAFT EA AND RESPONSES TO  
COMMENTS**

**Comment Letter #1: Diana Watson / Department of Transportation**

**Comment Letter #1**

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7-OFFICE OF TRANSPORTATION PLANNING  
100 S. MAIN STREET, MS 16  
LOS ANGELES, CA 90012  
PHONE (213) 897-9446  
FAX (213) 897-1337  
www.dot.ca.gov



*Serious Drought.  
Serious drought.  
Help save water!*

June 9, 2017

Barbara Radlein  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

RE: Proposed Rule 1466-Control of Particulate  
Emissions from Solis with Toxic Air Contaminants  
SCH # 2017051046  
GTS# 07-ALL-2017-00023

Dear Ms. Radlein:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Assessment (DEA) of Proposed Rule 1466. South Coast Air Quality Management District's (SCAQMD) staff has developed Proposed rule (PR) 1466 to establish requirements to minimize off-site fugitive particulate matter (PM 10) emissions that contain certain toxic air contaminants (TAC's) from earth-moving activities at sites within SCAQMD jurisdiction that have been designated as cleanup sites by the US Environmental Protection Agency, the California Toxic Substances Control (DTSC), the California Environmental Protection Agency's State Water Resources Control Board or Regional Water Quality Control Board. PR 1466 requirements would also apply to any site conducting earth-moving activities that is identified by their SCAQMD's Executive Officer as having soil that contains certain TAC's at levels exceeding soil cleanup thresholds. PR 1466 establishes a PM10 ambient dust limit and dust control measures at PR 1466 applicable sites.

Please note that any work performed within State right of way will require an encroachment permit from Caltrans. In addition, please be reminded that transportation of heavy construction equipment materials, or other special equipment, which require the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute hours.

If you have any questions please feel free to contact Melanie Bradford, the project coordinator at (213) 897-9446 and refer to GTS#07-ALL-2017-00023.

Sincerely,

Handwritten signature of Dianna Watson in black ink.

DIANNA WATSON  
LD-IGR Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

**Responses to Comments**

**Responses to Comment Letter #1**

PR 1466 does not require the construction of new buildings or new air pollution control equipment, or the relocation or remodeling of existing sites, buildings or air pollution control equipment. Further, there are no provisions in PR 1466 that require earth-moving activities to occur. Instead, PR 1466 imposes requirements to minimize toxic fugitive dust if and when earth-moving activities occur during soil cleanup activities as required by federal, state, and local regulatory agencies. PR 1466 does not prescribe the location where the soil cleanup activities will occur. Also, it is important to note that the types of earth-moving activities that may occur during soil cleanup activities may involve land clearing, excavation, grading, stockpiling, and trenching which may require the use of construction equipment and vehicles. However, the emissions generated from operating the necessary construction equipment and mobile on-road vehicles by the employees and supervisors at the affected sites are already a part of the baseline or existing setting. Therefore, PR 1466 would not cause earth-moving activities to occur within a State right of way. Also, it is important to note that PR 1466 does not require the transportation of heavy construction equipment and vehicles. For this reason, PR 1466 would not be expected to trigger any of Caltrans' permitting requirements for bringing construction equipment and vehicles onto sites undergoing cleanup activities.

Further, as analyzed in Section XVII - Transportation and Traffic in the EA (see pages 2-63 to 2-66), implementation of PR 1466 would not increase large size truck trips and would not create significant impacts to transportation and traffic. Therefore, no oversized-transport vehicles requiring a Caltrans transportation permit will be necessary if PR 1466 is implemented.