

**Further Responses to Public Comments Related to the
Draft Subsequent Environmental Impact Report
Title V Permit Public Consultation Meeting – April 18, 2012
Sunshine Gas Producers Proposed Renewable Energy Project Title V Permit
Sunshine Canyon Landfill Title V Permit Renewal and Revision
Responses to Public Testimony Comments**

On April 18, 2012, the South Coast Air Quality Management District (AQMD) held a Title V public consultation meeting in response to public interest in the Sunshine Gas Producers Proposed Renewable Energy Project Title V Permit and the Sunshine Canyon Landfill Title V Permit Renewal and Revision. At the public consultation meeting a number of interested stakeholders testified on one or both permit projects. In addition, a number of comments were made on the Final Subsequent Environmental Impact Report (SEIR) for the Sunshine Gas Producers Renewable Energy Project (online at the following URL: <http://www.aqmd.gov/ceqa/nonaqmd.html>). This document contains SCAQMD staff's responses to comments made on the Final SEIR for the Sunshine Gas Producers Renewable Energy Project. Responses to comments made on the Title V permits for each project have been prepared in a separate document.

Responses to the Sunshine Gas Producers Renewable Energy Project-related Comments

Mr. Ralph Kroy – Local Resident

1. **Comment:** The commenter stated that the concept of a landfill gas-to-energy project is a good concept, however the “execution of this project is poor.” He expressed concerns about existing odors from landfill operations affecting the nearby community including Van Gogh Elementary school.

Response: Please see the section regarding “Odor issues in the surrounding communities have yet to be resolved” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

2. **Comment:** He expressed concerns about emissions from the SGPREP, specifically air toxics. The commenter also stated that CEQA doesn't allow approval of a project with increases in emissions.

Response: A Tier 3 health risk assessment (HRA)¹ was performed to calculate residential maximum individual cancer risk (MICR), as well as the residential chronic

¹ A Tier 3 HRA uses a screening dispersion modeling computer program to estimate risk. This tier requires more expertise than Tiers 1 and 2. Performing a Tier 3 HRA requires an EPA-approved dispersion modeling program such as T-SCREEN or SCREEN3 and equipment information such as stack gas temperature, stack gas exit velocity or flow rate, and stack inside diameter. For additional information on performing HRAs see Risk Assessment Procedures for Rules 1401 and 2012, version 7.0, July 1, 2005 at <http://www.aqmd.gov/prdas/pdf/riskassessmentprocedures-v7.pdf>.

hazard index (HIC) and acute hazard index (HIA) for non-cancer health risks from toxic air contaminants (TACs) emitted from the proposed LFG-fueled devices to residential receptors. This analysis was conducted as part of the AQMD permit application for the SGPREP (Appendix E-1 through E-3). The risk assessment was conducted using the procedures specified in the AQMD document Risk Assessment Procedures for Rules 1401 and 212, Version 7.0 and the Permit Application Package L for permit applications deemed complete after July 1, 2005. Rule 1401, New Source Review of Toxic Air Contaminants, requires that new emission units that have the potential to emit TACs must demonstrate compliance with specified limits for maximum individual cancer risk and acute and chronic hazard indices.

Maximum Individual Cancer Risk, Residents

As stated in Risk Assessment Procedures for Rules 1401 and 212, Version 7.0: “the cumulative increase in MICR shall not exceed: (a) one in one million (1×10^{-6}) if best available control technology for toxics (T-BACT) is not used, or (b) ten in one million (10×10^{-6}) if T-BACT is used.”

As discussed in the AQMD Permit to Construct application documents (Appendix E-1 through E-3), based on the specified regulatory agency control equipment determinations (CARB Guidance, AQMD/BAAQMD Guidance, and U.S. EPA RBLC Databases), the use of the Solar Turbines Mercury 50 gas turbines, with dry low-NO_x combustor technology represents the lowest achievable emission rate (LAER) for the production of electricity from medium Btu landfill waste gas. The proposed NO_x emission rate of 15 ppmvd is considered achieved in practice (AIP) LAER. The proposed CO emission rate of 25 ppmvd exceeds (is less than) current AIP LAER determinations. Additionally, the turbines are designed to remove a minimum of 98 percent VOCs from the LFG. This represents LAER for VOC removal, and therefore, this would also represent T-BACT for destruction of TACs (note: many VOCs are also classified as air toxics). Because the proposed project would use T-BACT, the MICR to comply with Rule 1401 is ten in one million. Ten in one million is also the AQMD’s cancer risk significance threshold (see FSEIR, Table 4-1).

The MICR values calculated at the nearest residential receptors (FSEIR, Figure 4-1) would be less than 0.07 in one million (7.0×10^{-8}). The MICR values calculated for the nearest residential receptors is less than the AQMD’s TAC significance of ten in one million (10×10^{-6}) for cancer risk.

Hazard Indices, Residents

A hazard index analysis is a methodology for calculating non-cancer health impacts from short-term exposures to air toxics (acute exposure, or HIA) and long-term exposures (chronic, or HIC). As stated in Risk Assessment Procedures for Rules 1401 and 212, Version 7.0: “for target organ systems, neither the cumulative increase in either the total HIC nor the total HIA due to total emissions from the affected permit unit shall exceed 1.0 for any target organ system, or an alternate hazard index level deemed to be safe.” In

addition, 1.0 is the significance threshold for both HIA and HIC non-cancer health impacts (see Table 4-1 of the Final SEIR).

The HIA was calculated for each receptor for the combined impact of all chemicals on target organs. The maximum overall HIA value is 6.54×10^{-2} (or 0.065), which is less than the acute hazard significance threshold of 1.0. The location of the maximum HIA is presented on Figure 4-1 of the Final SEIR for the proposed project. The location of the maximum overall HIA is in an area where short-term exposure could occur. The HIC values calculated at the nearest residential receptors (Figure 4-1 of the Final SEIR) would be less than 1.3×10^{-03} (0.0013). All calculated HIC values would be less than the chronic hazard significance threshold of 1.0. Further information regarding the modeling method and parameters can be found in the *Air Toxic Evaluation and Health Risk Assessment for Sunshine Gas Producers, L.L.C.* (Derenzo 2009a), provided in Appendix E-3.

As indicated above, the results of the Tier 3 health risk assessment indicate that the proposed project would not exceed the cancer risk, HIA, or HIC significance thresholds at any location, including those areas that are regularly occupied by sensitive receptors (i.e., children, the old, the infirm, etc.). Therefore, this impact is considered less than significant.

With regard to the comment that CEQA does not allow approval of projects with increases of emissions, this is not a correct statement. According to CEQA Guidelines §15002 – General Concepts, the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

If significant adverse impacts from a project are identified in a CEQA document and there are no mitigation measures or project alternatives available to reduce impacts to less than significant, the lead agency for the project (the public agency responsible for preparing the CEQA document), cannot certify the CEQA document unless the following actions occur.

- (1) **Findings:** The public agency must make one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The specific findings to be made by the public agency are identified in CEQA Guidelines §15091.

- (2) **Statement of Overriding Considerations:** CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.” Further, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

In addition to complying with all other relevant CEQA requirements, Findings and a Statement of Overriding Considerations have been prepared for the proposed project and are currently under evaluation by the AQMD’s Executive Officer, who is the ultimate decisionmaking authority for the proposed SGPREP’s CEQA document.

Mr. Wayne Hunter – North Valley Coalition of Concerned Citizens, Inc.

3. **Comment:** Mr. Hunter referenced a letter dated March 13, 2012, from Mr. Mohsen Nazemi that rejected his request for a Title V permit hearing on the Sunshine Canyon Landfill (SCLF). The letter noted that, because of community interest in the SCLF and SGPREP projects, a single public consultation meeting would be held for both projects to seek community input. Mr. Hunter requested that his past comments and comments from other community members be incorporated as part of the record and that responses to past comments be prepared.

Response: All comment letters received by the AQMD on the DSEIR for the proposed project during the public review period, including Mr. Hunter’s comment letters, have been responded to and are included as Appendix J of the Final Subsequent Environmental Impact Report (FSEIR), which is part of the public record. In addition, comment letters received after the close of comments on the DSEIR that were recently submitted as part of the request for a Title V public hearing and responses to individual comments are also included in Appendix J of the FSEIR, which was available to the public on April 18, 2012.

4. **Comment:** Mr. Hunter requested that the AQMD not take an incremental approach to analyzing air toxics, instead the analysis should evaluate cumulative air toxics emissions and impacts.

Response: Cumulative impacts for the landfill operations at peak landfill gas (LFG) production were comprehensively analyzed in the 1999 Final SEIR, prepared for Sunshine Canyon Landfill, which analyzed impacts from combining the City and County landfills into a single landfill. In that document it was estimated that peak LFG production would equal approximately 20,835 standard cubic feet per minute (scfm). Further, the project analyzed in the 1999 Final SEIR also contemplated a future LFG-to-energy project as part of the LFG collection and control system. Analysis of the proposed SGPREP project indicated that it would have no effects on the amount of refuse received

by SCLF or LFG production. Cumulatively, the proposed SGPREP would not increase LFG emissions beyond what was analyzed in the 1999 Final SEIR and, therefore, impacts from the proposed SGPREP are considered to be within the scope of the 1999 Final SEIR, which was certified by the lead agency.

The 1999 Final SEIR also evaluated total TAC emission impacts from SCLF at full LFG production and concluded that the 1999 project would not create significant adverse health impacts from exposure to TAC emissions. Therefore, TAC emission impacts from SCLF at full LFG generation capacity have already been accounted for in a certified CEQA document. As discussed in response to comment #2, TAC exposure impacts from the proposed SGPREP would not be significant and are considered to be within the scope of the analysis in the 1999 Final SEIR. Further, the analysis of project-specific impacts from the proposed project would not create significant adverse impacts to off-site sensitive receptors and, therefore is not considered to be cumulatively considerable (CEQA Guidelines §15064(h)(1)). If project-specific impacts are not concluded to be cumulatively considerable, it is assumed that their incremental effects do not contribute to cumulative impacts created by other cumulatively considerable projects.

5. **Comment:** He asked who is considered a sensitive receptor?

Response: Please see the section regarding “What is a sensitive receptor?” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

6. **Comment:** Mr. Hunter asked what are the ages of persons evaluated in health risk assessments (HRAs)? Does the HRA focus on young or old people?

Response: The cancer risk assessment for the proposed project assumes that a resident or sensitive receptor is cumulatively exposed over a 70-year lifetime, that is, from birth to 70 years of age, so it does not focus on any specific age groups. The CalEPA Office of Environmental Health Hazard Assessment is developing toxicity adjustment factors that account for the observation that infants and children tend to be more susceptible than adults to the adverse effects of a carcinogenic pollutant. These adjustment factors have not yet been incorporated into HARP, the risk assessment tool used by the AQMD, so these effects are not accounted for in the analysis prepared for the proposed project.

7. **Comment:** Mr. Hunter stated that the Draft Title V permits for the SCLF were no longer available at the local public library.

Response: Please see the section regarding “Air quality analysis was not available for public review as indicated in the notice” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

8. **Comment:** Mr. Hunter stated that the SGPREP should be analyzed as part of the landfill, not a separate project because it has the same fuel source, landfill gas (LFG).

Response: As indicated in response to comment number 4, impacts from SCLF at full LFG production capacity, including operation of a LFG-to-energy project, were

previously analyzed in the 1999 Final SEIR. However, in analyzing the proposed SGPREP, the AQMD took a conservative approach by treating impacts as new impacts rather than relying on the impacts analysis in the 1999 Final SEIR. Although PM2.5 impacts were not analyzed in the 1999 Final SEIR, PM2.5 is a subset of PM10. Using PM10 as a surrogate for PM2.5, significant adverse PM2.5 impacts from the proposed SGPREP project would be considered within the scope of the analysis in the 1999 Final SEIR.

9. **Comment:** Mr. Hunter provided a chart he developed based on information obtained from the draft Title V permit for the SCLF, which showed his projected future emissions from SCLF and he stated that, based on his emission projections, cancer risks would increase substantially in the local area, which is already subject to higher cancer risks than other areas (he cited a 2005 LA County report – not provided).

Response: Please see the section regarding “Risk assessment procedures are flawed” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

10. **Comment:** Mr. Hunter asked if all his comments submitted on the CEQA document had been addressed and indicated that responses to comments should be prepared and provided to the community before approval of the SGPREP. He stated that he had not received a copy of the Final SEIR.

Response: All of Mr. Hunter’s comments, including those received during the public review period for the DSEIR and those received after the public review period, have been individually addressed and are included in Appendix J of the FSEIR for the SGPREP project. The FSEIR was made publicly available on April 18, 2012. All parties that provided comment letters on the Draft SEIR for the proposed project during the public review period and after the public review period were sent a copy of the FSEIR via Federal Express on Tuesday, April 17, 2012, for delivery on Wednesday, April 18, 2012. According to Federal Express tracking information, all FSEIRs were delivered on April 18, 2012. Subsequent to the Title V public consultation meeting, AQMD staff learned that the FedEx package to Mr. Hunter was sent to the correct street address, but wrong P.O. Box number. He was, however, able to obtain the document at the post office where it was sent.

11. **Comment:** Mr. Hunter asked if the SCLF complied with greenhouse gas (GHG) reduction provisions in Assembly Bill (AB) 32?

Response: Please see the section regarding “Does the landfill comply with the greenhouse gas (GHG) reduction requirements for Assembly Bill (AB) 32?” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

12. **Comment:** Finally, Mr. Hunter asked why the Title V permits for SCLF’s flares were in different units, for example, some units are pounds per day some are pounds per hour.

Response: . The AQMD limits equipment emissions in permit conditions taking into account the applicable rules and regulations, the monitoring frequency, the duration of applicable testing methods, and the operational schedule of the equipment. As such, depending on the requirements imposed, permits conditions could have different units.

13. **Comment:** What are the trash volume limits and gas volume limits at the landfill?

Response: Please see the section regarding “Landfill gas generation rate has been underestimated” and “What is the amount of trash that SCLF can accept?” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

Ms. Anne Zoliak – Grenada Hills Neighborhood Council

14. **Comment:** Ms. Zoliak stated that she had submitted a letter to the AQMD on March 30 regarding the gas to energy project and flare 9, which requested that cumulative impacts be provided at the meeting.

Response: Please refer to the response to comment number 4 for detailed information regarding cumulative impacts from the proposed SGPREP project and SCLF operations.

15. **Comment:** Ms. Zoliak expressed concerned about the project and asked how many more pollutants would be generated by the proposed project.

Response: The Final SEIR includes an analysis of all criteria pollutants and volatile organic compounds (VOCs) during construction from a regional perspective (see FSEIR Table 4-6, the table is too large to include here) and from a localized perspective (see FSEIR Table 4-7, the table is too large to include here), that is, how the project affects ambient pollutant concentrations at the offsite receptor. As shown in FSEIR Table 4-6, regional construction emissions for all criteria pollutants with the exception of NOx are anticipated to be less than significant. Unmitigated NOx emissions would exceed the 100 lb/day threshold of significance for some phases of the construction. With mitigation, construction NOx emissions would be reduced to less than significant.

Similarly, Final SEIR includes an analysis of all criteria pollutants and VOCs during operation from a regional perspective (see excerpt from FSEIR Table 4-8 below). As shown in FSEIR Table 4-8, regional operation emissions impacts for CO and PM10 are anticipated to be less than significant. Unmitigated NOx, VOC, PM2.5, and SOx emissions would exceed their applicable thresholds of significance. Applying offsets pursuant to AQMD Rule 1303 to the regional operation emissions reduces NOx, VOC, PM10, and SOx, emissions to less than significant. No mitigation measures were identified that could further reduce PM2.5 emissions.

TABLE 4-8**Estimated Facility Operation Emission Inventory**

Processes / Scenario		NO _x	CO	VOC	PM ₁₀	PM _{2.5} ³	SO _x
		(lb/day)	(lb/day)	(lb/day)	(lb/day)	(lb/day)	(lb/day)
a	SCLF Flare Baseline (2007 – 2009) ¹	124	126	19	19	19	113
b	Total SGPREP Emissions ²	385	394	107	113	113	375
b-a =c	Subtotal SGPREP Emission Increases	261	268	88	94	94	262
d	Offsets Applied to SGPREP per Rule 1303 (b)(2)(A)	261	0	88	94	0	262
c-d	Remaining SGPREP Emissions	0	268	0	0	94	0
	AQMD Threshold of Significance	55	550	55	150	55	150
	Significant?	No	No	No	No	Yes	No

Notes:

1. Baseline emissions for Oct 2007 through Sep 2009
2. SGPREP emissions at peak capacity (Assume average 245.2 MMBTU/hr heat input, not to exceed 247 MMBTU/hr on a 24-hour average).
3. PM_{2.5} emissions are a subset of PM₁₀ emissions and for some combustion sources, PM_{2.5} can represent up to 99 percent of the PM₁₀ emissions. This means that if you have 100 pounds of PM₁₀, 99 of the 100 pounds would be PM_{2.5}. Thus, using the conservative estimate that PM_{2.5} emissions are equal to PM₁₀ emissions means that these emissions represent the same emissions, not two different sets of emissions.

From a localized perspective, operational emissions from the proposed SGPREP project were shown to be less than significant (see FSEIR Table 4-9 below). The methodology and modeling parameters are included in Appendix E of the Final SEIR.

**TABLE 4-9
Results of Criteria Pollutants Air Quality Modeling**

Criteria Pollutant	Averaging Time	Significance Threshold (µg/m ³)	Concentrations for Proposed Project (µg/m ³)	Significant?
NO ₂	1-hr	500	291	No
	Annual	100	38	No
CO	1-hr	23,000	2,337	No
	8-hr	10,000	1,612	No
PM ₁₀	24-hr	2.5	2.1	No
	Annual	1	0.36	No

It should be noted that operational emission estimates in the FSEIR (see Tables 4-8 and 4-9 above) were updated to reflect revised, lower emission rates guaranteed by the gas turbine manufacturer provided to the applicant on July 8, 2011, subsequent to the release of the Draft SEIR (see Table 3). The revised emission rates guaranteed by the manufacturer resulted in lower daily emissions for NO_x and CO and, in the case of CO, resulted in reducing significant CO emission impacts identified in the Draft SEIR to less

than significant in the FSEIR. The revised emission rates guaranteed by the manufacturer have been reflected throughout the FSEIR including the cumulative impacts analyses in Chapter 5 and the alternatives analyses in Chapter 6.

TABLE 3
Comparison of Manufacturer Guarantees as Presented
in the Draft and Final SEIR

Criteria Pollutant	Emissions Level (ppm)		Daily Emissions (lbs/day)	
	Draft SEIR	Final SEIR	Draft SEIR	Final SEIR
NO _x	25	15	639	385
CO	55	25	858	394

In response to comments submitted on the Draft SEIR regarding significant operational air quality impacts, AQMD staff requested that the project proponent identify ways to further reduce significant operational air quality impacts from the proposed project. In addition to obtaining lower emission rates guaranteed by the equipment manufacturer a technology survey to identify potential technologies that could further reduce operational emissions was conducted (see Attachment A of Appendix J in the FSEIR). The results of the technology survey indicated that no technologies could provide additional emission reductions without creating new adverse impacts or making existing impacts substantially worse. Further, because of the large sizes of many of the technologies, they would not fit on the project site.

Although lead is a criteria pollutant, it is also a TAC and is evaluated primarily as a TAC. Please see response to comment #2 for comprehensive information regarding potential TAC impacts from the proposed SGPREP.

With regard to increased emissions from the proposed SGPREP, the increase in emissions over baseline stems from both the increasing amounts of LFG to be flared (or burned in turbines) over time, but also due to differences in the combustion efficiency between flares and gas turbines. In addition, the analysis uses a conservative approach by comparing maximum permitted emissions from the proposed project to baseline emissions, which are based on actual operating emissions data taken during the years 2007 and 2009 before release of the NOP/IS for public review. Most equipment typically operates at levels lower than the maximum permit levels to avoid violating AQMD rules or permit conditions.

Regardless of whether or not the proposed project is constructed, because of the increase in LFG production over time, total combustion emissions at SCLF will continue to increase until refuse is no longer accepted. For comparison purposes, FSEIR Table 6-1C below shows maximum emissions over baseline for the No Project Alternative and the Proposed Project in 2025 (see also the discussion in Section 6.4.1 of the FSEIR).

**TABLE 6-1c
Comparison of Alternative 1 to Existing Permitted Limits Operation Criteria Pollutant
Emission Inventory in 2025**

Scenario	NO _x	CO	VOC	PM ₁₀	PM _{2.5}	SO _x
	(lb/day)	(lb/day)	(lb/day)	(lb/day)	(lb/day)	(lb/day)
No Project Alternative at Existing Permit Limits Increase from Baseline	241	101	15	55	55	113
Proposed Project Increase from Baseline Before Offsets ¹	261	268	88	94	94	262
Offsets Applied to Proposed Project	261	0	88	94	0	262
Proposed Project Increase from Baseline After Offsets ¹	0	268	0	0	94	0

Notes:

¹ Proposed project increase from baseline includes the application of Priority Reserve offsets as project design features

Similar to criteria pollutants, GHG emissions with or without the proposed project will increase over time. FSEIR Table 5-7 below presents the total contribution of GHG emissions from the proposed project (amortized construction plus operation at capacity) compared to baseline (2007 - 2009). Consistent with the criteria pollutant evaluation, baseline GHG emission rates were based on direct measurements taken for years 2007 to 2009 for the existing three enclosed SCLF flares.

TABLE 5-7

**Comparison of Baseline and Proposed Project Scenarios
Total Greenhouse Gas Emission Rates**

Processes / Scenario	CO ₂	CH ₄	N ₂ O	Total CO ₂ e	Tons CO ₂ e
	(MT/day)	(MT/day)	(MT/day)	(MT/day)	(MT/year)
SCLF Flare Baseline ¹	208	0.38	0.0026	217	79,269
Proposed Project Turbines ²	301	0.60	0.0037	314	114,635
Solid Waste Generation ³	0	1.13 x 10 ⁻⁴	0	2.37 x 10 ⁻³	0.87
Water Use ⁴	2.0 x 10 ⁻⁴	8.3 x 10 ⁻⁹	2.2 x 10 ⁻⁹	2.02x10 ⁻⁴	0.074
Construction - SGP ⁵	2.3	2.0 x 10 ⁻⁴	9.8 x 10 ⁻⁵	2.3	26
Construction - SCE ⁶	3.4	2.4 x 10 ⁻⁴	1.4 x 10 ⁻⁴	3.5	13
Proposed Project Emissions					114,674
Difference					35,405
Significance Threshold					10,000
Significant?					Yes

Notes:

1. Baseline GHG emissions for Oct 2007 through Sep 2009 (SCLF flares).
2. Proposed Project Turbine GHG emissions at capacity (Assume average 245.2 MMBTU/hr heat input, not to exceed 247 MMBTU/hr on a 24-hour average).
3. Solid waste emissions calculated based on CO₂e emission factor and converted to methane emissions.
4. Water usage emissions based on GHG emissions for pumping water to the site.
5. Daily construction emissions represent the maximum daily emissions. Annual construction emissions amortized over 30 years.
6. Daily construction emissions represent the maximum daily emissions for the SCE Switchyard and Subtransmission Line. Annual construction emissions amortized over 30 years.
7. Regardless of the LFG treatment technology used (existing flares versus proposed turbines), the quantity of LFG will continue to increase, which will result in an increase in GHG emissions. The main difference in GHG emissions between the existing flaring and operation of the proposed turbines is the increase in GHG emissions from operation of the proposed project (water conveyance and waste generation and decomposition, which are relatively minor contributors), as well as construction (which would be temporary) of the SGP facility and SCE infrastructure. The increase in GHG emissions from these sources alone (i.e. the sum of solid waste generation (0.87 MT/year), Water Use (0.074 MT/year), Construction (29 MT/year for SGP and 13 MT/year for SCE, which equals 42.944 MT/year) would be well below the significance threshold of 10,000 MT/year.

The calculated difference in GHG emissions during operation between the proposed project and baseline is primarily due to the greater amount of LFG that would be processed through the turbines at peak LFG usage as compared with the flares during the baseline period. Further, regardless of the LFG treatment technology used (existing flares versus proposed turbines), the quantity of LFG will continue to increase, which will result in an increase in GHG emissions. The main difference in GHG emissions between the existing flaring and operation of the proposed turbines is the increase in GHG emissions from operation of the proposed project (water conveyance and waste generation and decomposition, which are relatively minor contributors), as well as

construction (which would be temporary) of the SGP facility and SCE infrastructure. The increase in GHG emissions from these sources alone would be well below the significance threshold of 10,000 MT/year.

16. **Comment:** Ms. Zoliak stated that she was opposed to mitigation measures consisting of purchasing emission credits and can't believe that the AQMD allows this.

Response: Please see the section regarding "Why does AQMD allow purchase of emission credits as mitigation measures?" in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

Projects, such as SGPREP, that are considered to be major sources are subject to federal offset requirements. Since landfills are considered to be essential public services, offsets are provided by the AQMD from its Priority Reserve account. And, since the proposed SGPREP project is subject to offsets, the AQMD allows the use of emission offsets to "mitigate" regional air quality impacts only. The AQMD also requires a localized air quality impact analysis to evaluate emission concentrations at the offsite receptor. When performing a localized air quality analysis to determine if emissions from a project may affect pollutant concentrations at the sensitive receptor, emission reduction credits are not allowed to be used to mitigate emissions. As stated in the response to comment number 15, the operational localized air quality impacts from all modeled criteria pollutants that have the potential to create significant localized air quality impacts were concluded to be less than significant. The modeling analysis shows that emissions from the proposed SGPREP would not affect in any way existing ambient pollutant concentrations at any nearby offsite receptors. Consistent with AQMD policy this modeling evaluation does not include emission reduction credits to offset emission increases. Similarly, as discussed in Section 4.2.3.6 of the FSEIR and response to comment #2 above, impacts resulting from TAC emissions would also be less than significant.

Finally, as noted in the response to comment number 15, the analysis of air quality impacts is based on the conservative assumption that operation of the equipment will occur at maximum potential to emit. Under normal operating conditions, SGPREP equipment is expected to operate at less than its maximum potential to emit to ensure compliance with all applicable AQMD rules and permit conditions. As a result, emissions would likely be less than shown in the Final SEIR. Finally, the determinations of significance are based on the maximum permitted capacity, which provides a worst-case analysis.

17. **Comment:** Ms. Zoliak requested that the AQMD provide information on the SGPREP in simpler terms to make it easier for the public to understand and urged AQMD not to move forward until the information is better explained.

Response: By its very nature, the proposed SGPREP is a complicated project. The AQMD has made every effort to simplify the proposed project without introducing distorted or inaccurate information, while at the same time providing clear, accurate, and understandable information in order to inform the public and government decision makers about the potential environmental effects of the proposed project. Consistent with CEQA, all highly technical information, studies, spreadsheets, etc., have been

removed from the text of the document and placed into the appendices in Volume II to facilitate review of the document by the public.

18. **Comment:** Ms. Zoliak stated that she opposes the SGPREP because combustion emissions are expected to increase as a result of replacing the existing flare with the gas turbines. She reiterated her request that cumulative impacts associated with the landfill operations and the proposed SGPREP be addressed.

Response: As noted in response to comment #15, increases in emissions over baseline stems from both the increasing amounts of LFG to be flared (or burned in turbines) over time, but also due to differences in the combustion efficiency between flares and gas turbines. In addition, the analysis uses a conservative approach by comparing maximum permitted emissions from the proposed project to baseline emissions, which are based on actual operating emissions data taken during the years 2007 and 2008 before release of the NOP/IS for public review. Most equipment typically operates at levels lower than the maximum permit levels to avoid violating AQMD rules or permit conditions. For example, the actual emissions of PM₁₀ are expected to be less than the permitted emissions limit to ensure compliance. Although the proposed SGPREP project has the potential to increase emission compared to flaring, impacts are still within the scope of the analysis of impacts in the 1999 Final SEIR, which evaluated impacts at peak LFG production.

Please refer to the response to comment number 4 for detailed information regarding cumulative impacts from SCLF operations as analyzed in the 1999 Final SEIR, which included a LFG-to-energy project.

19. **Comment:** Ms. Zoliak asked why her community should accept a new technology like the turbines, which have greater emissions than the existing flare. She stated further that, although she didn't have the data with her, the approximately three additional tons per day from the SGPREP was unacceptable and wanted to know how many more pollutants would be generated by the proposed project?

Response: Please see the section regarding "Operators should be required to scrub and limit the emissions from the energy plant to the standard of not exceeding that of the current flares" in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

Please refer to the response to comment number 15 for discussion of localized air quality impacts analysis from the proposed project. The localized air quality impacts analysis shows that the proposed project has no significant effect on ambient air concentrations to the local community. Additionally, in response to public comment to evaluate potential air pollution control technologies that could potentially provide additional NO_x, PM₁₀, and PM_{2.5} emission reductions, a survey of technologies was conducted. Please refer to Attachment A of Appendix J in the FSEIR for the full report. Finally, as demonstrated in FSEIR Table 4-8, shown above, even without including emissions offsets, total emissions from the proposed SGPREP are substantially less than three tons per day.

20. **Comment:** Finally, she asked the AQMD to provide information on the locations of the flares and their distances to the residential areas of the community.

Response: Please see the section regarding “Where is the location of the flares and how close are these flares to the residents?” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

Ms. Andrea Provenzale – Local Resident

21. **Comment:** Ms. Provenzale also stated that she had placed a telephone call to Ms. Jill Whynot, Assistant Deputy Executive Officer of Engineering and Compliance, notifying her of existing odors from SCLF.

Response: Please see the section regarding “Odor issues in the surrounding communities have yet to be resolved” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

22. **Comment:** Ms. Provenzale stated that she has bronchitis and her husband has cancer and was concerned about exposure to the odors and felt that odor impacts were not improving.

Response: To address potential health problems such as those identified by Ms. Provenzale, a Tier 3 health risk assessment was performed to calculate residential maximum individual cancer risk (MICR), as well as the residential chronic hazard index (HIC) and acute hazard index (HIA) for non-cancer health risks from toxic air contaminants (TACs) emitted from the proposed LFG-fueled devices to residential receptors. The results of the Tier 3 health risk assessment indicate that the proposed project would not exceed the cancer risk, HIA, or HIC significance thresholds at any location, including those areas that are regularly occupied by people (i.e., locations of sensitive receptors). Therefore, this impact is considered less than significant. Furthermore, impacts of TACs would be below AQMD HI and MICR limits specified in Rule 1401. Please refer to the response to comment number 2 for a detailed summary of the health risk assessment.

With regard to potential odor impacts from the SCLF, the facility is subject to a Stipulated Third Amended Order for Abatement (STAOA), which requires the SCLF operators to take extensive measures to reduce odors from the landfill. AQMD staff is rigorously enforcing the terms of the STAOA through inspections and reports on progress achieving the various milestones of the STAOA. For additional information on the STAOA, please see the section regarding “Odor issues in the surrounding communities have yet to be resolved” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

Comment: Ms. Provenzale asked if there are hazard impacts associated with the proposed turbines. She also asked questions about turbine technology and requested information about other gas to energy plants and turbines.

Response: The proposed project would be located on an existing landfill that is currently generating methane. Pursuant to AQMD Rule 1150.1, methane emissions are currently being flared. Instead of combusting methane in a flare, the proposed project would combust the methane in gas turbines used to generate electricity. Pursuant to AQMD Rule 1150.1, LFG control devices (e.g. flares or turbines) are required to control non-methane organic compounds by at least 98 percent and methane by 99 percent.

As explained in the following bullet points, the NOP/IS for the proposed SGPREP (Appendix A of the FSEIR) that the proposed project would not create significant adverse hazard impacts because of the current measures imposed on the SCLF. The SCLF is currently subject to CUP requirements to mitigate potential hazard impacts from landfill operations. To the extent applicable the following measures from the CUP for the SCLF would also apply to the proposed project:

- All on-site fuel storage tanks shall be installed and necessary containment and air quality controls provided in accordance with the requirements of the County Forester and Fire Warden, the County Department of Public Works, the Regional Water Quality Control Board (RWQCB), the AQMD, and other applicable regulations. Labeling and reporting of motor fuel storage will comply with provisions of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986.
- No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. Any person owning or having control of any facility, structure, or group of structures on the premises shall provide and maintain Fire Department access. Fire breaks, roads, and fire trails shall be maintained by the permittee in accordance with County Fire Department requirements.
- On-site structures shall be continuously monitored for the presence of unsafe levels of methane gas.
- If necessary, the permittee shall install electrical (e.g., battery backup) combustible gas detectors in habitable structures. Employees shall be trained in all applicable safety requirements to prevent any upset conditions from occurring.
- A detailed fire response plan that incorporates the County Fire Department requirements shall be prepared, and signs shall be posted on-site prohibiting open burning within the project area. The following procedures shall be maintained:
 - Fire extinguishers shall be maintained in all heavy equipment, on-site work vehicles, and all structures as required by County Fire Department.
 - Vehicle and mechanical inspections shall be performed on a regular basis, and focus on the electrical system, hydraulic, and fuel lines.
- The permittee shall implement a fire prevention plan in compliance with CCR, Title 8, Section 3221. Components of this written fire prevention plan shall include potential fire hazards and their proper handling and storage procedures; potential ignition sources (i.e., welding or smoking), their control procedures, and the type of fire protection equipment or systems that can control a fire involving them; names or regular job titles of those responsible for maintenance of equipment and systems

installed to prevent or control ignitions or fires; and names or regular job titles of those responsible for the control of accumulation of flammable or combustible waste materials.

- All gas extraction equipment, including gas condensate and propane tanks, shall be adequately secured to prevent damage during a seismic event. Inspections of the gas collection and flaring system shall be performed after ground-shaking from an earthquake, and necessary action shall be taken to correct any potential problems.
- Equipment operators involved in excavation shall be made cognizant of the potential presence of existing unrecorded subsurface wellheads. If a wellhead (or other unidentifiable obstruction) is encountered during construction, all excavation activities shall cease. The area will be cordoned off, and the landfill supervisor shall be called to determine whether the obstruction is an abandoned wellhead.
- A portable explosive gas detection device shall be used to determine whether the obstruction is a wellhead that may be leaking natural gas. If this is the case, all personnel shall be evacuated within a 500-foot radius and a representative from the California Department of Conservation, Division of Oil, Gas and Geothermal Resources shall be notified. Excavation activities shall cease until further instruction from the Department is received. If gas is not detected, a backhoe or similar type equipment shall be brought in to further expose the obstruction. If necessary, well abandonment procedures shall be utilized following Department protocol.
- A spill response program shall be part of required training for all facility employees. In the event of a spill, containment is paramount. All landfill employees shall be trained to use dirt and/or other absorbent materials to pick up and/or contain small spills of oils, solvents, and/or other materials that may be harmful to the public, facility workers, or the environment. Training in the use of personal protective equipment, fire extinguishing aids (e.g., hoses or extinguishers), and spill containment/mitigation (e.g., absorbents) shall be provided.

The SCLF is an existing Class III non-hazardous landfill facility and is not a generator of, or repository for, hazardous wastes. No hazardous, acutely hazardous, radioactive, infectious medical or liquid wastes are accepted at this facility. Mitigation measures identified in the 1999 FEIR requires that the landfill operator to implement hazardous waste load-checking programs. The proposed project would not, in any way, affect the amount or character of wastes disposed of at the landfill.

The proposed project would include various oil storage and wastewater containment units associated with operation and maintenance of the power generation facility. Specifically, the proposed project would maintain between 2,000 and 3,000 gallons of oil products for operation and maintenance of the turbines, compressors, and transformers. All equipment related oil storage units would meet current standards for above ground storage tanks and would be managed under a site-specific Spill Prevention, Control, and Countermeasure (SPCC) Plan compliant with the U.S. EPA SPCC Rule, as well as a Hazardous Materials Business Plan (HMBP) compliant with the State of California, Office of Emergency Services. Additionally, oily wastewater would potentially be generated due to processing of LFG through the compressor system; however the

proposed project is not expected to generate any wastewater that would be classified as hazardous waste. If any hazardous waste is generated, it would be properly disposed of in a landfill or other method that is authorized to accept such waste. Therefore, no further analysis of the issue is required.

With regard to fire or explosion incidents, the Public Services section of the NOP/IS (Appendix A) describes the measures and protocols that would be implemented in coordination with County fire protection services. For example, the NOP/IS states, “In regard to fire protection and police services, the Los Angeles County Fire Department (LACFD) provides fire protection and paramedic services to the County portion of the Sunshine Canyon Landfill, where the proposed project would be located. LACFD Station 124 (25111 Pico Canyon Road) is the primary respondent to the project site.” Further, “Existing staffing at the fire station and sheriff substation serving the landfill is adequate to serve the proposed project site. However, the proposed project would be equipped with a fire extinguisher system that would be installed as part of the turbine enclosures, which would reduce the possibility of uncontrolled fires due to the proposed facility.”

It was concluded in the NOP/IS that the proposed project would not generate significant adverse hazard impacts, including fire and explosion impacts. Based, in part on this conclusion, it was also concluded that the proposed project would not significantly adversely affect local fire departments’ service times necessary to respond to emergencies. No comments were received on the NOP/IS that refuted these conclusions.

23. **Comment:** Finally, Ms. Provenzale requested information about DTE and where they are located.

Response: Sunshine Gas Producers, L.L.C. (SGP) is a Michigan limited liability company, jointly owned by DTE Biomass Energy (DTE) and Landfill Energy Systems (LES) under the management of DTE Biomass Energy. Headquartered in Ann Arbor, Michigan, DTE Biomass Energy is a wholly owned subsidiary of DTE Energy. LES is headquartered in Wixom, Michigan, and is a wholly owned subsidiary of EIF Renewable Energy Holdings, LLC.

Ms. Becky Bendikson – Local Resident

24. **Comment:** Ms. Bendikson asked if the AQMD keeps a list of past odor complaints submitted to the AQMD. Specifically, she wanted to know if odor complaints for a single incident were record individually or as a single record of multiple complaints and whether or not odor complaint records were kept indefinitely or periodically deleted.

Response: Please see the section regarding “Odor issues in the surrounding communities have yet to be resolved” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

25. **Comment:** She noted that SCLF operators send out routine odor patrol teams and wanted to know what qualifications the team members have to perform the patrols and whether or not they were as qualified as AQMD staff.

Response: Please see the section regarding “Odor issues in the surrounding communities have yet to be resolved” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

26. **Comment:** Ms. Bendikson asked why the presentation materials for the public consultation were not made available in advance and if this public consultation was subject to the Brown Act?

Response: The Title V public consultation meeting that was held by AQMD staff on April 18, 2012 is not subject to the public meeting requirements of the Brown Act. The Brown Act applies to the governing body of a local agency or to a committee or commission of the local agency, not to meetings held by staff of the agency. As such, there is no requirement to provide presentation materials in advance of the meeting.

27. **Comment:** Finally, Ms. Bendikson asked what authority the AQMD has to close the landfill?

Response: The AQMD Hearing Board’s December 3, 2011 Third Amended Stipulated Order for Abatement is an injunctive proceeding and the facility is currently in compliance with the Order. If the landfill violates the conditions of the Order the AQMD may seek relief before the Hearing Board or initiate injunctive relief proceedings in superior court.

Mr. Ralph Kroy – Local Resident

28. **Comment:** Mr. Kroy made a comment in response to a statement by Mr. Mohsen Nazemi regarding dispersion of pollutants. Specifically he stated that dispersion is related to landfill size and meteorological conditions. In particular, low velocity laminar airflow at ground level may limit dispersion of LFG.

Response: Please see the section regarding “Dispersion/Modeling” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

Mr. Wayne Hunter – North Valley Coalition of Concerned Citizens, Inc.

29. Mr. Hunter indicated that the odor problems in the past at SCLF occur due to BFI/Republic’s failure to build proper gas collection infrastructure to accommodate the anticipated amount of refuse to be disposed of.

Response: To address the recent increase in odor complaints, SCLF operators are implementing landfill operations ordered under the AQMD Hearing Board’s December 3, 2011 Third Amended Stipulated Order for Abatement to address odor complaints from the local community. The SCLF has a history of odor complaints from the local community and, as a result, has been subject to NOV’s from the AQMD. For example, from November 13, 2008 through October 25, 2011, 35 odor public nuisance NOV’s have been issued against the SCLF. On April 22, 2010 a Board Hearing was held, which resulted in a Stipulated Order for Abatement for SCLF to reduce odors. Modifications to

the Stipulated Order for Abatement were issued on March 24, 2010 and January 20, 2011. In response to continuing NOVs, the AQMD and SCLF operators petitioned the Hearing Board for a STAOA to the Stipulated Order for Abatement on October 26, 2011. The STAOA became effective December 6, 2011. All actions resulting in the STAOA occurred well after release of the Draft SEIR in May 2011.

The intent of the STAOA is to establish a schedule of required increments of progress to bring the SCLF into compliance with applicable AQMD rules and regulations, in particular ceasing violations of AQMD Rule 402 – Nuisance. The STAOA requires SCLF operators to expedite repairs and improvements to the SCLF’s gas collection system, increase landfill emissions monitoring, hire an independent consulting firm to conduct environmental monitoring in coordination with corrective action managers on duty 24 hours per day, seven days per week at SCLF and installing a temporary new flare and the new “Flare 9” to increase the collection and destruction of LFG.

Specifically, the STAOA required SCLF operators to amend and expand their odor management plan by January 6 2012, and begin implementing LFG collection improvements by December 16, 2011. LFG collection improvements include, but are not limited to: installing vertical wells; installing horizontal gas collectors; and using odor controls that, at a minimum, require completely covering odorous waste spoils, except during active loading/unloading activities, with foam or heavy-duty plastic sheeting approved by the AQMD.

In addition to modifications to improve the SCLF’s LFG collection system, operators must obtain applicable permits to install a new flare to improve LFG destruction efficiency. Specifically, SCLF is currently proposing LFG collection and control system improvements to install a new state of the art John Zinc Company Ultra Low Emissions (ZULE) flare, proposed as “Flare 9.” SCLF submitted an application for a permit to construct to the AQMD in October 2011. Flare 9 will be located in the same general area as Flare 8 and will be sized for a slight increase in LFG throughput compared to Flare 8 in order to assist SCLF in maintaining ongoing compliance with current federal, state and AQMD standards. In addition, Flare 9 is expected to achieve enhanced LFG destruction, resulting in lower emissions compared to Flare 8.

As discussed in the PTC application, the 1991 EIR and 1999 SEIR for the City/County Landfill project included the construction and operation of Flares 1, 3, and 8. For the purposes of satisfying CEQA, any emission increases due to the proposed installation of Flare 9 must be considered in light of the original (cumulative) emissions analysis in the original 1991 EIR. Based on operational emissions information in the PTC application for Flare 9, emissions from the new Flare 9 would not result in new significant adverse impacts or substantially increase the severity of impacts already concluded to be significant, or provide new information of substantial importance relative to the draft document. Therefore, the modifications to replace Flare 8 with Flare 9 are within the scope of the 1991 EIR analysis and would not require further CEQA review. In accordance with the STAOA, SCLF is required to complete the modifications to the gas collection and control system by July 2012. The proposed project turbines would be consistent with the improvements to the gas collection system, new flare capacity, and

other modifications being undertaken by SCLF in accordance with the STAOA to address odor issues.

30. **Comment:** Mr. Hunter also indicated that he understands that the flares are necessary to combust landfill gas that is generated.

Response: Please see the section regarding “Additional Risk Associated with Higher PM Emissions” in the responses to permit-specific public comments compiled by the AQMD Engineering and Compliance Department.

31. **Comment:** Mr. Hunter asked why the AQMD would approve the SGPREP when emissions are greater than flare emissions?

Response: The FSEIR for the proposed project discloses all impacts associated with the proposed SGPREP. In particular, the FSEIR included a comprehensive and detailed analysis of air quality impacts, which shows the higher emissions from the gas turbines compared to the existing flares (refer to response to comment number 15). The AQMD’s Executive Officer is the decision maker responsible for certifying the Final SEIR for the proposed project. Before deciding whether or not to certify the FSEIR for the proposed project, he is required to review and consider the FSEIR including responses to all comments received on the DSEIR. Therefore, the ultimate decision on whether or not to certify the FSEIR for the proposed SGPREP rests with the Executive Officer of the AQMD.