



South Coast Air Quality Management District

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Mitigated Negative Declaration (MND) for the Proposed Canyon Lake Water Treatment Plant Phase I Improvements Project (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document for the Proposed Project. The Elsinore Valley Municipal Water District is the California Environmental Quality Act (CEQA) Lead Agency, and South Coast AQMD is a Responsible Agency. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the MND

Based on the information provided in the MND, the Lead Agency proposes Phase 1 of the multiple-phase improvement project by demolishing the existing: 1) intake pump station and pipeline; 2) in-line static mixer, rapid mixer, and chemical injection points; 3) up-flow clarifier; and 4) chemical feed area 1, storage rooms, and ancillary facilities.¹ The Proposed Project also proposes to construct and operate the following: 1) intake pump station, gangway, and pipeline; 2) pre-treatment system; 3) Per- and poly-fluoroalkyl substances (PFAS), taste, and odor treatment; 4) centralized chemical facility; 5) sodium hypochlorite building; 6) maintenance building; and 7) potable water pipeline.² The Proposed Project disturbed area is approximately 49,500 square feet.³ Based on the aerial photographs, South Coast AQMD staff found that the nearest sensitive receptors (e.g., residence) are located approximately 50 feet to the west of the Proposed Project boundaries. The Proposed Project construction is estimated to start in February 2024 and last approximately 25 months.⁴

South Coast AQMD Staff's Comments on the MND

South Coast AQMD Rules, Permits, and a Role as Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., air permits from South Coast AQMD will be required. The final CEQA document, whether a MND or EIR, should include a discussion about applicable rules that the Proposed Project needs to comply with, such as

¹ MND. Page 5.

² *Ibid.* Pages 6 to 8.

³ *Ibid.* Page 2.

⁴ *Ibid.* Page 9.

Rule 201 – Permit to Construct,⁵ Rule 203 – Permit to Operate,⁶ Rule 401 – Visible Emissions,⁷ Rule 402 – Nuisance,⁸ Rule 403 – Fugitive Dust,⁹ Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,¹⁰ Rule 1166 – VOC Contaminated Soil Excavation,¹¹ Regulation XIII – New Source Review,¹² Rule 1401 – Air Toxics,¹³ Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,¹⁴ and Rule 1470 – Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines.¹⁵

The Proposed Project site currently has an active surface water treatment system permit that was issued by South Coast AQMD as the Permit to Operate G56427. According to the project description in the MND, it is likely that, at a minimum, the Proposed Project will need a Permit to Construct/Operate to alter/modify the Permit to Operate G56427. Thus, the MND needs to be revised to analyze the potential impacts associated with any alterations/modifications. It is important to note that when air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD.

CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project.

In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits. South Coast AQMD is concerned that the project description and analysis in its current form in the MND is inadequate to be relied upon for this purpose. Moreover, due to the lack of information in the MND about what other changes may be needed to address the potential impacts of modifying the equipment

⁵ South Coast AQMD Rule 201 – Permit to Construct. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

⁶ South Coast AQMD Rule 203 – Permit to Operate. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

⁷ South Coast AQMD Rule 401 – Visible Emissions. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>.

⁸ South Coast AQMD Rule 402 – Nuisance. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

⁹ South Coast AQMD Rule 403 – Fugitive Dust. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

¹⁰ South Coast AQMD Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1110-2.pdf>.

¹¹ South Coast AQMD Rule 1166 - VOC Contaminated Soil Excavation. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>.

¹² South Coast AQMD Regulation 13 – New Source Review. Access at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>.

¹³ South Coast AQMD Rule 1401 – Air Toxics. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>.

¹⁴ South Coast AQMD Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.

¹⁵ South Coast AQMD Rule 1470 - Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines. Access at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>.

associated with Permit to Operate G56427 as well as any other new equipment or modifications, South Coast AQMD is concerned that substantial revisions to the original MND may be necessary which in turn, could alter the overall conclusions in the air quality analysis due to the involvement of new significant environmental effects and potentially require a different type of CEQA document to be prepared if significant impacts are identified.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <http://www.aqmd.gov/home/permits>.

CEQA Regional Air Quality Analysis During Operation

In the MND, Section III - Air Quality, operational impacts are described as follows: "*Operation period emissions would not exceed one pound per day of each criteria pollutant and operation emissions would not exceed the SCAQMD significance thresholds for operation.*"¹⁶ However, the MND does not provide an analysis that quantifies the operational emissions from permit units or any other type of substantial evidence to support this conclusory statement. It is also noted that the analysis does not identify any potential/required permit units that may be required. In particular, Section 4.8 - Stationary Emissions by Equipment Type does not identify any equipment. However, emergency backup generators may be needed for projects of this nature, or other project elements involving the surface water treatment system may involve new installations or modifications to existing permit units for which air permits are required. If the Proposed Project requires the use of any stationary equipment during the operation phase, then the claim that the operational emissions would be less than one pound per day is inaccurate and flawed due to insufficient identification and analysis of all potential sources of emissions.

According to the South Coast AQMD Facility Information Detail (F.I.N.D),¹⁷ South Coast AQMD staff found that the Lead Agency has a Permit to Operate, currently inactive, for the chlorination system at the plant (Permit to Operate E0281R). Based on the MND, a new standalone sodium hypochlorite building and a chemical facility would be constructed as part of the Proposed Project.¹⁸ South Coast AQMD staff has questions and concerns regarding the chlorine storage tanks, as follows:

- Will the new storage tank differ (e.g., size, capacity, rate, etc.) from the existing chlorination system? If so, what is the new proposed capacity?
- Is there an analysis quantifying emissions and evaluating the hazardous substances impacts from the chlorine escape to the atmosphere?
- Are the emissions calculations associated with the delivery and maintenance trucks included in the CEQA regional air quality impact analysis for operation?

¹⁶ *Ibid.* Page 20.

¹⁷ South Coast AQMD Facility Information Detail (F.I.N.D) can be found at: <https://www.aqmd.gov/nav/FIND>.

¹⁸ *Ibid.* Page 8.

California Emissions Estimator Model (CalEEMod) Analysis

Based on the CalEEMod output files provided in Section 2.5 - Operation Emissions by Sectors, it is unclear if the MND analyzed emissions from the proposed chlorine storage tank. Operational emissions associated with the proposed chlorine storage tank should be considered, such as mobile source emissions from the truck transporting and transferring chlorine during periodic deliveries, fugitive emissions of chlorine from the storage tank, etc. As mentioned in the previous comment, Section 4.8 – Stationary Emissions by Equipment Type does not identify any equipment. However, if stationary equipment is required, such as emergency backup generators, the information and data should be entered into CalEEMod for quantification. Hence, it is recommended that the Lead Agency revise the CalEEMod parameters and analysis for the operation emissions to include, at a minimum, the emissions associated with the chlorine storage tank and any other stationary equipment that may be utilized and include this information in the Final MND.

Conclusion

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If the requested information and analysis are not included in the final CEQA document, either the Final MND or other type of CEQA document, the Lead Agency should provide reasons for not doing so.

Pursuant to California Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. In addition, if the Lead Agency decides to adopt the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

Thank you for considering these comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

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Planning, Rule Development & Implementation

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