



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Mitigated Negative Declaration (MND) for the Proposed North Basin Remedial Investigation Additional Monitoring Well Installation Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to construct eight monitoring wells that are 10 inches in diameter and up to 450 feet in depth at five locations within the cities of Anaheim and Fullerton (Proposed Project). Construction of the Proposed Project consists of four phases and is expected to begin in August 2018 and be completed by August 2021¹.

SCAQMD Staff's Comments

Based on a review of the air quality analysis in the MND and the CalEEMod Model Daily Printouts in Appendix A, SCAQMD staff was not able to determine which tier emission standards for off-road construction equipment with diesel engines will be used for the Proposed Project's construction activities. Therefore, SCAQMD staff recommends that the Lead Agency provide this information in the Final MND to foster meaningful public participation and review and informed decision making.

Tier 4 Construction Equipment or Level 3 Diesel Particulate Filters

In the event that Tier 4 construction equipment is not proposed for the Proposed Project during construction, SCAQMD staff recommends that the Lead Agency use off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filters (DPF). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions². A list of CARB verified DPFs are available on the CARB website³. In the event that construction equipment cannot meet the Tier 4 engine certification, the Project representative(s) or contractor(s) must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 3 emissions standards, reduction in the number and/or horsepower rating of construction equipment, and/or limiting the number of individual construction project phases occurring simultaneously.

¹ MND, Appendix A, *CalEEMod Model Daily Printouts*. Page 7 of 24.

² California Air Resources Board. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

³ *Ibid*. Page 18.

Using Tier 4 construction equipment or Level 3 DPFs further reduces NOx emissions as well as particulate matter emissions during construction. This requirement should be included in applicable bid documents, and successful contractor(s) should be required to demonstrate the ability to supply such equipment before ground disturbance activities. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) should be available upon request at the time of mobilization of each applicable unit of equipment.

SCAQMD Permit and Responsible Agency

The Proposed Project will involve use of generators and/or other construction. If any construction equipment requires a permit from SCAQMD, SCAQMD should be identified as a CEQA Responsible Agency for the Proposed Project in the Final MND. Assumptions used in the CEQA document will be the basis for permit conditions and limits. If there are permit questions, they can be directed to Engineering and Compliance Staff at (909) 396-2315.

Closing

Pursuant to 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. Please provide the SCAQMD with written responses to the comment contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and the public who are interested in the Proposed Project.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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