

Sibbet, David

From: Kasturi Rangan <rirangan@yahoo.com>
Sent: Saturday, October 19, 2019 6:57 PM
To: Wardlaw, Mark
Cc: Sibbet, David
Subject: North County Environmental Resources Project PDS 2008-3500-08-015
Attachments: Signed letter KR to Mark Wardlaw 10192019.PDF; Dust from C & D processing facility.PDF

Dear Mr. Wardlaw:

With reference to the subject project, I am attaching a letter in response to the Public Comments invited before Oct 28, 2019. Also attached is a photo that is an attachment to the letter. I am copying David Sibbet, Planning Manager on this communication.

Thanks in advance for your consideration of the comments that I have made.

Yours truly,

Kasturi Rangan.

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Kasturi Rangan
e-mail: rirangan@yahoo.com
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25129 Rue De Fleur
Escondido, CA 92026
October 19, 2019
cc. David Sibbet, Planning Manager,

Planning & Development Services

Mark Wardlaw
Director – Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123.

North County Environmental Resources PDS 2008-3500-08-015,

LOG NO. PDS2008-3910-0808012

Dear Mr. Wardlaw:

I am writing to you to submit my comments during the Public Comment period for the subject project that is open until October 28, 2019.

The project is loosely defined and is obviously not economically viable at its “anticipated” operating rate of shipping 2 truckloads of product per day when one considers the investment that will go into developing this site and its facilities. Expansion to a large volume facility by the current owner or a subsequent one seems extremely likely with possibilities for additional downstream operations. Such simplification to obtain a permit for operation, with expansion being a very likely possibility, could be considered “piece-mealing”, a strategy well recognized for its intent to avoid extensive environmental review. Such a strategy is a disqualification for environmental approval and in this regard the project should not be permitted.

I feel that the decision by the PDS Department of San Diego County to change its methodology of assessment of impacts of the subject project from a detailed Environmental Impact Report (EIR) to the use of CEQA section 15183 is not appropriate. This project seeks to locate in a pocket surrounded by residential communities that was zoned High Impact Industrial (I-3). This in itself, is a strong reason for extensive examination of environmental impacts through an EIR rather than a simpler 15183 Check List. The EIR process that was made a requirement in year 2014 should be reinstated.

I show below in detail the various reasons that the project with its poorly defined scope, inadequate assessment of emissions, its fire hazard, lack of monitoring facilities for operations and emissions, its construction related impacts, and other shortcomings, should not be authorized in the way it is currently represented.

ECONOMIC VIABILITY

- Your documents state that the project is consistent with the analysis performed for the GPU EIR. I beg to differ. The GPU EIR states that "The County General Plan Update (GPU) establishes a blueprint for future land development in the unincorporated County that meets **community desires and balances the environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality**. This project certainly does not meet community desires; to the contrary, it would be a blight on the community. It is not economically viable and is not vital except perhaps to the applicant. It is totally obvious that the "anticipated" shipment of 2 truckloads of product per day is totally inadequate to justify the investment in this venture that includes significant roadway development, significant blasting and grading to level the site, installation of a storage building, water tank, storage bins, concrete pad, processing equipment, utility infrastructure, retaining walls, etc. The incoming material that will produce these 2 truckloads can easily be handled by several existing facilities within a 10 mile radius of the proposed project location. If there is significant revenue to be derived from acceptance of CD & I debris, then this revenue will cease in about 30 days when the maximum allowable total inventory level of materials is reached. After this, incoming as well as outgoing trucks will necessarily have to be 2 per day. If there is an unstated intent to expand to a "Large Volume" facility and perhaps incorporate downstream facilities such as concrete batching and/or asphalt production, these must be recognized upfront for proper determination of environmental impacts. Overall, it does not seem logical that the applicant would invest so much in a facility to merely ship two truckloads/day of product.

INADEQUATE DEFINITION OF SCOPE AND CAPACITY OF PROJECT

- Overall, there is much vagueness in description of the proposed operating facility and the operations to be conducted. There seems to be more emphasis on describing the building, the water tank, the parking areas etc. These might fit site plan criteria but do not feature as significant sources of emissions. The operating equipment, the operating capacity of the equipment, and the operating practices are the keys to determining emission levels, mitigation measures, and monitoring facilities to ensure that defined operating practices and mitigation measures are used on a regular basis. If an operating practice is not enforceable then the maximum rate must be considered for calculation of emissions. Was this done by the applicant? This is not clear from the lack of detail in the attachments.
 - The quality of raw material coming into the facility is not properly defined. Is it the full range of Construction and Demolition debris or is it limited to concrete and asphalt? The full range of C & D debris, by definition, include asphalt, concrete, brick, masonry, tiles, cabinets, doors, fixtures, windows, cardboard, carpet, padding, foam, ceiling tiles, dirt, drywall, landscape debris, roofing materials, scrap metal, stucco, treated/painted and untreated/unpainted wood. If such a mix of material is received, it must be sorted on receipt – the project documents do not describe how this sorting will be done and where on the site it will be done. If sorting equipment will be used these must be described.
 - There is little or no description of processing equipment other than crusher, grinder, screen, etc., in various parts of the submitted documents but not an understandable combination of equipment nor a layout showing how these will be set out and sequenced on the processing pad.
 - It is not clear whether the processing equipment are operated with electricity or with hydrocarbon fuel.
 - If the full range of C & D debris is processed, there will be a significant quantity of material to be disposed of as it will not be recyclable. What is the plan for disposal of this material? Will it be landfilled on site or transported elsewhere for disposal? As the County tracks percent diversion of C & D materials from landfills, this type of information should be mentioned in the submitted documents. If landfilling of non-recyclable materials will be done on site, this must be very clearly defined.
- There is no definition of the volume of the facility for processing wood debris through grinding and chipping. Is this also to be a medium volume facility that is defined as being allowed to process 200 – 500 tons/day?
 - What is the description of equipment to be used for this purpose and what does the layout plan of this equipment look like.
 - How will this equipment be powered?
 - Will this equipment operate at the same time as the C & D crusher and its associated facilities?

- If both these size reduction operations take place in the same processing area how is cross contamination prevented?
- Overall, it is very apparent that this facility will not be economically viable at a shipment rate of 2 truckloads/day. It is apparent that the facility would need to expand or add downstream operations that will use the materials obtained by processing C & D material. This project should not be authorized without an understanding of the various possible alternatives and considering the environmental impact of each of these alternatives. Environmental impact that is stated on the basis of an understated scope is considered invalid for this purpose - there is sufficient legal precedent to prove this point.

HOURS OF OPERATION

- The hours of operation stated by the applicant as 5:00 AM to 7:00 PM six days a week and the need for 18 employees seem totally out of proportion to the “estimated” shipment of 2 truckloads/day and receipt of 6 truckloads/day. What is the reason why these long operating hours are sought? This is another blatant example of the inconsistencies and inadequacies in the entire description of this project.

EMISSIONS FROM OPERATIONS

- Since there is no full listing of process equipment for either C & D processing or wood grinding and chipping, it is not entirely clear how the emission levels are calculated in the Dudek Report on Air Quality and Green House Gas Emissions. There is mention of processing only 20 tons/day of incoming C & D debris, the rest being wood debris. There is a statement about the proposed project receiving material that is now going to Miramar and Otay processing facilities and therefore not accounting for emissions from the same equipment that is there. This seems a bit far-fetched – claiming emission credits from facilities that have apparently not ceded any in a contractual manner. It is questionable whether this would be allowed even in a contractual manner as the CEQA requirement seems to be that PM10 emissions not exceed 100 lbs/day at the source.
- Even if we assume that particulate emissions have been calculated at the daily maximum process tonnages allowed, shown in the Dudek report as 32.35 lbs/day for PM10, there is no way that the County, without appropriate monitoring equipment, can substantially verify that larger tonnage/day has not been processed. For example, based on crusher specifications that were provided by the applicant in prior documents, the capacity of the crusher is 240 tons/hr. This could allow any of the following scenarios:

- Use of the crusher and associated equipment for 10 minutes/day to process one truck load of Concrete and Demolition debris to ship the one truck load that the applicant “estimates” to ship each day. This would be an acceptable but unlikely operating basis.
- Use of the crusher to crush all incoming C & D material, 174 tons each day. Let us presume that that the PM 10 emission rate was calculated by Dudek for this rate at 33.35 lbs/day. The crusher and associated equipment would operate for less than an hour a day. This is a possible but unlikely scenario.
- Use of the crusher to crush all the incoming material for a week (174 x 6 = 1044 tons) in one day which would be a mere 5 hours of operation for the crusher and associated equipment. This could be a likely operating scheme. Prorating Dudek’s PM10 emission calculation of 32.35 lbs/day possibly for 174 tons of crushing and handling per day to 1044 tons/day would now increase to an emission of 200 lbs/day of PM10 which is double the threshold limit of 100lbs/day. In fact, the facility could process 2 weeks receipt of incoming material in less than a work day with an emission of 400 lbs/day of PM10. Yet, because of lack of monitoring equipment in the scope of the project, there is no way that the County enforcement authorities would even know that such processing took place other than probing into some log book entry which does not even have a recommended standard format. Having processing capacity that is very much larger than operating rates that are “estimated” would create an unenforceable situation for County authorities and significant negative impacts for the surrounding community.
- There is a very loose definition in the documents submitted by the applicant relating to mitigation of fugitive dust emissions by use of water with vague statements about use of misting devices or use of water trucks. This use of water needs better description in terms of facilities used and the system that will be installed to provide the water at the required pressure for misting at operating equipment and at intermediate as well as product storage piles. Will the use of water be interlocked with the operating equipment in a way that the equipment cannot be turned on without water misting in action? How many water trucks will be in service? What is the capacity of each truck? Here again a lack of dust monitoring equipment leaves too much to the discretion of the operator – much dust can be released while an operator is trying to figure out why his misting devices are not working. Visual monitoring by the operator is inadequate.
- A dust management plan that requires an area resident to go to the site to read a sign that shows who to call for code enforcement is not a good plan. A simple google search shows the availability of electronic dust monitors that can be monitored and recorded by cell phones or computers rather relying on visual observations. Many such devices can be mounted at the periphery of the site at various elevations as

well as in operating area of the plant. Such technology should be made mandatory for operation of such an inherently dusty facility. The burden of monitoring the operation of the facility for violations should not be placed on the surrounding community. There should be adequate monitoring and recording facilities that allow the County enforcement officials to perform their task with more capability and evidence as opposed to a telephone call about serious dust releases that could abate by the time the enforcement officer arrives at the scene, without there being any evidence of the reported incident.

EMISSION FROM CONSTRUCTION ACTIVITIES

- Dudek's report on emissions states that 244,464 cubic yards of rock will be blasted in 132 days. Ldn Consulting Inc's report on noise analysis states that the blasted rock and grading debris will be crushed on site with a rock crusher on site for part of the time that the grading is done. They state the possible use of a Pegson Model 4242 rock crusher and that rock crushing operations are anticipated to last for approximately 2 – 4 weeks. This means that 244,464 cubic yards or about 250,000 tons of rock will be crushed in 2 to 4 weeks.
If we use Dudek's calculation of 32.35 lbs/day for normal operation and prorate it to the construction crushing period of 2 – 4 weeks, the daily emissions would be between 1660 lbs/day to 3320 lbs/day of PM10 particulate matter vs. the threshold of 100 lbs/day. How would this be acceptable?

SIGNIFICANT FIRE HAZARD

- The project site as well as the surrounding residential communities are in a High Fire Hazard Severity Zone. Many residents have recently had their fire insurances cancelled and are obtaining new coverages at much higher cost. Adding wood debris piles as well as ground and chipped wood piles as part of the proposed project, with much movement of fuel fired heavy equipment among these piles makes the fire hazard even greater.
- The California Code of Regulations # 17383.3 states that the maximum storage for wood materials – processed and unprocessed combined – is the product of 30 times the maximum amount of incoming material permitted per day. For a "medium volume" facility this would be $30 \times 499 = 14970$ tons of flammable material. Further, the regulation says that storage limits may be extended in accordance with provisions of other sections of regulations. Considering the Fire Hazard Zone in which this project is seeking to locate, the granting of a permit for wood processing should be subject to a significant hazard review. The review by the Deer Springs Fire District that is part of the document submittal is old (2012) and does not even recognize the amount of wood waste inventory to be stored at this site.

- The site layout does not show location of fire hydrants to cover the storage areas. It seems to be assumed that hoses will be used from the water tank to be able to reach all areas of the site. When there is processing equipment laid out on the site, hose coverage cannot be achieved easily or quickly because of interferences from equipment and intermediate storage piles. Fire water piping and hydrants must be made part of the project scope.
- A review or recent history of fires at recycling facilities in Southern California shows that between 2014 and 2018, there were fires at such facilities at San Marcos, Spring Valley, Lakeside, Ontario, and El Cajon. The probability of a fire at the proposed facility must be recognized as being high and be a significant factor in the permitting decision.

NOISE ANALYSIS

- In general, the noise analysis that is provided does not seem to take into account the variation in transmittal of noise with varying weather conditions. Those of us who live in the area surrounded by the project site are well aware of the variation in the noise of traffic on I-15 depending on weather conditions, with significant increase during air density increases due to fog or dampness. More work is required in this analysis.
- Electronic noise monitors should be used on the periphery of the site and within the site to allow measurement and recording of noise levels. In fact, some of the electronic dust monitors also have the capability to measure noise and thus provide this 2 in 1 feature.

VISUAL IMPACT

- There is insufficient analysis of visual impact from high elevations. There are many residential areas east of I-15 with higher elevations than the project site which have a clear view of the project site from roads. The simple facades suggested by the applicant to mask the view of the facility from I-15 will not accomplish this purpose at higher elevations.
- What will be the consequences to the project applicant if the visual impacts are not adequately addressed, or the facades do not appear as originally intended, after the project is in operation? Will County authorities shut the facility down or merely assess modest fines and issue repeated notices of non-compliance?

CAP CHECKLIST

- Item 6 a “Reduce Outdoor Water Use” is checked as not applicable. How can a facility that intends to use 2,400,000 gals/yr. of water check the NA category?

TRAFFIC

- The condition of incoming and outgoing trucks relating to release of dust on roads needs to be monitored and recorded by visual electronic devices. The truck count and truck weight should also be recorded electronically for verification and audit by county authorities. This would help authorities ensure that the facility operates within permitted limits regarding processing volume and shipment.
- The described cleaning schedule for the street entrance to the facility is inadequate. The street entrance should be kept clean on an ongoing basis.

ADDITIONAL MITIGATION MEASURES

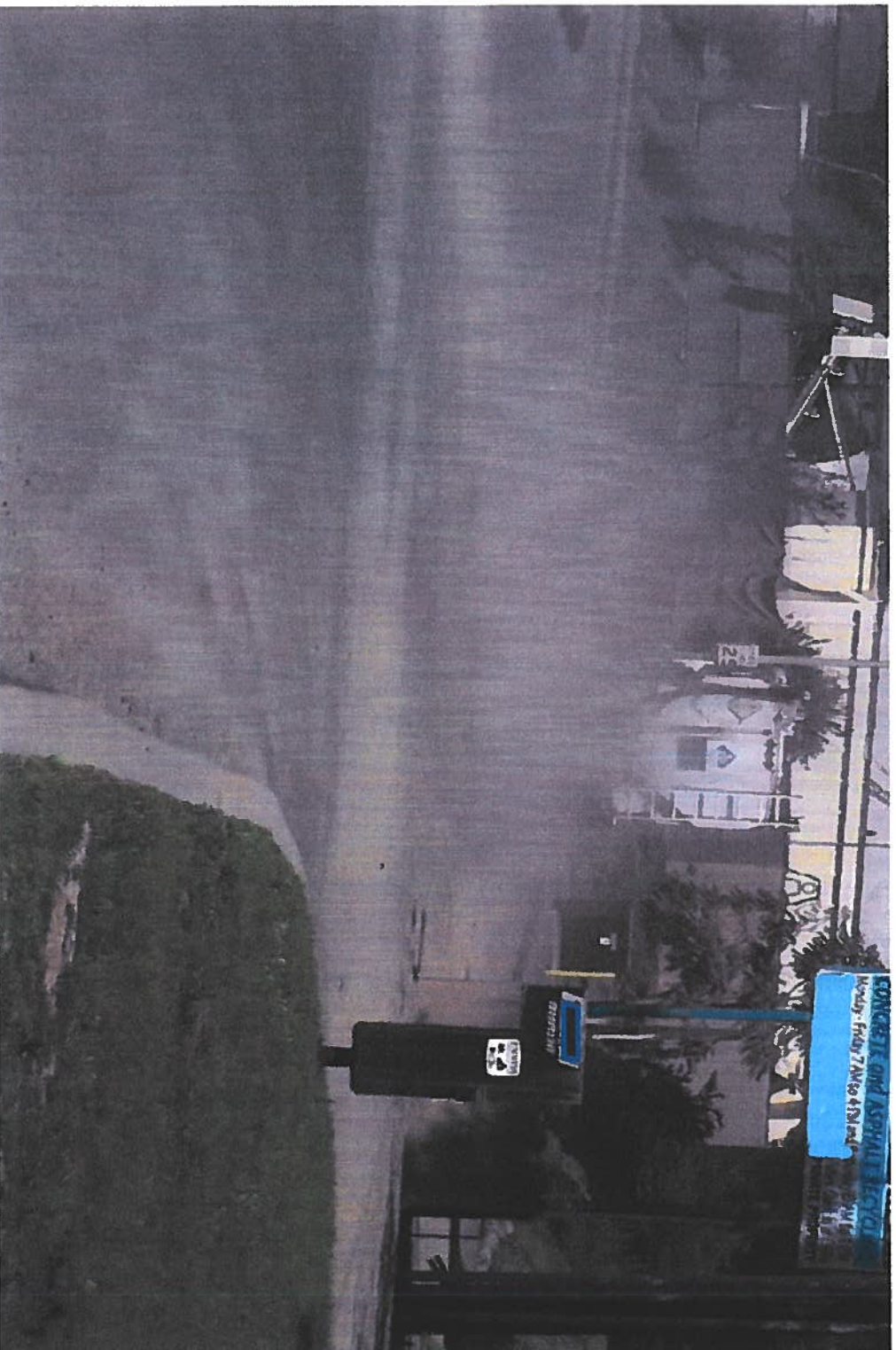
- Placing the size reduction operations for material processing indoors would mitigate a lot of noise and dust issues. There is an example of a crushing facility in San Jose, CA (Star Concrete) that located indoors successfully.
- The need for electronic monitoring facilities has been pointed out in several sections of the comments made above. The point to be emphasized here is that the technology for such monitoring is available and has been for some time. There is no reason not to make this a requirement for a facility that is to be located in a pocket Industrial Zone in the middle of residential areas. Such monitoring devices would allow the facility to operate to meet its needs while protecting the community from known impacts and hazards and relieving them of the burden of having to report inordinate or unintended violations to County authorities. This would better serve the spirit and objectives of the General Plan Update. Lack of such facilities would be a strong reason to deny the permit. To support my argument for appropriate monitoring and recording equipment, I attach a photograph taken a few years ago of the street entrance/exit to an existing C & D recycling facility. This exemplifies the disparity between intentions to operate properly and actual site conditions.

Yours truly,



Kasturi Rangan.

Dust outside the gate of an existing recycling facility



Sibbet, David

From: Kasturi Rangan <rirangan@yahoo.com>
Sent: Friday, October 25, 2019 1:01 PM
To: Wardlaw, Mark
Cc: Sibbet, David
Subject: North County Environmental Resources Project PDS 2008-3500-08-015

From: Kasturi Rangan
25129 Rue De Fleur
Escondido, CA 92026

October 25, 2019

To : Mark Wardlaw
Director - Planning & Development Services
San Diego County
5510 Overland Avenue, Suite 310
San Diego, CA 92123

North County Environmental Resources Project PDS 2008-3500-08-015

Dear Mr. Wardlaw:

Further to my letter of October 19, 2019, in which I provided comments regarding the subject project, I would like to add the following comments:

I begin by showing below an extract from a letter dated September 11, 2014, issued by your office with the subject "CEQA Initial Study - Environmental Checklist Form", signed by Beth Ehsan. In page 4, the section on **Tonnage of Materials** is written as follows:

" As proposed, the NCER facility would likely be categorized as a Medium Volume CDI facility, regulated by 14CCR, Division 7, Chapter 3.0, Article 5.9 Section 17383.5. A separate permit would be required for the proposed tree waste processing: Compostable Materials Chipping and Grinding permit or equivalent permit at the time of opening. NCER is expected to ship approximately 48 tons per day (15,000 net tons annually) of finished product. The daily maximum combined tonnage of C & D wood debris and/or CDI debris under 14CCR Section 17381(t) for Medium Volume CDI facilities is 174 tons. Storage volumes vary from process and output volumes due to the maximization of process equipment. For example: if the facility receives one load per day of CDI raw materials and the process equipment needs four loads to operate, then on the fourth day four loads would be processed at once; even though the facility's average input and output reflects one load per day in and one load per day out. The processed concrete and asphalt can only remain on-site for up to one year, and on-site storage is limited to 5220 tons (174 tons x 30 days). Records of all incoming and outgoing tonnages will be maintained on-site at the administrative offices for LEA review."

I make specific reference to the wording in the paragraph above to the "maximization of process equipment". In my earlier letter, dated October 19, 2019, I had specifically discussed various scenarios of operation of the CDI processing equipment. In the "maximization" methodology described in the above paragraph, the incoming material can be stored for 11 - 12 days (1914 - 2088 tons) and processed in one day in 8 - 9 hours (at the rate of 240 tons/hr crusher capacity). The particulate emission rates shown in Dudek's Memorandum on Air Quality and Green House Gas

Emissions Assessments does not obviously consider this equipment maximization methodology. If we prorate the predicted emission rates for PM 10 particulate matter of 32.35 lbs/day to the "maximization" rate, the threshold of 100 lbs/day for PM10 particulate matter would be greatly exceeded. This is a very valid reason for not approving this project as the air quality thresholds stated by CEQA 15183 would not be met.

The release of particulate matter is a key concern not only for residents of the area but the for the County as a whole as the County is in default on air quality. Further, the most recent survey by the National Bureau of Economic Research (<https://www.nber.org/papers/w26381>), based on information from air quality monitors, shows that air quality in the nation as a whole is in decline.

Thanks for your consideration.

Yours truly,

Kasturi Rangan.

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Sakdarak, Souphalak

From: Sibbet, David
Sent: Friday, November 01, 2019 9:59 AM
To: Kasturi Rangan
Cc: Neufeld, Darin; Byron Marler; Sakdarak, Souphalak
Subject: RE: NCER Project - PDS 2008-3500-08-015

Kasturi;
Answers are below.

From: Kasturi Rangan <rirangan@yahoo.com>
Sent: Monday, October 28, 2019 12:04 PM
To: Sibbet, David <David.Sibbet@sdcounty.ca.gov>
Cc: Neufeld, Darin <Darin.Neufeld@sdcounty.ca.gov>; Byron Marler <marlerstorm1@gmail.com>
Subject: NCER Project - PDS 2008-3500-08-015

David:

As I understood your comments about the "volume" of the proposed facility, when we spoke a few days ago, the site plan definition of the proposed facility is a "light" recycling facility which will ship two truck loads per day of product from the facility. You said other definitions such as "medium volume facility" which can process 174 tons per day are in the purview of the Health Department. I checked the Health section of the County website but found no information relating to this subject. I did find application related information on sand and aggregate products in the Air Pollution Control District part of the website. These applications ask for information on processing rates in terms of tons/hr and for equipment details but there is no mention of "volume of facility". I know the "volume" of facilities is defined in the California Code of Regulations section 17381.2.

Several questions now arise:

1. If the definition of "volume" of facility does not have relevance to the site plan application, why is a "medium volume facility" mentioned in the documents that were issued by your office on September 12, 2019? Because DEH classifies it as a medium volume facility in their permitting; which is different than the Zoning Ordinance classification that labels it as a light recycling facility.
2. In addition to the current documents, Beth Ehsan's letter of September 11, 2014 states on page 4 under Tonnage of Materials that the facility would be categorized as a Medium Volume Facility, regulated by 14CCR, Division 7, Chapter 3.0, Article 5.9, Section 17383.5. It also states that the daily maximum tonnage allowed is 174 tons and the on-site storage for concrete and asphalt is 30 days x 174 tons = 5,220 tons. The California Code of Regulations does confirm this definition for maximum storage. I assume that the volume of storage facilities allowed is a part of the site plan application. In fact the papers issued on September 12, 2019 say that there will be 20 storage containers 60' x 60' x 18' high. Even if we assume that each of these containers will be 75% full, the total tonnage for 20 containers works out to 32,400 tonnes which is more than 6 times the allowed maximum tonnage. Why would the site plan allow so many containers for storage? The project description has changed since 2014. We'll have to ask the applicants why so many storage containers are required.
3. Is the applicant allowed to simultaneously apply for site plan approval and for a permit to operate from the Air Pollution Control District? Or does the applicant have to sequence these applications, with the site plan approval being a prerequisite for the application for a permit to operate? The site plan comes first before any DEH and APCD permitting.

4. Does the Air Pollution District use the same CEQA section 15183 criteria to evaluate the application for the permit to operate? I am not sure how their permits relate to CEQA, but we anticipate an APCD letter shortly that we can forward if you wish.
5. Does the Air Pollution Control District use the maximum processing rate for calculation of emissions? See #4 answer
6. Is the Air Pollution Control District the authority to specify monitoring equipment for facility operations or can this also be required as part of the site plan? DEH will be in charge once operational and PDS will be in charge of enforcing the Site Plan conditions.
7. Once the facility is in operation, what is the procedure for applications for expansion. Which divisions of the County are involved in approvals? Expansion would require a Site Plan Modification which is the same process they're going through now
8. If the owner of the facility sells the facility to another individual or company, does the permit to operate and corresponding emission limits automatically pass to the new owner? Yes, it stays with the land
9. Are the applications submitted to the Air Pollution Control District available to the public, for scrutiny, if requested? See #4
10. Is it correct to assume that once a facility has a site plan approval and a permit to operate, it can continue to expand with corresponding applications to the County as long as noise, visual impact, and emissions criteria are met? No, See #7
11. Will public hearings be held on proposals/applications for expansion of facilities? It would be the same process they are going through now
12. Can decisions for expansions be appealed in the same way that site plan decisions can? Or are there other procedures? See #11
13. If a meeting with the Air Pollution Control District is needed by the public to discuss any of the above issues, who is the correct person to contact? PDS is the lead, so you would make that request through us and we can arrange.

I thank you for your understanding and patience. As you can see, it is not easy for those of us who are not familiar with County procedures to quickly grasp the details.

Kasturi.

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