



South Coast Air Quality Management District

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January 9, 2017

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County of Los Angeles
Department of Regional Planning
Zoning Permits North Section, Room 1348
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Partially Recirculated Draft Environmental Impact Report (PRDEIR) for the Proposed Chiquita Canyon Landfill (CCL) Master Plan Revision - Project No. R2004-00559-(5); Conditional Use Permit No. 200400042; Environmental Assessment No. 200400039; and SCH No. 2005081071)

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 Environmental Impact Report (Final EIR). The SCAQMD staff previously submitted comments dated September 23, 2014 on the DEIR¹, which are incorporated herein by reference.

The SCAQMD staff has serious concerns regarding the odor impact analysis, air quality and health risk assessment (HRA) in the PRDEIR. The proposed project would bring the active open areas of the landfill closer to the existing receptors (both residential and worker receptors) and SCAQMD staff is highly concerned that the potential for odor impacts to the surrounding community have been concluded to be less than significant based on insufficient substantial evidence. Additionally, the lead agency failed to provide SCAQMD staff with electronic files to support the emissions estimates included in the PRDEIR, which did not allow for a complete review of the accuracy of the impacts disclosed in the PRDEIR. Mitigation measures included in the PRDEIR, such as the Odor Impact Minimization Plan, have not been developed or disclosed and SCAQMD staff has concerns as to its effectiveness in reducing odors to a less than significant level. Additional details are listed in the attachment.

¹ SCAQMD's comment letter on the Draft Environmental Impact Report (DEIR) for the Proposed Chiquita Canyon Landfill Master Plan Revision - Project No. R2004-00559-(5); Conditional Use Permit No. 200400042; Environmental Assessment No. 200400039; and SCH No. 2005081071), dated September 23, 2014 and available on the internet at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2014/september/deirchiquita.pdf>

Mr. Richard Claghorn,
Project Planner

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Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist CEQA Section, at (909) 396-3302, if you have any questions regarding the enclosed comments.

Sincerely,

A handwritten signature in cursive script that reads "Jillian Wong".

Jillian Wong, Ph.D.
Planning and Rules Manager
Planning, Rule Development & Area Sources

Attachments

LAC161109-02
Control Number

SN:CS:AL:JW:SC:CT:JA:JC:GM

ATTACHMENT

Landfill Gas Collection Efficiency

1. Since the air quality analysis and HRA was based on an 85% collection efficiency, the lead agency should ensure that improvements are made such that the collection efficiency is equal to or greater than the 85% collection efficiency assumed in the PRDEIR. Otherwise, air quality and health risk impacts to the surrounding community would exceed the levels disclosed in the PRDEIR. In the assessment performed by SCS on behalf of the landfill operator, the collection efficiency is correlated to landfill cover design, and a set of design and operational scenarios correlating amounts of surface area cover improvements to overall improvements in collection efficiency are provided (Appendix H-3). If the landfill design and operation will be incorporating upgraded landfill cover materials on the landfill surface in areas with intermediate cover to an equivalent effectiveness of final cover, SCAQMD staff recommends that the lead agency require the landfill operator to demonstrate on an ongoing basis that the collection efficiency is equal to or greater than 85% during operation of the landfill. This would allow the lead agency to review the effectiveness of the planned cover improvements with the demonstrated gas collection efficiency and avoid an underestimation of project impacts to the surrounding community. Improving landfill gas collection efficiency would likely result in a reduction of odor impacts from the landfill.

Wind Monitoring Equipment Description and Location Details

2. In Section 11.5.2 (Local Wind Patterns), the PRDEIR states that CCL wind monitoring equipment was used to collect wind data from 2012 through 2014. Since wind monitoring equipment description and location details (elevation, terrain, potential wind barriers etc.) were unavailable, SCAQMD staff was unable to review the appropriateness of the meteorological data and determine if the statements made in Section 11.5.2 are representative of on-site conditions. As the working surfaces of the landfill increase in elevation, it is possible that the winds at lower elevations would not match the winds at higher elevations. SCAQMD staff recommends the Final EIR include wind monitoring equipment information and a location of the wind monitor as evidence that the wind roses in the PRDEIR are representative of on-site conditions as they relate to the transmission of odors.

Odor Impacts

3. In section 11.5.4 (current odor management strategies at CCL), the lead agency discusses an existing odor misting system along the mile long trash fence to the western and northern landfill boundaries. The misting system dispenses an odor neutralizer² when needed to control odors based on weather conditions. However, no mention is made of an odor misting system along the proposed boundaries of the expanded landfill to neutralize potential odors which could otherwise migrate toward the existing postal facility located directly east of the landfill and toward businesses located to the northeast, close to proposed new landfill boundaries.

² The odor neutralizing products used in the odor misting system should have no adverse environmental impacts. The formulations should be free of toxic compounds, VOC, and fragrance. Many products available in the market attempt to mask odors with fragrances, which can also result in odor complaints.

Based on the prevailing westerly wind patterns (Figure 11-3b), SCAQMD staff recommends the lead agency require, in the Final EIR, the installation and use of an odor misting system along the new eastern boundary.

4. The proposed landfill boundaries extend farther north, much closer to northern and northeastern portions of the Val Verde neighborhood where complaints have already been reported in the past. The proximity of the expanded landfill to the neighborhood is likely to increase the potential pool of residential complainants. Therefore, SCAQMD staff recommends the lead agency require, in the Final EIR, the use of an odor misting system³ along the new northern boundary as well.
5. In section 11.5.5 (odor complaints), the PRDEIR states that the impact of an odor source is best measured by the number of confirmed or verified odor complaints for that source. SCAQMD staff agrees that this may be an appropriate characterization of odor impacts for odor sources located in areas more accessible to SCAQMD inspectors for timely investigation. If SCAQMD compliance staff were able to respond to alleged odor complaints more quickly, the number of confirmed or verified odor complaints would most likely be higher. Because the landfill is situated in a relatively remote location, however, it is logistically impractical for SCAQMD to station an inspector in the immediate vicinity due to staffing constraints and other priorities, and odors may dissipate by the time an inspector arrives to investigate odor complaints. SCAQMD staff believes that the number of complaints alleging odors from the landfill is a more appropriate indicator of odor impacts, which would result in a potentially significant odor impact on receptors.
6. Section 11.5.5 (odor complaints) also includes a discussion of odor complaints where the PRDEIR includes SCAQMD odor complaint records received from the SCAQMD through a public records request. The PRDEIR describes the Notice of Violation issued for a Rule 402 – Nuisance violation that occurred on December 20, 2014. In its discussion, the landfill identified the root cause of the odor nuisance as green waste from a source whose green waste grinding equipment had broken down. The breakdown caused the green waste to begin to decompose, and, upon arrival at the landfill, the owner of the grinding equipment failed to notify CCL of the odorous load. Although section 11.5.4 (current odor management strategies at CCL) includes a best operating practice whereby an obvious highly odorous load is rejected at the truck scales, in this instance, the landfill's own load check process failed to catch the odorous load before it was deposited. The event went unnoticed by landfill staff until sufficient odor complaints were confirmed by an SCAQMD inspector to warrant issuing the Notice of Violation. Therefore, SCAQMD staff reiterates our previous recommendation "that the lead agency establish increments of progress in terms of throughput tonnage such that each increment is granted only if CCL demonstrates that air quality impacts, principally in the form of odor impacts, are not a burden to the community"⁴. Additionally, it is critical to have mechanisms in place to quickly address odor complaints and issues, should they arise.

³ The odor neutralizing products used in the odor misting system should have no adverse environmental impacts. The formulations should be free of toxic compounds, VOC, and fragrance. Many products available in the market attempt to mask odors with fragrances, which can also result in odor complaints.

⁴ See Comment 7 of SCAQMD's comment letter on the Draft Environmental Impact Report (DEIR) for the Proposed Chiquita Canyon Landfill Master Plan Revision - Project No. R2004-00559-(5); Conditional Use Permit

7. Section 11.5.6 (odor investigation at CCL) refers to an odor study performed by Soil Water Air Protection Enterprise (SWAPE). The report states that odors were described using Dilution to Threshold values to quantify strength, and Hedonic Tone to quantify pleasantness, among other criteria. Enforcement of Rule 402 and HSC 41700 are not contingent on these criteria. SCAQMD's policy is that if an inspector verifies in the presence of "a considerable number of persons" an odor which "cause[s them] injury, detriment, nuisance, or annoyance", then traces the odor to a unique source, and confirms that the source is in fact the cause of the odor, the facility may be issued a Notice of Violation. SCAQMD has issued Notices of Violation in the past to sources such as bakeries and coffee roasters, where inspectors have determined that such odors are a nuisance to the persons making the complaints. The SWAPE report concludes that the landfill does not create significant odor impacts to the surrounding community. SCAQMD staff is concerned that the expansion of the landfill would increase the proximity of active working surfaces of the landfill to existing receptors, resulting in increased odor complaints and potential Rule 402 Nuisance violations, which would be a potentially significant impact. SCAQMD staff encourages the lead agency to be proactive in preventing odor complaints from the proposed project.
8. Under Impact AQ-8, the lead agency concludes that expanded landfill operations would not create objectionable odors affecting a substantial number of people and that operation impacts would be less than significant. SCAQMD staff has serious concerns that the odor impacts from operation have been underestimated. The proposed project will not only expand the landfill boundaries to within less than 1,000 feet of the postal facility to the east and businesses to the northwest (see Figure 11-4), but will also double the tonnage of material the landfill receives on a daily basis. Based on SCAQMD staff's experience with changing elevations and changing workface locations at Sunshine Canyon Landfill, we have found that the elevation of the working face and proximity to receptors creates trash and/or landfill odor impacts on the downwind community, resulting in an increased number of complaints. Therefore, SCAQMD staff believes that the number of complaints may increase substantially due to the increased tonnage and expanded operations, bringing active open areas of the landfill closer to existing receptors which would cause an exacerbation of the odor impacts in the surrounding community.
9. Due to the proposed expansion and increase in disposal tonnage from 6,000 to 12,000 tons per day and 30,000 to 60,000 tons per week that will include organic and compost waste in the waste stream, SCAQMD staff is highly concerned about the potential odor impacts to nearby residents and workers. The lead agency states that any odors generated from active open areas based on the lateral and vertical expansion will dissipate based on existing topographical and meteorological conditions and the use of odor event management methods, such as applying odor neutralizing agents⁵ or strategically placing fans on the landfill to disperse odors, thus

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⁵ The odor neutralizing products used in the odor misting system should have no adverse environmental impacts. The formulations should be free of toxic compounds, VOC, and fragrance. Many products available in the market attempt to mask odors with fragrances, which can also result in odor complaints.

concluding that odor nuisance events would either not be created or not sufficiently impact nearby receptors to cause violations of Rule 402 or HSC 41700. SCAQMD staff has strong concerns that the analysis of topographical and meteorological conditions is over-simplified and does not provide substantial evidence as to how the odor impacts would be considered less than significant. Wind rose analyses (Figures 11-3a, 11-3b, and 11-3d) show that winds are blowing from the west toward industrial receptors where post office workers and office park workers are located. Calmer wind conditions, similar to the conditions that have historically been associated with odor events affecting the Val Verde residents, are likely to also create an increase in odor events and complaints due to the increased waste throughput, change in topography and historically low wind speeds that tend to allow odors to settle in the Val Verde area. For these reasons, the nearby residential and worker receptors could experience conditions that would increase the potential for frequent odor nuisance complaints. Therefore, SCAQMD staff recommends the following measures to further reduce odor impacts from the proposed project:

- a. In order to address rain or natural erosion effects at the landfill, maintain the required soil thickness by repairing any eroded soil.
 - b. In order to address odors from migrating to offsite sensitive and worker receptor locations, install odor baffles/barriers to disperse odors, such as vegetation, misting systems, orchard fans, trees, or other strategies to disrupt the flow of odors generated by the landfill activities.
 - c. Ensure that there are an adequate number of weather stations sited at the landfill. Additionally, site other weather stations located in the community and near the industrial/commercial areas (i.e. the post office facility located east of the site and the office park located northeast). These additional weather stations would provide a complete overview of the winds in the area at the time odor complaints are received.
 - d. Prior to the landfill expansion, establish a baseline of the emission of Table 2 compounds as listed in SCAQMD Rule 1150.1 - Control of Gaseous Emissions from Municipal Solid Waste.
 - e. AB 1826 – Mandatory Commercial Organics (Compost) Recycling: In order to meet the AB 1826 requirements to remove organics (food scraps; green wastes and yard trimmings; non-hazardous, non-treated wood waste; and food-soiled paper and cardboard) from the waste stream by 2023, the lead agency should implement a food recovery program, require waste screening and accelerate the removal of organic waste from the waste stream at transfer stations⁶.
 - f. Ensure that any leachate treatment occurs far away from the community due to a potential for leaks, which would cause odor complaints.
10. Under Impact AQ-9, the lead agency concludes that the operation of the composting facility would result in less than significant objectionable odors affecting a substantial number of people. Per HSC 41705(a)(2), HSC 41700 does not apply to operations that produce, manufacture or handle compost; this is under the jurisdiction of the Local Enforcement Agency (LEA) per HSC 41705(b), which also states that if a district receives a complaint pertaining to composting odors, the district shall notify the LEA of the complaint within 24 hours or by next working day. Since odor complaints of any sort are likely to be reported to SCAQMD staff

⁶ Source: <http://www.rethinkwaste.org/businesses/ab1826>

first, any delay in determining if the odor is due to composting operations will necessarily further delay investigation by the LEA, further increasing the likelihood that odors reported by the community or neighboring businesses will not be verified or confirmed by the appropriate agency and causing additional frustration for the affected community and/or businesses. Composting odors are usually most intense when compost windrow piles are turned. For example, Kagel Canyon residents located to the east of nearby Lopez Canyon Landfill in Sylmar filed compost odor complaints alleging Lopez Canyon Landfill as the odor source. Compost odor complaints were greatly reduced when the landfill operator restricted turning of compost to times when the wind was blowing away from the nearby community. Therefore, SCAQMD staff recommends the lead agency implement a similar restriction for the proposed project.

11. Under Impact AQ-9, and Mitigation Measure AQ-4, the lead agency relies on an Odor Impact Minimization Plan (OIMP) to reduce odor impacts from the composting portion of the proposed project to a less than significant level. SCAQMD staff is seriously concerned that without providing the specifics of the OIMP, the lead agency has not demonstrated with substantial evidence that the OIMP would reduce the odor impacts from the composting facility. Furthermore, the OIMP might include measures which would have secondary or indirect environmental impacts, which would need to be disclosed and considered as part of the proposed project and the EIR. Without providing the OIMP as part of the PRDEIR, it is not possible for SCAQMD staff to review or provide comments on the effectiveness of the measures or to ensure that the OIMP would be enforceable and reduce odors to a less than significant level. Therefore, SCAQMD staff recommends the lead agency include the OIMP in the Final EIR. SCAQMD staff is available to work with the lead agency in developing the OIMP.
12. The OIMP would only address odors from composting operations. However, the landfill operations itself would also be a source of potential odors. Therefore, the SCAQMD recommends that the lead agency either implement the OIMP for the entire landfill operations or develop a separate plan to address odors from landfill operations not covered by the OIMP. This plan could include a measure to divert organic waste from the waste stream accepted at the landfill. SCAQMD staff is available to work with the lead agency in developing such a plan.

Air Dispersion Modeling and Health Risk Assessment

13. SCAQMD staff requested files (modeling, HRA, and emissions estimation) used in the air quality analyses in our comment letter on the Notice of Preparation/Initial Study dated December 13, 2011⁷. Additionally, our comment letter on the Draft EIR dated September 23, 2014⁸ also requested additional emissions calculation files to support the analysis. Without these details and files, it is not possible for the SCAQMD staff to review the air quality and health risk impacts stated in the PRDEIR for accuracy. The lead agency should provide this

⁷ Available on the internet at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2011/december/chiquita-canyon-landfill.pdf>

⁸ Available on the internet at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2014/september/deirchiquita.pdf>

detailed information in the Final EIR, such as sample calculations showing how the project's impacts were estimated, and how the emissions from CalEEMod and/or EMFAC were used to determine the emission rates of the sources modeled. Specific requested details are listed below:

- a. Soil disturbance activities – SCAQMD staff was unable to ascertain where soil disturbance emissions are included in the dispersion modeling. By not including these emissions, air quality impacts could have been underestimated. SCAQMD staff recommends including these emissions in the Final EIR.
- b. Vehicle emission rates – SCAQMD staff was unable to verify the accuracy of the emission rates used for each speed of travel analyzed (e.g. emission from idling, onsite travel, off site travel) and idling times. Without supporting calculations or spreadsheets, SCAQMD staff was unable to verify how much idling time, if any, was included in the emission rate calculations, which could have led to an underestimation of health risks. Therefore, SCAQMD staff recommends that 15 minutes of idling be included in the HRA in the Final EIR.
- c. Based on Appendix H1 – Methodology – it appears that the lead agency averaged the DPM emissions from trucks for the 30-years of exposure and used that emission rate to estimate the health risks. This is not an appropriate methodology to estimate emissions using the 2015 revised OEHHA guidelines. The 2015 revised OEHHA guidelines acknowledge that children are more susceptible to the exposure to air toxics and have revised the way cancer risks are estimated to take this into account. Since the emissions from the project generated trucks get cleaner with time due to existing regulations, it would not be appropriate to average the emissions over the 30-year exposure duration since this would underestimate the health risks to children who would be exposed to higher DPM concentrations during the early years of project operation. Therefore, SCAQMD staff recommends that the DPM emissions for each year of operation be applied to each of the corresponding age bins (i.e. emissions from Year 1 of project operation should be used to estimate cancer risks to the third trimester to 0 year age bin; Year 1 and 2 of project operation should be used to estimate the cancer risks to the 0 to 2 years age bins; and so on).
- c. Stationary Source Exhaust Emissions – SCAQMD staff was unable to verify LFG emissions rates, capture efficiency, or destruction efficiency, which might have caused the proposed project's air quality and health risks to be underestimated. SCAQMD staff recommends the lead agency provide land fill gas emission data, capture efficiency models, and source tests demonstrating destruction efficiency in the Final EIR. Since SCAQMD is also a CEQA responsible agency and will be using this EIR to issue the permits for the flares, the data provided would be used to develop permit limits.
- d. Fugitive Landfill Gas Emissions – SCAQMD staff was unable to verify fugitive gas emission rates used, which might have caused an underestimation of air quality impacts and health risks. SCAQMD staff recommends the lead agency provide land fill gas emission data and capture efficiency models in the Final EIR.

14. Since the lead agency has determined that construction and operation activities will generate significant and unavoidable air quality impacts, SCAQMD staff recommends the following mitigation measure be added to further reduce the significant air quality impacts:
- a. All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet the Tier 4f emission standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

SCAQMD Rules

15. The Final EIR should include a description of how the lead agency will comply with SCAQMD Rule 1133.3 - Emission Reductions from Greenwaste Composting Operations.
16. Since the proposed project is considered a large operation (50 acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin⁹, the lead agency is required to comply with all SCAQMD Rule 403(e) – Additional Requirements for Large Operations. This may include but not limited to Large Operation Notification, appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class. Therefore, the Final EIR should contain a detailed description of how the Project will comply with [Rule 403\(e\)](#). Please contact dustcontrol@aqmd.gov for more information.
- Additional requirements include but are not limited to:
 - Implementation of Table 2 of Rule 403 at all times and implementation of the actions specified in Table 3 of Rule 403 when applicable.
 - Submittal of a fully executed Large Operation Notification to the Executive Officer.
 - Maintenance of daily records to document the specific dust control actions taken.
 - Installation and maintenance of project signage with project contact person that meets the minimum standards of Rule 403 Implementation Handbook.
 - Identification of a dust control supervisor that has completed the AQMD Fugitive Dust Control Class.

EMFAC Emission Factors for Route Collection Vehicles

17. Under the assumptions for the operational truck emission estimates in the Air Quality Appendix H,¹⁰ the operational estimates are based on an increase of 272 diesel fueled

⁹ PRDEIR, Project Description, Table 2-5 Estimated Proposed Project Earthwork.

¹⁰PRDEIR, Appendix H-2_02_ Peak Truck Emission Calculations (Nov 2016) on page 11 of 188 and Mobile Sources Operation Emission Calculations on page 17 of 188; and H-2_03_ Average Truck Emission Calculations (Nov 2016) on page 11 of 188 and Mobile Sources Operation Emission Calculations on page 17 of 188.

transfer trucks and 300 diesel fueled waste collection trucks from the project baseline based on the increase in landfill throughput. In the footnotes on page 17 for both the peak and average emission estimates, the EMFAC User Guidance is cited for the emission factor assumptions used to estimate the added transfer and waste collection truck emissions. Heavy-Heavy Duty Truck (HHDT) emission factors are used for the 272 transfer trucks but Medium Heavy Duty Truck (MHDT) emission factors are used for the added 300 waste collection trucks. HHDT trucks are categorized by the EMFAC Guidance as vehicles weighing 33,001-60,000 pounds)¹¹ and MHDT trucks weighing in 14,001-33,000 pounds. Based on the EMFAC emission factor criteria, the Final EIR should describe the rationale for using the MHDT emission factors instead of the HHDT.

Identifying Route Truck Service Areas and Transfer Truck Destinations

18. Based on the assumptions in Appendix H, Air Quality, the lead agency used 28.2 round trip miles for the waste collection trucks but did not describe the service areas related to that distance. A distance of 90.6 round trip miles was cited for the transfer trucks but the transfer station site locations were also not identified. In order to relate these distances to the applicable air quality analyses, the service areas of the waste disposal route trucks and the transfer truck locations should be included in the Final EIR.

¹¹An average large garbage truck weighs about 64,000 pounds or 32 short tons. Smaller trucks weigh about 20 tons:
<https://www.reference.com/vehicles/much-garbage-truck-weigh-17dc33699c400aab?qo=contentSimilarQuestions>