

**APPENDIX B
QUEMETCO CAPACITY UPGRADE PROJECT**

**COMMENTS RECEIVED ON THE NOP/IS AND DURING CEQA SCOPING
MEETINGS AND RESPONSES TO COMMENTS**

INTRODUCTION

This appendix includes the comments received on the Quemetco Capacity Upgrade Project Notice of Preparation/Initial Study (NOP/IS) for an Environmental Impact Report (EIR) and responses to those comments. The South Coast AQMD thanks all agencies, entities, and individuals that participated in this process and provided comments regarding this proposed Project.

The NOP/IS was circulated for a 56-day public review with the comment period starting on August 31, 2018 and ending on October 25, 2018. In addition, the South Coast AQMD conducted two CEQA scoping meetings at the Hacienda Heights Community Center on September 13, 2018 (CEQA Scoping Meeting #1) and October 11, 2018 (CEQA Scoping Meeting #2); the purpose of these scoping meetings was to provide information and to receive public comments on the proposed Project. During the public review period, South Coast AQMD received 30 comment letters specifically in response to the NOP/IS, 125 commenters provided written comments at CEQA Scoping Meeting #1, and 28 commenters provided oral comments at CEQA Scoping Meeting #2.

As the lead agency, the South Coast AQMD must consider all information and comments received. (CEQA Guidelines Section 15084(c).) CEQA does not require the lead agency to provide responses to comments on the Notice of Preparation. Nonetheless, the South Coast AQMD has prepared responses to all comments received during the public review period, including oral comments made during Scoping Meeting #2. (CEQA Scoping Meeting #1 was an informal open house where comments were not recorded.)

These comments and their respective responses are included in one of the following three sections: (1) comment letters received on NOP/IS; (2) written comments received during CEQA Scoping Meeting #1; and (3) oral comments received during CEQA Scoping Meeting #2.

Of the written and oral comments received, 140 individuals provided comments on the proposed Project's potential environmental impacts, 33 individuals specifically opposed the proposed Project, and 112 individuals demanded that Quemetco close or relocate.

Table B-1 summarizes the commenters who provided written comment letters in response to the NOP/IS. Table B-2 summarizes the commenters who provided written comments at CEQA Scoping Meeting #1. Table B-3 summarizes the commenters who provided oral comments at CEQA Scoping Meeting #2.

TABLE B-1

List of Comment Letters Received on the Quemetco Capacity Upgrade Project NOP/IS

Comment Letter	Commenter
NOP-1	San Manuel Band of Mission Indians, Jessica Mauck
NOP-2	Native American Heritage Commission (NAHC), Frank Lienhert
NOP-3	Viejas Band of Kumeyaay Indians, Ray Terah
NOP-4	Long Beach Unified School District, Alan Reising
NOP-5	California Department of Transportation (Caltrans), Miya Edmonson
NOP-6	Board of Supervisors – County of Los Angeles, Janice Hahn
NOP-7	DTSC, Edward Nieto
NOP-8	County of Los Angeles – Office of the County Counsel, Scott Kuhn
NOP-9	Mario Delgado
NOP-10	Stephen Russell
NOP-11	Albert and Margaret Porras
NOP-12	Xavier Mendoza
NOP-13	Margarita Beltran
NOP-14	sstac@excite.com
NOP-15	Bing Chen
NOP-16	Mario Sandoval
NOP-17	Richard and Marilyn Kamimura
NOP-18	Kevin Kim
NOP-19	Duncan McKee
NOP-20	Evergreen SGV, Victor Chen
NOP-21	Sierra Club - San Gabriel Valley Task Force, Joan Licari
NOP-22	Bavi Bavicisumab
NOP-23	James Flournoy
NOP-24	USC/University of Southern California – Department of Preventative Medicine, Shohreh Farzan, Jill Johnston and Wendy Gutschow
NOP-25	Avocado Heights Community Advocate, Don Moss
NOP-26	EarthJustice

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Comment Letter	Commenter
NOP-27	Maria Figuero
NOP-28	Alicia Munoz
NOP-29	Michael Williams, Hacienda Heights Improvement Association
NOP-30	County of Los Angeles Board of Supervisor - Janice Hahn

TABLE B-2

**List of Written Comments Received During the Quemetco Capacity Upgrade Project
NOP/IS Comment Period at CEQA Scoping Meeting #1**

Written Comment	Commenter
SM1-1	Bing Chen
SM1-2	Chih Chen Fu
SM1-3	Jorge Ortiz
SM1-4	Henry Pederson
SM1-5	Karen Chang
SM1-6	Clean Air Coalition of North Whittier and Avocado Heights, Van Phan-Wang
SM1-7	Margaret Caldera
SM1-8	Anna Lau
SM1-9	Anthony Lau
SM1-10	Acelia and Jose Sanjurjo
SM1-11	Keqing Liu
SM1-12	Johnny Chang
SM1-13	Alva Poon
SM1-14	Chung Hsien Chen
SM1-15	Sharon Chen
SM1-16	Fuyu Hsieh
SM1-17	Melissa Wang
SM1-18	Shiela Ho
SM1-19	Anonymous
SM1-20	Lisette Avalos-Arellan

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Written Comment	Commenter
SM1-21	Carol Oldham
SM1-22	Lee Oldham
SM1-23	Sharon McLaughlin
SM1-24	Clean Air Coalition of North Whittier and Avocado Heights, J. Luis Ceballos
SM1-25	Enrique Hernandez
SM1-26	F. Riddy
SM1-27	Anna Valenzuela
SM1-28	Clean Air Coalition of North Whittier and Avocado Heights, Raul Santos
SM1-29	Clean Air Coalition of North Whittier and Avocado Heights, Theresa Guevera
SM1-30	John Vacenzuela
SM1-31	Kathy Tahmizian
SM1-32	Sam Ho
SM1-33	Clean Air Coalition of North Whittier and Avocado Heights, Alvaro Mendoza
SM1-34	Paul Debeon
SM1-35	Feliciano Alvarado
SM1-36	Clean Air Coalition of North Whittier and Avocado Heights, James Garcia
SM1-37	Sam Ou
SM1-38	Harvey and Jeanie Yoshihara
SM1-39	Gordon Lu
SM1-40	Clean Air Coalition of North Whittier and Avocado Heights, Diane Mihara
SM1-41	Arlene Sandoval
SM1-42	Clean Air Coalition of North Whittier and Avocado Heights, Rebecca Overmeyer-Velazquez
SM1-43	Bernice Tran
SM1-44	SEIU Local 1000 and Poor People's Campaign, Rose Gudid Escobar
SM1-45	Ronald Lu
SM1-46	Jason Miller
SM1-47	Joe R. Lujano

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Written Comment	Commenter
SM1-48	Maria Elena Nunez
SM1-49	Andrea Gordon
SM1-50	Chris Sanchez
SM1-51	Genara Lopez
SM1-52	Ivan Zelada
SM1-53	Eduardo Guijarro
SM1-54	Marlou Urias
SM1-55	Sarah Solis-Miller
SM1-56	Mitzi and Larry Garlin-Leyk
SM1-57	Peter Lin
SM1-58	Vincent Ling
SM1-59	Angela Chow
SM1-60	Shou Wang
SM1-61	Lilian Liu
SM1-62	Porter Chalapong
SM1-63	Juanita Tsu
SM1-64	Anna Lo
SM1-65	Peter Wang
SM1-66	Lu Lee
SM1-67	Virginia Kwong
SM1-68	Josephine
SM1-69	Sherry Lee
SM1-70	Sue Tang
SM1-71	Alan Chavez
SM1-72	Chi Pui Wong
SM1-73	Heng Fang Liu
SM1-74	Yun-Chang Cheng
SM1-75	Shinger Shu
SM1-76	Lydia Sun
SM1-77	Kit Lee

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Written Comment	Commenter
SM1-78	Elisie Lee
SM1-79	Carrie Chiang
SM1-80	Kitty Twu
SM1-81	Yingli Ju
SM1-82	Martha Alvarado
SM1-83	Byron Ha
SM1-84	Jasmine Hoang
SM1-85	Carol Peng
SM1-86	Selena Tang
SM1-87	Michael Tang
SM1-88	Bernice Chow
SM1-89	Jack Chow
SM1-90	Terry Wang
SM1-91	Sherry Lee
SM1-92	Sue Tang
SM1-93	Peter Wang
SM1-94	Su Lee
SM1-95	Virginia Kwong
SM1-96	Josephine
SM1-97	Alan Chavez
SM1-98	Chi Pui Wong
SM1-99	Heng Fang Liu
SM1-100	Yun-Chang Chang
SM1-101	Shinger Shu
SM1-102	Lydia Sun
SM1-103	Kit Lee
SM1-104	Elisie Lee
SM1-105	Carrie Chiang
SM1-106	Kitty Twu
SM1-107	Yingli Ju

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Written Comment	Commenter
SM1-108	Martha Alvarado
SM1-109	Byron Ha
SM1-110	Jasmine Hoang
SM1-111	Carol Peng
SM1-112	Selena Tang
SM1-113	Janice Wang
SM1-114	Maria Soledad Gonzalez
SM1-115	Felipe de Jesus Gonzalez
SM1-116	James Yan
SM1-117	Irene Yan
SM1-118	Juanita Roman
SM1-119	Ming Wang
SM1-120	Joanette Lin
SM1-121	Yiling Yao-McCraven
SM1-122	Judy Huang
SM1-123	Jack Huang
SM1-124	Clean Air Coalition of North Whittier and Avocado Heights, Marilyn Kamimura
SM1-125	Marilyn Kamimuna

TABLE B-3

List of Oral Comments Received During the Quemetco Capacity Upgrade Project NOP/IS Comment Period at CEQA Scoping Meeting #2

Oral Comment	Commenter
SM2-1	Beatriz Ricartti
SM2-2	Adriana Quinones
SM2-3	Bing Chen
SM2-4	Chris Sanchez
SM2-5	Luis Ceballos
SM2-6	Hacienda La Puente Unified School District, Mark Hansberger

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SM2-7	Carol Oldham
SM2-8	Hacienda Heights Improvement Association, Michael Williams
SM2-9	Richard Kamimura
SM2-10	Carla Martinez
SM2-11	Clean Air Coalition of North Whittier and Avocado Heights, Rebecca Overmyer-Velazquez
SM2-12	Nancy Mertiz
SM2-13	Earthjustice, Bryan Chan
SM2-14	Dianne Ortega
SM2-15	Congresswoman Grace Napolitano Representative, Perla Hernandez
SM2-16	Mitzi Leyk
SM2-17	Marina Martinez
SM2-18	Janie Sanchez
SM2-19	Andrea Gordon
SM2-20	Maria Avila
SM2-21	Marilyn Kamimura
SM2-22	Crystal Ramos
SM2-23	Duncan McKee
SM2-24	Laverne
SM2-25	Annelle Albarran
SM2-26	Hacienda Heights Improvement Association and Clean Area Coalition of North Whittier and Avocado Heights, Lucy Pedregon
SM2-27	Thomas Lohff
SM2-28	Alice Munoz

Of the comment letters received regarding the NOP/IS and the written and oral comments made at the CEQA Scoping Meetings, several commenters expressed concern about the proposed Project's effects on community health and requested that the facility be shut down and/or relocated. To avoid repetition in the individual responses contained in this appendix, the following Master Response to Shut Down and/or Relocate the Facility has been provided. Additionally, there were numerous comments about the status of the DTSC Soils Investigations and Remediation as well as about Environmental Justice. The following Master Responses have been prepared for these topics and are referenced in the appropriate response to comments to avoid repetition in these responses to comments.

Master Response to Shut Down and/or Relocate the Facility

As explained in Chapter 5, Section 5.4.2 of the EIR, closing down the Quemetco facility is not a feasible alternative because it would defeat the project objectives. Moreover, South Coast AQMD's regulatory authority is limited to ensuring compliance with air quality laws. South Coast AQMD is not a land use agency and thus does not control city or county zoning and planning decisions. As a result, South Coast AQMD does not have the ability to determine where a facility should be located or determine its siting in relation to other land uses. However, South Coast AQMD is able to accomplish its mission, in part, by evaluating the potential impacts of all permit applications to ensure compliance with CEQA's mandates as well as all applicable air quality related federal, state, and South Coast AQMD regulatory requirements, before issuing the permit. The South Coast AQMD also ensures that once operating, the permitted equipment is in compliance with those requirements.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Once the permit is issued, South Coast AQMD ensures the facility is operating in compliance with those permit conditions and regulatory requirements through regular emissions testing and reporting and through regular facility inspections. If the facility is operating out of compliance with any requirements, a Notice to Comply or Notice of Violation may be issued. Where a facility is in violation, the South Coast AQMD may pursue the issuance of an Order for Abatement. Such an order, if issued, asks the facility to cease and desist from violations, which in some scenarios could fully prohibit the emissions associated with ongoing business activities. More commonly, an Order for Abatement requires a facility to refrain from a particular act unless certain conditions are met. While Quemetco has had recent violations, these violations are not of a nature that would require the South Coast AQMD to follow a process that would allow for shutting down of the facility. For a discussion of these violations, please refer to Appendix C.

Master Response on DTSC Soils Investigations and Remediation

The DTSC soils remediation activities, as described in more detail in Chapter 3, Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today’s operation and compliance with South Coast AQMD requirements, including but not limited to Rule 1420.1, which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. DTSC has been working with Quemetco to address historic soil contamination through the collection of soil samples, establishment of a work plan for corrective action, and implementation of that workplan. The area established by DTSC as the “Quemetco Impacted Area” (“QIA”) has been remediated prior to the release of this EIR; the QIA Phase II Completion Report and DTSC's August 20, 2021 approval letter are located on DTSC's website here: https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=80001454.

A report submitted to DTSC in October 2018 concludes that in most of the area investigated, the soil lead levels were consistent with lead levels in other areas of similar age, and were therefore potentially affected by lead in paint; the soil lead levels were also consistent with lead levels in other areas of similar distance from freeways, and therefore were also potentially affected by lead in gasoline. The October 2018 report, which DTSC accepted as final in February 2020, is available on DTSC’s website here: https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=80001454&doc_id=60367598.

As part of its ongoing analyses, DTSC prepared a transect sampling workplan and collected transect soil samples from areas surrounding the facility in March 2021. Documentation related to DTSC’s implementation of the transect sampling workplan is available on DTSC’s website here: https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=80001454&doc_id=60486311.

The resulting transect sampling data and analysis report, the findings of which were consistent with the October 2018 report, was submitted in May 2021 and is still under review by DTSC.

Regarding whether the proposed Project's air emissions could potentially generate soil deposition impacts, the EIR utilized air dispersion modeling and risk assessment tools, AERMOD combined with CARB’s Hotspots Analysis and Reporting Program (HARP), to quantify air emissions and conduct a health risk assessment (HRA) for the proposed Project. To understand how these tools are utilized, it is helpful to have some background on air emissions and how the data is processed. Air emissions form as gases or particles, but once they enter the atmosphere, there are two mechanisms for deposition from the air: 1) wet deposition; and 2) dry deposition. Wet deposition occurs when the air emissions enter the atmosphere (in rain-, fog-, or cloud-water) followed by a rain event which flows into water sources. Dry deposition occurs when air emissions comprised of gases that accumulate onto particles and/or particles accumulate or conjoin with other particles to form larger particles that settle to the ground (e.g., soil or water) due to their size and weight. When modeling using AERMOD and HARP to determine the air dispersion of pollutants, the analysis assumes that the air emissions are comprised of gases because there is no way to know what percentage of the emissions are gases and which are particles. In addition, AERMOD and HARP cannot analyze: 1) the wet deposition of air emissions because there is no way to predict when it will rain or how much rain will be generated in order to estimate the concentration of

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pollutants in rainwater; and 2) the dry deposition of air emissions because data on the particle size distribution, mass fraction and particle density is not available.

For the HRA, HARP has a feature that is capable of analyzing soil deposition due to the accumulation of air toxics in the soil when calculating health risk from multi-pathway exposures. Specifically, the “Soil” tab in HARP accounts for multi-pathway pollutants that eventually settle into the ground and are later introduced to humans by incidental ingestion (e.g., ingesting contaminated leafy, exposed, protected, and root produce) or intentional soil ingestion, and the chemical half-life in soil which is based on the number of days the facility has been operating. HARP also has a default soil accumulation period which assumes that facility air pollutants have been released and deposited into the soil for a total of 25,550 days (70 years); this default can be updated with a different date rate if site specific data is available. The HRA for the proposed Project analyzes the potential for soil deposition. HARP estimates health risk associated with the ingestion of toxics via direct soil ingestion or via home grown produce by assuming that the emissions deposit and accumulate over 70 years (or however long the facility is operating). The health risks associated with air toxics, including through deposition in soil, may be found in Chapter 4, Table 4.2-9 in the EIR and is repeated in this response.

Regarding whether the proposed Project’s air emissions could potentially generate soil deposition impacts, Table 4.2-9 in the EIR breaks down the potential sources of risk being evaluated (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) as well as the percentage contribution of each risk source to the maximum residential cancer risk for Receptor 51165, the location of the highest estimated residential risk (the maximum exposed individual resident (MEIR)). The MEIR risks including soil deposition impacts for the total proposed Project, the baseline, and the increment (proposed Project less baseline), would be less than the South Coast AQMD maximum residential cancer risk threshold (see Chapter 4, Table 4.2-8 in the EIR). For these reasons, potential soil deposition impacts from the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts.

Further, the proposed Project assessed in this EIR does not call for any soil disturbance (onsite or offsite) nor any changes that would affect the existing soil conditions; therefore, no further soils analysis is required for CEQA purposes.

Table 4.2-9 Health Risk Speciation for Maximum Residential Cancer Risk (Receptor 51165)

HRA Scenario	Maximum Residential Cancer Risk (risk per million)	Inhalation Risk (risk per million)	Soil Risk (risk per million)	Dermal Risk (risk per million)	Mothers Milk Risk (risk per million)	Crop Risk (risk per million)
Proposed Project	5.36	2.55	1.56	0.0709	0.0896	1.09
Baseline (Pre-Project)	3.76	1.85	1.06	0.0482	0.0608	0.738
Net Health Risk Impact	1.60	0.7	0.5	0.0227	0.0288	0.352
% Contribution		43.75%	31.25%	1.42%	1.8%	22%
South Coast AQMD Air Quality Significance Threshold for TACs^a	10	--	--	--		
Significant?	NO	--	--	--		

^a As shown in Table 4.2-2, the South Coast AQMD Air Quality Significance Thresholds for TACs are based on the project increment.

It is important to note that HARP also has the ability to assess the health risks exposures from: 1) fish pathways via contaminated water and eating contaminated fish if there is a body of water (e.g., river or lake) located at the receptor point and is used as a source of angler-caught fish for human consumption; and 2) farm animals and products via the bioaccumulation of toxics in pig, chicken, and egg from drinking contaminated drinking water if the facility is located near a farm. These risks were measured in the HRA for the proposed Project and the results were 0.00 for fish and farm pathways. This is reasonable because the Quemetco facility is neither located near bodies of water which are sources of angler-caught fish nor a farm where pig, chicken and egg products are raised; therefore, the HRA for the proposed Project does not analyze effects of deposition on fish and farm pathways.

Thus, the air dispersion modeling and HRA analysis for the proposed Project provide the best information available regarding deposition of pollutants.

Master Response on Environmental Justice

Under state law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Government Code Section 65040.12(e).) Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects. Social justice means the fair access of all people to wealth, opportunities and privileges in a society.

Neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of social or environmental justice when evaluating the environmental effects of a proposed project. While there are no procedures to evaluate potential environmental justice impacts under CEQA, the South Coast AQMD considers disproportionate impacts on disadvantaged communities as related to environmental justice by evaluating a proposed project’s potential public health and environmental impacts during the CEQA assessment of potential environmental impacts including conducting a health risk assessment.

The EIR includes an extensive analysis of the proposed Project’s potential impacts on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts. In addition, public health impacts associated with the proposed Project were analyzed in an HRA (see Chapter 4, Section 4.2 and Appendix D of the EIR). Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. The analysis of all environmental topic areas evaluated in the NOP/IS and the EIR for the proposed Project were concluded to have either less than significant impacts or no impacts. Therefore, the proposed Project would have less than significant impacts to public health.

The EIR also analyzes potential localized impacts from the proposed Project using the South Coast AQMD’s Localized Significance Thresholds (“LST”). The LSTs were developed as one of the South Coast AQMD’s Environmental Justice Program Enhancements (specifically Enhancement I-4). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest residence or sensitive receptor, taking into consideration ambient concentrations in each source receptor area, project size, distance to the sensitive receptor, etc.¹ LSTs were developed in response to environmental justice concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities.²

For non-CEQA purposes, South Coast AQMD adopted an environmental justice initiative to ensure that everyone has the right to equal protection from air pollution and fair access to the decision-making process that works to improve the quality of air within their communities. Environmental justice is program is defined by the South Coast AQMD as the “...*equitable environmental policymaking and enforcement to protect the health of all residents, regardless of*

¹ South Coast AQMD LST Fact Sheet (available at <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/localized-significance-thresholds-fact-sheet.pdf>).

² Id.

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age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution."

One of the South Coast AQMD's top environmental justice priorities is the implementation of Assembly Bills (AB) 617 and 134 (<http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134>). The Quemetco facility and its surrounding community is not currently designated as an AB 617 community eligible for incentive funding. It is important to note, however, that for communities awarded with incentive funds, the money is allocated for projects or improvements that would provide an environmental benefit for the entire community. As such, financial compensation to individual residents is not a feature of the incentive funding structure for AB 617 communities.

Senate Bill (SB) 535 is mentioned in several comments. SB 535 identifies environmental justice communities for an entirely separate purpose. Environmental justice communities are identified for the purpose of diverting at least 25 percent of the funds generated by AB 32 to be allocated for projects that benefit disadvantaged communities, with at least 10 percent for projects located within these communities. Quemetco participates in AB 32's Cap-and-Trade program and thus supports SB 535 through its participation in Cap-and-Trade. Other environmental justice programs include SB 1000 and AB 617. SB 1000 requires every California city and county that contains a disadvantaged community to address environmental justice in their General Plan. AB 617 establishes Community Air Protection Programs for select environmental justice communities for community air monitoring systems and/or community wide emissions reduction to reduce disproportionate impacts on minority or low-income populations.

Many comments refer to CalEnviroScreen. This tool was developed by the Office of Environmental Health Hazard Assessment (OEHHA) to identify communities facing toxic exposure and that are vulnerable to pollution and environmental hazards. It was designed to help implement SB 535. To accomplish its purpose, the tool uses environmental, health, and socioeconomic data. While this economic and social effects data can be included in the EIR, the CEQA Guidelines state that economic or social effects of a project shall not be treated as significant effects on the environment (CEQA Guidelines Sections 15064 and 15131). Moreover, the economic and social effects data in CalEnviroScreen is not intended to be used to determine significance under CEQA.

NOP/IS COMMENTS AND RESPONSES

Comment Letter NOP-1 San Manuel Band of Mission Indians, Jessica Mauck

From: Jessica Mauck [mailto:JMauck@sanmanuel-nsn.gov]

Comment NOP-1

Sent: Friday, August 31, 2018 3:20 PM

To: CEQA_Admin <CEQA_Admin@aqmd.gov>

Subject: RE: Notice of Preparation/Initial Study (NOP/IS) for the Quemetco Capacity Upgrade Project

Hello,

Thank you for contacting the San Manuel Band of Mission Indians (SMBMI) regarding the above referenced project. SMBMI appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on 31 August 2018. The proposed project is located outside of Serrano ancestral territory and, as such, SMBMI will not be requesting consulting party status with the lead agency or requesting to participate in the scoping, development, and/or review of documents created pursuant to these legal and regulatory mandates.

Regards,

Jessica Mauck

CULTURAL RESOURCES ANALYST

O: (909) 864-8933 x3249

M: (909) 725-9054

26569 Community Center Drive Highland California 92346

The logo for the San Manuel Band of Mission Indians features the words "SAN MANUEL" in a large, bold, serif font. Below it, "BAND OF MISSION INDIANS" is written in a smaller, sans-serif font. A small circular emblem is positioned between "SAN" and "MANUEL".

Response to Comment Letter NOP-1

Thank you for responding to the NOP/IS. This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment Letter NOP-2 NAHC, Frank Lienhart

Comment NOP-2

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95891
Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



September 7, 2018

Barbara Radlein
South Coast Air Quality Management District
21865 E. Copley Drive
Diamond Bar, CA 91765

RE: SCH# 2018081096 Quemetco Capacity Upgrade Project, Los Angeles County

Dear Ms. Radlein:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. **Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. **Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. **Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. **Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. **Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Frank.Lienert@nahc.ca.gov.

Sincerely,



for Frank Lienert
Associate Governmental Program Analyst

cc: State Clearinghouse

Response to Comment Letter NOP-2

Thank you for responding to the NOP/IS. The South Coast AQMD provided formal notice of a consultation opportunity regarding the proposed Project to all local California Native American Tribes known as being traditionally and culturally affiliated with the project area as identified on the NAHC notification list prepared pursuant to Public Resources Code Section 21080.3.1(b)(1). No California Native American Tribe requested a consultation. Thus, no further action is required under CEQA.

Comment Letter NOP-3 Viejas Band of Kumeyaay Indians, Ray Terah

Comment NOP-3



PQ Box 908
Alpine, CA 91903
#1 Viejas Grade Road
Alpine, CA 91901

Phone: 6194453810
Fax: 6194455337
viejas.com

September 10, 2018

Diana Thai
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765

Re: Quemetco Capacity Upgrade Project

Dear Ms. Thai,

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has little cultural significance or ties to Viejas. We further recommend that you contact the tribe(s) closest to the cultural resources. We, however, request to be informed of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains in order for us to reevaluate our participation in the government-to-government consultation process.

Please do not hesitate to contact me if you have further questions. Please call Ernest Pingleton at 619-659-2314 or me at 619-659-2312, or email, epingleton@viejas-nsn.gov or rteran@viejas-nsn.gov. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "RT", written over a horizontal line.

Ray Terah, Resource Management
VIEJAS BAND OF KUMEYAAY INDIANS

Response to Comment Letter NOP-3

Thank you for responding to the NOP/IS. South Coast AQMD provided formal notice of a consultation opportunity regarding the proposed Project to all local California Native American Tribes known as being traditionally and culturally affiliated with the project area as identified on the NAHC notification list prepared pursuant to Public Resources Code Section 21080.3.1(b)(1). No California Native American Tribe requested a consultation. Given there is no construction or ground disturbance with the proposed Project, the potential discovery of cultural artifacts, cremation sites and so forth are not expected; if any cultural artifacts, cremation sites and so forth are discovered, the Viejas Band of Kumeyaay Indians will be notified. Thus, no further action is required under CEQA.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-4 Long Beach Unified School District, Alan Reising



Comment NOP-4

BUSINESS DEPARTMENT – Facilities Development & Planning
Office of the Executive Director
2425 Webster Ave., Long Beach, CA 90810
(562) 997-7550 Fax (562) 595-8644

September 27, 2018

Diana Thai
Air Quality Specialist
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4718

Subject: NOP/IS Comments for Quemetco Capacity Upgrade Project

Dear Ms. Thai:

The Long Beach Unified School District (LBUSD or District) appreciates the opportunity to comment on the Notice of Preparation (NOP) and Initial Study (IS) of a Draft Environmental Impact Report (DEIR) for the Quemetco Capacity Upgrade project (proposed project). In accordance with the California Environmental Quality Act (CEQA), the South Coast Air Quality Management District (SCAQMD), as the lead agency, has prepared a NOP/IS of a DEIR to address the potential environmental impacts associated with the proposed project at the Quemetco facility.

The District understands Quemetco operates a secondary lead-smelting facility in the City of Industry, Los Angeles County. The purpose of the project is to allow the facility to recycle more lead batteries and eliminate the existing daily idle time of the rotary-feed drying furnace and reverberatory furnace. The project proposes to modify existing SCAQMD permits to increase the rotary-feed drying furnace feed rate limit from 600 tons per day (tpd) to 750 tpd, increase the amount of total coke material allowed to be processed from 600,000 pounds per month to 750,000 pounds per month, and allow petroleum coke to be used as a smelting reagent. The facility's rotary drying furnace and reverberatory furnace would increase operation from 20 hours per day to 24 hours per day, and as a consequence, the refined lead product output would increase from approximately 460 tpd to 575 tpd. Additionally, truck activity would increase by approximately 415 round trips per month from additional feedstock to be processed.

The District is committed to providing a safe learning environment and school facilities for its students and employees. Thus, the District's primary concern in its review of the NOP/IS is whether the project's environmental impacts will be properly addressed, analyzed, and mitigated in the DEIR to avoid adverse impacts on the District's schools, students, and staff. Specifically, the District recommends the DEIR thoroughly addresses regional air quality impacts to ambient air quality and localized impacts to sensitive receptors from increased emissions of toxic air contaminants, including lead, arsenic, hexavalent chromium, and benzene. Additionally, the District is also concerned with the truck activity increase on the region's freeway and roadway networks from the proposed project and the subsequent increase in regional diesel particulate matter emissions.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

The District requests that SCAQMD address all impacts to schools and identify feasible and effective mitigation measures to reduce those impacts. The District is happy to work with the SCAQMD to assist in identifying feasible mitigation and ensure that District students and staff are not impacted by the project. If you have any questions, please feel free to contact me at (562) 997-7555.

Sincerely,



Alan Reising
Executive Director, Facilities, Development and Planning
Long Beach Unified School District
2425 Webster Avenue
Long Beach, CA 90810

cc: Chris Steinhauser – LBUSD Superintendent of Schools
PlaceWorks

Response to Comment Letter NOP-4

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required.

For this reason, the proposed Project’s potential incremental (net) health risk impact to schools within the Long Beach School District would not be significant. Furthermore, the EIR found that the proposed Project’s potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-5 California Department of Transportation (Caltrans), Miya Edmonson

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, JR., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-6536
FAX: (213) 897-1337



*Making Conservation a
California Way of Life!*

Comment NOP-5

October 2, 2018

Ms. Barbara Radlein
South Coast Air Quality Management District
21865 E. Copley Drive
Diamond Bar, CA 91765

Re: **Quemetco Capacity Upgrade Project**
SCH# 2018081096
GTS# 07-LA-2018-01897TD-NOP

Dear Ms. Radlein:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed Project includes modification of existing SCAQMD permits to: 1) increase the rotary feed drying furnace feed rate limit from 600 tons per day (tpd) to 750 tpd; 2) increase the amount of total coke material (e.g., calcined coke, petroleum coke, or a combination thereof) allowed to be processed in the rotary feed drying furnace and reverberatory furnace from 600,000 pounds per month (lbs/month) to 750,000 lbs/month; and 3) allow petroleum coke, in lieu of or in addition to calcined coke, to be used as a smelting reagent in the reverberatory furnace and electric resistance heated slag reduction furnace. **NOP-5-A**

Caltrans has reviewed the NOP and does not expect project approval to result in a direct adverse impact to the existing State transportation facilities. However, we do recommend checking the truck turning radius at ramp locations in the project area to facilitate truck movement. **NOP-5-B**

Please keep in mind, an encroachment permit will be required for any project work proposed on or near the Caltrans Right of Way and all environmental concerns must be adequately addressed. **NOP-5-C**

In the spirit of cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Mr. Todd Davis, at (213) 897-0067 and refer to GTS# 07-LA-2018-01897TD. **NOP-5-D**

Sincerely,

MIYA EDMONSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Responses to Comment Letter NOP-5 California Department of Transportation (Caltrans), Miya Edmonson

Comment NOP-5-A

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed Project includes modification of existing SCAQMD permits to: 1) increase the rotary feed drying furnace feed rate limit from 600 tons per day (tpd) to 750 tpd; 2) increase the amount of total coke material (e.g., calcined coke, petroleum coke, or a combination thereof) allowed to be processed in the rotary feed drying furnace and reverberatory furnace from 600,000 pounds per month (lbs/month) to 750,000 lbs/month; and 3) allow petroleum coke, in lieu of or in addition to calcined coke, to be used as a smelting reagent in the reverberatory furnace and electric resistance heated slag reduction furnace. **NOP-5-A**

Response to Comment NOP-5-A

Thank you for responding to the NOP/IS. This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Caltrans has reviewed the NOP and does not expect project approval to result in a direct adverse impact to the existing State transportation facilities. However, we do recommend checking the truck turning radius at ramp locations in the project area to facilitate truck movement. **NOP-5-B**

Response to Comment NOP-5-B

As recommended by Caltrans, Section 4.6 of the EIR includes an analysis of potential VMT impacts and potential truck turning radius impacts at the following ramp locations: SR 60 and S. 7th Avenue northbound on-ramps, SR 60 and S. 7th Avenue northbound off-ramps, SR 60 and S. 7th Avenue southbound on- and off-ramps. The analysis in Section 4.6 of the EIR concluded that all potential transportation impacts would be less than significant. Therefore, mitigation measures are not required.

Please keep in mind, an encroachment permit will be required for any project work proposed on or near the Caltrans Right of Way and all environmental concerns must be adequately addressed. **NOP-5-C**

Response to Comment NOP-5-C

The proposed Project does not include any construction onsite or offsite. Therefore, no work will be required on or near the Caltrans Right-of-Way and no encroachment permits will be needed.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-5-D

In the spirit of cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project **NOP-5-D** coordinator Mr. Todd Davis, at (213) 897-0067 and refer to GTS# 07-LA-2018-01897TD.

Response to Comment NOP-5-D

The South Coast AQMD thanks Caltrans for this comment. This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment Letter NOP-6 Board of Supervisors – County of Los Angeles, Janice Hahn



BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

822 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012
Telephone (213) 974-4444 / FAX (213) 626-6941

Comment NOP-6

JANICE HAHN
CHAIR PRO-TEM

October 23, 2018

Mr. Wayne Natri
Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Dear Mr. Natri:

I am writing to express my concern regarding Quemetco, Inc.'s Capacity Upgrade Project (Project) and the impact the Project has on the health and quality of life of my residents in Hacienda Heights.

NOP-6-A

I am concerned that we have not yet received the results of the soil testing for metals in the areas surrounding Quemetco, and I believe that the Project should not even be considered until the results are in hand and we are confident that the project will not create negative impacts to public health, quality of life and the environment.

NOP-6-B

In addition, I have learned about Quemetco, Inc.'s recent violation and I am anxious to hear about the resolution of this issue before the Project moves forward.

NOP-6-C

I look forward to hearing from you on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Janice Hahn".

JANICE HAHN
Chair Pro-Tem
Supervisor, Fourth District
County of Los Angeles

JH:LY:ly

c: Ms. Barbara Lee, Director
Department of Toxic Substances Control

mailed 10/23/18

Responses to Comment Letter NOP-6

Comment NOP-6-A

NOP-6-A

I am writing to express my concern regarding Quemetco, Inc.'s Capacity Upgrade Project (Project) and the impact the Project has on the health and quality of life of my residents in Hacienda Heights.

Response to Comment NOP-6-A

All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and were determined to be less than significant. Therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas that required further analysis in the EIR: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Of the environmental topic areas analyzed, air quality and GHG emissions (including air toxics), and hazards and hazardous materials directly correlate to public health. Specifically, to estimate the proposed Project's potential public health impacts based on air toxics emissions, an HRA was prepared. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the proposed Project's potential net increase in health risk (from mobile and stationary sources during normal operations, described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

potential release of hazardous materials and waste through reasonably foreseeable upset and accident conditions would be less than significant; therefore, mitigation measures are not required.

The proposed Project does not include any physical facility modifications or new activities that could contribute to a change in onsite fire hazards. Additionally, the proposed Project will not introduce any new types of flammable materials onsite or increase the quantity of flammable materials stored onsite at any given time. As summarized in Table 3.4-1, Hazardous Materials Classification, in the EIR, the calcined coke and petroleum coke have the same flammability rating of level 1, which means they will burn at a temperature above 200°F. The proposed Project would not change the location of where this coke material would be stored or used onsite. Currently the facility includes calcined coke in the feed sent through the rotary/kiln feed dryer to be used as a smelting reagent in the reverberatory furnace and electric arc furnace. Under the proposed Project, the facility could include petroleum coke in lieu of or in addition to calcined coke through the rotary/kiln feed dryer as a smelting reagent in the reverberatory furnace and electric arc furnace. Further, the same amount of coke would be used as a smelting reagent in the feed stock whether it is calcined coke or petroleum coke. As discussed in Section 4.4 of the EIR, use of petroleum coke as a smelting reagent in lieu of or in place of calcined coke would not generate significant fire hazard impacts. For these reasons, potential fire hazard impacts would be less than significant and, mitigation measures are not required.

In conclusion, the analysis in the EIR found that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required.

Comment NOP-6-B

I am concerned that we have not yet received the results of the soil testing for metals in the areas surrounding Quemetco, and I believe that the Project should not even be considered until the results are in hand and we are confident that the project will not create negative impacts to public health, quality of life and the environment. NOP-6-B

Response to Comment NOP-6-B

See also response to NOP-6-A. All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and would be less than significant. Therefore, these environmental topic areas were not analyzed further in the EIR.

The NOP/IS identified the following environmental topic areas that required further analysis in the EIR: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

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The proposed Project does not include any construction, including ground disturbance activities. The proposed Project would not result in geology and soils impacts as described in the NOP/IS (see Appendix A of the EIR). Chapter 3 – Environmental Setting of the EIR provides a description of the environmental and regulatory baseline conditions (existing setting).

Additionally, refer to the Master Response on DTSC Soils Investigations and Remediation.

Comment NOP-6-C

NOP-6-C

In addition, I have learned about Quemetco, Inc.'s recent violation and I am anxious to hear about the resolution of this issue before the Project moves forward.

Response to Comment NOP-6-C

The comment does not refer to a specific violation; however, detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C of this EIR.

Comment Letter NOP-7 DTSC, Edward Nieto

Comment NOP-7



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Edmund G. Brown Jr.
Governor

October 25, 2018

Certified Mail No: 7017 3040 0000 4252 7822

Ms. Diana Thai
Air Quality Specialist
Planning, Rule Development, and Area Sources
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Dear Ms. Thai:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) and Initial Study (IS) for the draft Environmental Impact Report (EIR) for the Quemetco Capacity Upgrade Project (Project) at the Quemetco, Inc. facility (Facility) located at 720 S. 7th Avenue, in the City of Industry. The Project would allow for Quemetco to carry out the following:

NOP-7-A

- increase the rotary feed drying furnace feed rate limit from 600 tons per day (tpd) to 750 tpd;
- increase the amount of total coke material (e.g., calcined coke, petroleum coke, or a combination thereof) allowed to be processed in the rotary feed drying furnace and reverberatory furnace from 600,000 pounds per month (lbs/month) to 750,000 lbs/month; and
- allow petroleum coke, in lieu of or in addition to calcined coke, to be used as a smelting reagent in the reverberatory furnace and electric resistance heated slag reduction furnace.

The public comment period for the NOP ends October 25, 2018. The Initial Study attached to the NOP identifies the following environmental impact areas that may be adversely affected and that will be further analyzed in the draft EIR:

- Air Quality and Greenhouse Gas Emissions
- Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mandatory Findings of Significance

As the Responsible Agency under CEQA for this Project, California Department of Toxic Substances Control (DTSC) submits this letter to specify the scope and content of the

NOP-7-B

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environmental information that would be germane to DTSC's statutory responsibilities in connection with the proposed Project.

As you may be aware, DTSC oversees the treatment, transfer, and storage of hazardous waste at the Facility pursuant to the California Health and Safety Code, Division 20, Chapter 6.5. DTSC issued a Hazardous Waste Operation and Post-Closure Permit (Permit) with an effective date of September 15, 2005 to the Facility and DTSC is currently reviewing an application from the Facility to renew the Permit. The Permit will remain in effect until DTSC makes a decision on the renewal request.¹

NOP-7-C

In addition to the environmental impact areas addressed above, the draft EIR should also analyze how the Project will comply with federal, state, and local statutes and regulations related to hazardous waste. Page 2-56 of the Initial Study did not completely address this question.

There are three units that are authorized to treat hazardous waste in the DTSC Permit and that are the main focus of the Project. Those units are the rotary feed drying furnace, reverberatory furnace, and the slag reduction furnace, and are defined as Miscellaneous Units under California Code of Regulation (CCR), title 22 section 66260.10. Regulations for Miscellaneous Units are found under CCR title 22, chapter 14, article 16. The regulations require that Miscellaneous Units be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment. Under CCR title 22, section 66264.601, protection of human health and the environment includes, but is not limited to:

NOP-7-D

(a) prevention of any releases that may have adverse effects on human health or the environment due to migration of waste constituents, hazardous constituents, or reaction products, in the ground water or subsurface environment, considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit, including its potential for migration through soil, liners, or other containing structures;
- (2) the hydrologic and geologic characteristics of the unit and the surrounding area;
- (3) the existing quality of ground water and soil-pore liquid and gas, including other sources of pollution and contamination and their cumulative impact on the ground water and the normally unsaturated zone;
- (4) the quantity and direction of groundwater flow;

¹ The current application from the Facility to renew the Permit does not include the proposed increases in drying furnace feed rate limits, amount of allowed petroleum coke and substitution of petroleum coke for calcined coke. If the Quemetco Capacity Upgrade Project EIR is approved by the South Coast Air Quality Management District, a modification to the Permit would be required in order to be authorized by DTSC's Permit.

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- (5) the proximity to and withdrawal rate of current and potential groundwater users;
 - (6) the patterns of land use in the region;
 - (7) the potential for deposition or migration of waste constituents, hazardous constituents, or reaction products, into subsurface physical structures, and into the root zone of food-chain crops and other vegetation;
 - (8) the potential for health risks caused by human exposure to constituents of concern; and
 - (9) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to constituents of concern;
- (b) prevention of any releases that may have adverse effects on human health or the environment due to migration of waste constituents, hazardous constituents, or reaction products, in surface water, or wetlands or on the soil surface considering:
- (1) the volume and physical and chemical characteristics of the waste in the unit;
 - (2) the effectiveness and reliability of containing, confining, and collecting systems and structures in preventing migration;
 - (3) the hydrologic characteristics of the unit and the surrounding area, including the topography of the land around the unit;
 - (4) the patterns of precipitation in the region;
 - (5) the quantity, quality, and direction of ground-water flow;
 - (6) the proximity of the unit to surface waters;
 - (7) the current and potential uses of nearby surface waters and any water quality standards established for those surface waters;
 - (8) the existing quality of surface waters and surface soils, including other sources of pollution and contamination and their cumulative impact on surface waters and surface soils;
 - (9) the patterns of land use in the region;
 - (10) the potential for health risks caused by human exposure to constituents of concern; and
 - (11) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to constituents of concern;

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(c) prevention of any release that may have adverse effects on human health or the environment due to migration of waste constituents, hazardous constituents, or reaction products, in the air, considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit, including its potential for the emission and dispersal of gases, aerosols, and particulates;
- (2) the effectiveness and reliability of systems and structures to reduce or prevent emissions of hazardous constituents to the air;
- (3) the operating characteristics of the unit;
- (4) the atmospheric, meteorologic, and topographical characteristics of the unit and the surrounding area;
- (5) the existing quality of the air, including other sources of pollution and contamination and their cumulative impact on the air;
- (6) the potential for health risks caused by human exposure to constituents of concern; and
- (7) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to constituents of concern.

The draft EIR should disclose any potential impacts that would result from the activities related to the proposed Project and analyze whether the Project would allow the Facility to operate the Miscellaneous Units in compliance with the above regulation[RBI1].

NOP-7-E

DTSC has designated employees that are available to meet with you and discuss the scope and content of the draft EIR. To schedule a meeting or discuss this letter further, please contact Mr. Sam Coe, DTSC Permitting Division Project Manager at 916-255-3587 or at sam.coe@dtsc.ca.gov.

NOP-7-F

Sincerely,



Edward Nieto, P.E.
Supervising Hazardous Substance Engineer II
Permitting Division

cc: See next page

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

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cc: (via email):

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Responses to Comment Letter NOP-7

Comment NOP-7-A

Thank you for the opportunity to comment on the Notice of Preparation (NOP) and Initial Study (IS) for the draft Environmental Impact Report (EIR) for the Quemetco Capacity Upgrade Project (Project) at the Quemetco, Inc. facility (Facility) located at 720 S. 7th Avenue, in the City of Industry. The Project would allow for Quemetco to carry out the following:

NOP-7-A

- increase the rotary feed drying furnace feed rate limit from 600 tons per day (tpd) to 750 tpd;
- increase the amount of total coke material (e.g., calcined coke, petroleum coke, or a combination thereof) allowed to be processed in the rotary feed drying furnace and reverberatory furnace from 600,000 pounds per month (lbs/month) to 750,000 lbs/month; and
- allow petroleum coke, in lieu of or in addition to calcined coke, to be used as a smelting reagent in the reverberatory furnace and electric resistance heated slag reduction furnace.

The public comment period for the NOP ends October 25, 2018. The Initial Study attached to the NOP identifies the following environmental impact areas that may be adversely affected and that will be further analyzed in the draft EIR:

- Air Quality and Greenhouse Gas Emissions
- Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mandatory Findings of Significance

Thank you for responding to the NOP/IS. This comment summarizes the proposed Project description and does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment NOP-7-B

As the Responsible Agency under CEQA for this Project, California Department of Toxic Substances Control (DTSC) submits this letter to specify the scope and content of the environmental information that would be germane to DTSC's statutory responsibilities in connection with the proposed Project.

NOP-7-B

DTSC was identified as a responsible agency with approval authority over the proposed Project in both the NOP/IS and EIR. As part of the preparation of the EIR, South Coast AQMD consulted with DTSC and provided administrative drafts for its review and incorporated DTSC'S comments and suggestions.

Comment NOP-7-C

As you may be aware, DTSC oversees the treatment, transfer, and storage of hazardous waste at the Facility pursuant to the California Health and Safety Code, Division 20, Chapter 6.5. DTSC issued a Hazardous Waste Operation and Post-Closure Permit (Permit) with an effective date of September 15, 2005 to the Facility and DTSC is currently reviewing an application from the Facility to renew the Permit. The Permit will remain in effect until DTSC makes a decision on the renewal request.¹

NOP-7-C

In addition to the environmental impact areas addressed above, the draft EIR should also analyze how the Project will comply with federal, state, and local statutes and regulations related to hazardous waste. Page 2-56 of the Initial Study did not completely address this question.

The NOP/IS and EIR acknowledge that DTSC is currently processing a renewal of Quemetco's existing Hazardous Waste Operation and Post-Closure Permit. As explained in detail in Section 2.6: Permits and Approvals in the EIR, Quemetco also has a pending post closure permit renewal application with DTSC which includes continuing existing operations, performing minor facility modifications, as well as updating the existing closure plan.

Quemetco was issued a Hazardous Waste Facility Operation and Post-Closure Permit by DTSC, effective September 15, 2005, with an expiration date of September 15, 2015; upon submittal of a permit renewal application prior to expiration, the permit was administratively continued. As a result, Quemetco continues to operate under its existing permit while DTSC conducts its review of the renewal application.

The DTSC permit renewal process is independent and would occur regardless of the South Coast AQMD Capacity Upgrade Project. As a responsible agency, DTSC will rely on this South Coast AQMD EIR to consider modifications to Quemetco's Hazardous Waste Operation and Post-Closure Permit to allow for the throughput increase (as assessed in this EIR). DTSC's review of Quemetco's application to increase the throughput in the Quemetco Hazardous Waste Operation and Post-Closure Permit, however, will be a separate discretionary action as described in Section 2.6: Permits and Approvals.

Chapter 3 – Environmental Setting of the EIR provides a description of the environmental and regulatory baseline conditions. Section 3.4: Hazards and Hazardous Materials in Chapter 3 of the EIR specifically addresses federal, state and local statutes and regulations relating to hazardous wastes. Chapter 4 – Environmental Impact Analysis of the EIR presents the proposed Project's impact assessment, with Section 4.4 specifically focused on the proposed Project's potential hazards and hazardous waste impacts.

All of the proposed Project's potential environmental impacts have been analyzed in the NOP/IS and EIR. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and would be less than significant. Therefore, these environmental topic areas were not analyzed further in the EIR.

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The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation. The EIR concluded that the proposed Project would result in less than significant impacts in these areas; therefore, mitigation measures are not required.

Comment NOP-7-D

There are three units that are authorized to treat hazardous waste in the DTSC Permit and that are the main focus of the Project. Those units are the rotary feed drying furnace, reverberatory furnace, and the slag reduction furnace, and are defined as Miscellaneous Units under California Code of Regulation (CCR), title 22 section 66260.10. Regulations for Miscellaneous Units are found under CCR title 22, chapter 14, article 16. The regulations require that Miscellaneous Units be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment. Under CCR title 22, section 66264.601, protection of human health and the environment includes, but is not limited to:

NOP-7-D

(a) prevention of any releases that may have adverse effects on human health or the environment due to migration of waste constituents, hazardous constituents, or reaction products, in the ground water or subsurface environment, considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit, including its potential for migration through soil, liners, or other containing structures;
- (2) the hydrologic and geologic characteristics of the unit and the surrounding area;
- (3) the existing quality of ground water and soil-pore liquid and gas, including other sources of pollution and contamination and their cumulative impact on the ground water and the normally unsaturated zone;
- (4) the quantity and direction of groundwater flow;

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- (5) the proximity to and withdrawal rate of current and potential groundwater users;
 - (6) the patterns of land use in the region;
 - (7) the potential for deposition or migration of waste constituents, hazardous constituents, or reaction products, into subsurface physical structures, and into the root zone of food-chain crops and other vegetation;
 - (8) the potential for health risks caused by human exposure to constituents of concern; and
 - (9) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to constituents of concern;
- (b) prevention of any releases that may have adverse effects on human health or the environment due to migration of waste constituents, hazardous constituents, or reaction products, in surface water, or wetlands or on the soil surface considering:
- (1) the volume and physical and chemical characteristics of the waste in the unit;
 - (2) the effectiveness and reliability of containing, confining, and collecting systems and structures in preventing migration;
 - (3) the hydrologic characteristics of the unit and the surrounding area, including the topography of the land around the unit;
 - (4) the patterns of precipitation in the region;
 - (5) the quantity, quality, and direction of ground-water flow;
 - (6) the proximity of the unit to surface waters;
 - (7) the current and potential uses of nearby surface waters and any water quality standards established for those surface waters;
 - (8) the existing quality of surface waters and surface soils, including other sources of pollution and contamination and their cumulative impact on surface waters and surface soils;
 - (9) the patterns of land use in the region;
 - (10) the potential for health risks caused by human exposure to constituents of concern; and
 - (11) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to constituents of concern;

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(c) prevention of any release that may have adverse effects on human health or the environment due to migration of waste constituents, hazardous constituents, or reaction products, in the air, considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit, including its potential for the emission and dispersal of gases, aerosols, and particulates;
- (2) the effectiveness and reliability of systems and structures to reduce or prevent emissions of hazardous constituents to the air;
- (3) the operating characteristics of the unit;
- (4) the atmospheric, meteorologic, and topographical characteristics of the unit and the surrounding area;
- (5) the existing quality of the air, including other sources of pollution and contamination and their cumulative impact on the air;
- (6) the potential for health risks caused by human exposure to constituents of concern; and
- (7) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to constituents of concern.

Response to Comment NOP-7-D

The EIR explains the DTSC rules and regulations that are applicable to the facility and that will continue to apply to the proposed Project. This discussion can be found in Chapter 3 – Environmental Setting, Section 3.4: Hazards and Hazardous Materials and Section 3.5: Hydrology and Water Quality. The facility’s compliance history, including current compliance status, can be found in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Of the three units that are authorized to treat hazardous waste in the DTSC permit, this EIR is focused on the changes to the rotary/kiln feed dryer (also referred to as the rotary feed drying furnace) and the reverberatory furnace. The electric arc furnace operations (also referred to as the slag reduction furnace) would not change as a result of the proposed Project.

All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and were found to be less than significant. Therefore, these environmental topic areas were not analyzed further in the EIR.

The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality and GHG emissions (including air toxics) energy, hazards and hazardous

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materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts. Therefore, mitigation measures are not required.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air potential toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net potential impacts to health risk impacts (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential incremental (net) health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

Comment NOP-7-E

The draft EIR should disclose any potential impacts that would result from the activities related to the proposed Project and analyze whether the Project would allow the Facility to operate the Miscellaneous Units in compliance with the above regulation[RBI1]. NOP-7-E

Response to Comment NOP-7-E

See also response to NOP-7-D. A discussion of the proposed Project's potential impacts can be found in Chapter 4 - Environmental Impact Analysis. A discussion of the South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, can be found in Chapter 3 - Environmental Setting, Section 3.4: Hazards and Hazardous Materials and Section 3.5: Hydrology and Water Quality. The facility's compliance history, including current compliance status, can be found in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control

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technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Comment NOP-7-F

DTSC has designated employees that are available to meet with you and discuss the scope and content of the draft EIR. To schedule a meeting or discuss this letter further, please contact Mr. Sam Coe, DTSC Permitting Division Project Manager at 916-255-3587 or at sam.coe@dtsc.ca.gov. NOP-7-F

Response to Comment NOP-7-F

As part of the preparation of the EIR, South Coast AQMD consulted with DTSC on areas relating to DTSCs regulatory authority and affected units subject to DTSC’s permitting jurisdiction. South Coast AQMD also provided administrative drafts for DTSC’s review and incorporated DTSC’s comments and suggestions in the EIR.

Comment Letter NOP-8 County of Los Angeles – Office of the County Counsel, Scott Kuhn

Comment NOP-8



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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October 25, 2018

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VIA U.S. MAIL AND ELECTRONIC MAIL

Diana Thai, Air Quality Specialist
South Coast Air Quality Management District
21865 Copley Drive
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dthai@aqmd.gov

Re: **County Comments on Quemetco's Proposed Capacity Upgrade Project**

Dear Ms. Thai and SCAQMD:

Thank you for the opportunity to review and comment on the Initial Study for the Quemetco Capacity Upgrade Project (Project). The County of Los Angeles (County) is very concerned about the facility and the Project, which poses significant health risks and environmental impacts to nearby communities and County residents.

NOP-8-A

The County Opposes the Project Because it Will Increase Pollution in Already Overburdened Nearby Communities and Because Regulators Have Not Sufficiently Investigated Historic Environmental Impacts from Quemetco.

NOP-8-B

Quemetco's Hazardous Waste Facility Operation and Post-Closure permit, issued by the Department of Toxic Substances Control (DTSC) in September 2015 (which allows Quemetco to operate the equipment and processes at issue in the Project and establishes threshold maximum capacities for the equipment) is currently in a renewal process. The Initial Study acknowledges that "[a]ny revisions to this permit as a result of the [Project] would be a separate but related activity... [emphasis added]." (IS, p. 1-18.) The DTSC has collected soil samples and is conducting an analysis of impacts from Quemetco's existing operations. Accordingly, it is premature to continue the CEQA process for this Project without having the results of the DTSC's analysis completed and publicly available. It is imperative that the environmental and public health impacts from Quemetco's existing operations be known (both to SCAQMD and the public) before additional approvals are considered.

NOP-8-C

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Moreover, Quemetco has received four Notices of Violations (NOVs) from the SCAQMD since July 2017, including three in 2018 that have not been resolved. (SCAQMD Scoping Meeting presentation dated October 11, 2018.) Two of these NOVs were for releasing excess air pollution, including arsenic. According to SCAQMD's presentation at the October 11, 2018 scoping meeting, Quemetco has also exceeded its permit limits for emissions of 1,3-Butadiene, which the US EPA has classified as a known human carcinogen. With so many existing, unresolved compliance issues, it is premature to continue processing the Project under CEQA.

NOP-8-D

The County also opposes the Project because it will increase hazardous waste, air pollution, including lead and arsenic emissions, water quality issues, traffic, and public health impacts in a community that is already at risk. As the community near the facility is identified by CalEPA as a "Disadvantaged Community" pursuant to the criteria in SB535, allowing additional hazardous waste and pollution into the community raises serious environmental justice concerns.

NOP-8-E

The following County departments have reviewed the Initial Study: Department of Public Health, the Fire Department's Health Hazardous Materials Division (which serves as the Certified Uniform Program Agency), Department of Public Works, and the County Sanitation District's Industrial Waste Section. The comments below reflect the experience and expertise of these County departments and the County's concerns about the proposed Project and the proposed limited scope of analysis proposed for the EIR.

NOP-8-F

Quemetco's Existing Operations and the Proposed Expansion Project

NOP-8-G

Quemetco operates a battery recycling facility, which crushes and melts used batteries to recover lead and other materials. The facility currently emits lead, arsenic, benzene and 1,3-butadiene under permits issued by the SCAQMD. Quemetco's existing operation violated the permits four (4) times in the past two years—twice for exceeding the level of permitted arsenic emissions; once for exceeding emission limits for 1,3-butadiene, and once for reporting discrepancies.

The Project proposes to expand Quemetco's existing operations by: (1) increasing the rotary feed drying furnace rate; (2) increasing the amount of total coke material that may be processed; and (3) allowing petroleum coke to be used as a smelting reagent. The Project would also eliminate the existing "daily idle time."

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CEQA Requirements

NOP-8-H

“The ‘heart of CEQA’ is the EIR, whose purpose is to inform the public agency and governmental officials of the environmental consequences of decisions before they are made.” (*San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 687-688). An initial study is the preliminary environmental analysis in the CEQA process and it is intended to facilitate environmental assessment early in the design of a project. (CEQA Guidelines, section 15063(c)(5)).

A significant purpose of an initial study is to assist preparation of an EIR by identifying effects determined to be significant and not significant and by explaining the reasons for those determinations. (CEQA Guidelines, section 15063(c)(1), (3)). An initial study that omits material necessary to informed decision-making subverts the purposes of CEQA. (*Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1202). CEQA Appendix G provides an environmental checklist for an initial study. But the CEQA Guidelines explain that the checklist is a “sample form” that may be “tailored to satisfy individual agencies’ needs and project circumstances.” The Appendix G checklist does not create the outside limit for analysis. Rather, it creates a non-exhaustive list of resources to consider and recognizes that a lead agency should adjust the list to fit the project under consideration.

Comments from the County Department of Public Health (DPH)

Initial Study Checklist Part III: Air Quality

NOP-8-I

The proposed Project will result in increased total coke usage and increased emissions. The EIR must identify the existing baseline emissions and the increased additional emissions that would result from the Project. The EIR must identify the additional mass and the chemical composition of the increased emissions and disclose impacts from the increase. This should include a discussion of how stack and fugitive emissions will increase the loading of hazardous materials to off-site soil. The County requests that the EIR expand the scope of its analysis in the EIR to include these issues and to identify all feasible mitigation measures. Further, the Initial Study references a 600-foot radius for residences adjacent to the facility. But the Initial Study does not explain why 600 feet was selected as the radius. The Department of Public Health (DPH) requests that the EIR identify the radius of the area tested and identify the substantial evidence that supports selection of that radius.

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Initial Study Checklist VIII: Hazardous and Hazardous Materials

NOP-8-J

The EIR must disclose the existing operation's significant impacts on human health and ecology and the significant impacts from increased emissions. Specifically, the EIR should discuss the following:

- How will the Project impact the Health Risk Assessment (HRA) related to cancer from Arsenic, Benzene, and Hexavalent Chromium?
- How will the Project impact the HRA related to chronic hazard from Arsenic?
- How will the Project impact the HRA related to acute hazard from Arsenic and Benzene?
- Does the change from calcined coke to petroleum coke result in any differences (chemical character, physical form, or volume) in the hazardous emission profile to air, soil, or water?

The EIR should also require a formal numeric HRA to evaluate the Project's impact from stationary and mobile sources as well as a lead significance threshold analysis.

NOP-8-K

Once again, this section of the Initial Study utilizes an arbitrary cut-off in this case of a "quarter mile" and concludes that there will be no impacts to sensitive receptors. Specifically, the Initial Study concludes no impacts to schools because the closest school is .6 miles away and not within the "quarter mile" radius. The EIR must explain the radius used and identify the substantial evidence supporting that choice of radius. The County requests that the EIR disclose and analyze the Project's significant impacts to all schools and residences located within a 2 mile radius of the facility, and identify all feasible measures to mitigate those impacts.

NOP-8-L

Initial Study Checklist Part IX: Hydrology and Water Quality

The Initial Study incorporates by reference the DTSC's previously certified Final Environmental Impact Report (FEIR) for its "Hazardous Waste Management Operation and Post Closure Permit for Quemetco, Inc." and discloses that the FEIR found water resources/water quality to be a "significant impact area." (IS, p. 1-20). The Initial Study further states that Quemetco has been working under DTSC's direction to investigate whether its facility has had

NOP-8-M

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an effect on surface or groundwater resources. The County requests that the EIR disclose the results of this investigation, analyze significant impacts on surface and groundwater, and identify all feasible measures to mitigate those impacts.

NOP-8-M
cont.

Further, the Initial Study concludes that the Project will not substantially affect how much water is used at the facility or how much runoff is created. This conclusion ignores the fact that the increased production at the facility will increase emissions, thereby creating a significant potential for more chemicals to be carried into runoff. The EIR must disclose the additional mass and chemical composition of the increased water and chemical loading into the MS4-permitted sewer system. The EIR should disclose changes to runoff emissions during rain events, specifically considering the additional mass and chemical composition and study impacts related to those changes. Finally, the EIR should identify all feasible measures to mitigate the Project's significant impacts on Hydrology and Water Quality.

NOP-8-N

Initial Study Checklist Part XII: Noise

Even though the Project will increase truck and rail trips to the facility, the Initial Study concludes that the Project will create no noise impacts and excludes noise from the areas studied in the EIR. The Initial Study does not include substantial or sufficient evidence to support this conclusion.

NOP-8-O

The County requests that the EIR disclose and analyze the Project's significant impacts on noise, and identify all feasible measures to mitigate those impacts. At a minimum, the Initial Study must identify the hours that constitute the "existing daily idle time" to determine whether the Project's elimination of the "idle time" will create significant impacts.

NOP-8-P

Initial Study Checklist Part XVI: Solid and Hazardous Waste

The Initial Study lacks information necessary to support the conclusion that the Project will have no impacts to Solid and Hazardous Waste. The Initial Study states that the Project would create 178 additional truck loads and an additional 4114 tons of "landfill bound slag" (IS, p. 2-56.) But the Initial Study fails to explain why this increase is not significant. The Initial Study concludes that there is sufficient space at landfills to receive the additional waste, but it does not identify the landfills that will receive the waste. Further, the Initial Study concludes that there will be no impacts because Quemetco has "historically" complied with all regulations. (IS, p. 2-57.) Given that Quemetco has received four NOVs in the past two years, the Initial Study's conclusion lacks evidentiary support and improperly assumes future compliance. DPH requests that the EIR

NOP-8-Q

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disclose and analyze the Project's significant impacts to Solid and Hazardous Waste and identify all feasible measures to mitigate those impacts. At a minimum, the EIR must identify the landfills that will receive the additional hazardous waste generated by the Project.

NOP-8-Q
cont.

Initial Study Checklist Part XVII: Transportation and Traffic

Once again, the Initial Study does not provide sufficient or substantial evidence to support its conclusion. The Initial Study does not explain whether the traffic pattern will remain the same with Project implementation. The County requests that the EIR disclose and analyze the Project's significant impacts on Transportation and Traffic, and identify all feasible measures to mitigate those impacts.

NOP-8-R

Comments from the County Fire Department's Health Hazardous Materials Division, the Certified Uniform Program Agency (CFD)

Initial Study Part 1.4: Project Background

The County Fire Department's Health Hazardous Materials Division (which serves as the Certified Uniform Program Agency) (CFD) requests that the EIR provide additional detail regarding the railcar loading system, and specifically discuss whether the loading system is connected to the negative air pressure system, similar to the feedstock truck offloading location.

NOP-8-S

Initial Study Part 1.5: Regulatory Requirements

The EIR should discuss the impact of the Project on the conditional approval of the AB2588 Risk Reduction Plan (RRP) and identify the expectations and requirements for updated RRP submittals.

NOP-8-T

Initial Study Part 1.6: Project Description

Key information is missing from the Project Description section. The Initial Study fails to explain the difference in by-products (such as hydrocarbons, flammable and dust configuration) that would result from the switch to petroleum coke as a smelting agent, and discuss how those different by-products relate to the existing air pollution control safeguards (such as explosion proofing). The Project Description section also mentions the Rule 441 testing, but the Initial Study fails to provide the results of that testing. The EIR should include those test results.

NOP-8-U

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Initial Study Part 1.7: Related Permits and Approvals

The EIR should explain that CFD's Health Hazardous Material Division has regulatory authority over the hazardous materials, the California Accidental Release Prevention Program, above-ground petroleum storage tanks, and the generation of hazardous waste.

NOP-8-V

The EIR should further explain that CFD's Fire Prevention Division regulates the storage and handling of hazardous materials, which is governed by Los Angeles County Ordinance, Title 32.

Initial Study Checklist Section VIII: Hazards and Hazardous Materials

The Initial Study omits the fact that the CFD Health Hazardous Materials Division permits Quemetco as a large quantity waste generator, and regulates the quantity of hazardous waste materials and other waste that may be stored on-site. Quemetco must comply with Title 32 of the County's Code of Ordinances.

NOP-8-W

CFD agrees with the Initial Study's conclusions that: (1) fire hazards, and (2) the possibility of a release of hazardous materials would increase with Project implementation. The EIR's analysis of the Project's significant impacts to Hazards and Hazardous Materials should include the following issues, which are not currently identified for analysis in the Initial Study:

NOP-8-X

- The impact of the proposed increased operational period on mechanical systems, including discussion of changes in maintenance, shut-down operations or upgraded safety mechanisms that may be necessary as a result of the increased operational period.
- The impact of the proposed increased lead component staging in the containment building and the limits on capacity, maintenance, and shut-down operations.
- The impact of the proposed increased railcar slag loads, including the increased potential for release during material transfer (such as general spills and fugitive emissions.)
- The potential for and impact of external power interruptions, including plans for back-up generator implementation or other contingency measures.

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- The impact from substituting petroleum coke for calcined coke and from “other additives” (IS, p. 1-17) such as sodium metal, red phosphorus, sodium nitrate, cobalt, silver, and arsenic. Such materials are extremely reactive, flammable, and toxic.

Initial Study Checklist Section XVI: Solid and Hazardous Waste

CFD requests that the EIR include analysis of potentially significant impacts to Solid and Hazardous Waste. The analysis should include the following:

NOP-8-Y

- Impacts of increased slag truck loads to landfills.
- Potential for release during waste slag transfer, both with respect to general spills and fugitive emissions.
- An explanation of whether the slag loading system is connected to a negative air pressure system.

In addition, quantities of lead still remain in waste slag that may be deemed “non-hazardous” under a Toxicity Characteristic Leaching Procedure (TCLP) analysis. The EIR should explain how this will be addressed in truck loading and transportation procedures.

NOP-8-Z

Further, the Initial Study concludes that there will be no impacts because Quemetco has “historically” complied with all regulations. Given that Quemetco has received four violations in the past two years, the Initial Study’s conclusion lacks evidentiary support and improperly assumes future compliance. The County requests that the EIR disclose and analyze the Project’s significant impacts to Solid and Hazardous Waste and identify all feasible measures to mitigate those impacts. At a minimum, the EIR must identify the landfills that will receive the additional hazardous waste generated by the Project.

NOP-8-AA

Comments from the Department of Public Works (DPW)

Initial Study Checklist Part IV: Geology and Soils:

The facility is located in a State defined Liquefaction zone. Seismically induced ground shaking, ground failure, settlement, laterally spreading or liquefaction may occur in the Puente Valley, where the Quemetco facility is located, as a result of strong earthquakes near or distant from the facility. Structures or appurtenances not designed for current maximum credible

NOP-8-AB

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earthquakes or are possibly not built to current County Codes could be affected by seismically induced ground shaking resulting in land subsidence and structural damage. The County requests that the EIR disclose and analyze the Project's significant impacts to Geology and Soils and identify all feasible measures to mitigate those impacts.

Initial Study Checklist Part IX: Hydrology and Water Quality

Groundwater quality is being monitored for potential contamination from on-site facility waste impoundment and from surface water intrusion from facility wash down operations and maintenance operations inside the facility's buildings. Water supply to the facility is from the San Gabriel Water Company. The Initial Study does not contain evidence sufficient to support its conclusions that: (1) San Gabriel Water Company can supply the additional water to the facility; (2) the Project will not create runoff; and (3) the Project will not deplete groundwater supply. The County requests that the EIR analyze additional significant impacts to Hydrology and Water Quality (sections IX (b), (d), (h), (i)).

NOP-8-AC

Initial Study Checklist Part XIV: Public Services

The County Flood Control District maintains and operates a significant flood control channel (San Jose Creek) adjacent to the facility that has been exposed to the operations at the facility. Adjacent surface soils have required mitigation and clean up, and may require further clean up. DPW personnel maintain and inspect the flood control channel and may be affected by impaired soils along the channel access roads. A public bikeway and equestrian trail located within a quarter mile of the facility along the San Jose Creek channel are also being assessed for contamination emanating from the facility. All of these public services may be significantly impacted by the proposed Project and the County requests that the EIR disclose and analyze the Project's significant impacts on Public Services and identify all feasible measures to mitigate those impacts.

NOP-8-AD

The Initial Study incorrectly suggests that the Project discharges solely into the County of Los Angeles Sanitation District system. (IS, p. 1-9.) In reality, the proposed Project discharges into the sewer systems owned by the City of Industry, and maintained by the Los Angeles County Sewer Maintenance Districts. Accordingly, close coordination with both the County Sewer Maintenance Districts and the City of Industry should be undertaken, and the EIR should analyze impacts from both agencies' perspectives.

NOP-8-AE

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Initial Study Checklist Parts I through XVII.

The County requests that the EIR identify all references embedded in the Initial Study that support the Initial Study's findings in Chapter 2, Parts I through XVII.

NOP-8-AF

Request for Notification

Finally, the County requests that SCAQMD provide notice by mail and electronic mail of all public hearings related to the Project, and also provide copies of all agendas and agenda packets for such hearings. The County makes this request under Government Code section 54954.1 and Public Resources Code sections 21092.2 and 21167(f). Notice and copies should be sent to:

NOP-8-AG

Office of County Counsel
Attn: Scott Kuhn, Assistant County Counsel
500 W. Temple Street, Suite 652
Los Angeles, CA 90012
skuhn@counsel.lacounty.gov

Conclusion

The County intends these comments to act as guidance for the SCAQMD in its preparation of the EIR for the Project and requests that the comments be incorporated and considered in the EIR.

NOP-8-AH

Very truly yours,

MARY C. WICKHAM
County Counsel

By 
SCOTT KUHN
Assistant County Counsel
Affirmative Litigation & Consumer
Protection Division

SK:mpg

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Responses to Comment Letter NOP-8

Thank you for the opportunity to review and comment on the Initial Study for the Quemetco Capacity Upgrade Project (Project). The County of Los Angeles (County) is very concerned about the facility and the Project, which poses significant health risks and environmental impacts to nearby communities and County residents.

NOP-8-A

Response to Comment NOP-8-A

Thank you for your comment. All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were found to be less than significant. Therefore, these environmental topic areas were not analyzed further in the EIR. The EIR includes an extensive analysis of the proposed Project's potential air quality (including air toxics) and GHG emissions, energy, hazardous materials, hydrology and water quality, and transportation impacts. The EIR concludes that all of the proposed Project's potential environmental impacts would be less than significant. As a result, mitigation measures are not required.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the potential net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required.

Additionally, Quemetco must continue to comply with all applicable programs, plans, and regulations regarding prevention and response to accidental the release of chemicals, and so potential releases of hazardous materials associated with the proposed Project would not result in

ERPG 2 concentration level exceedances. For these reasons, the proposed Project’s potential release of hazardous materials and waste through reasonably foreseeable upset and accident conditions would be less than significant. Therefore, mitigation measures are not required.

The proposed Project does not include any physical facility modifications or new activities that could contribute to a change in onsite fire hazards. Additionally, the proposed Project will not introduce any new types of flammable materials onsite or increase the quantity of flammable materials stored onsite at any given time. As summarized in Table 3.4-1, Hazardous Materials Classification, in the EIR, the calcined coke and petroleum coke have the same flammability rating of level 1, which means they will burn at a temperature above 200°F. The proposed Project would not change the location of where this flammable material would be stored or used onsite. Currently the facility includes calcined coke in the feed sent through the rotary/kiln feed dryer to be used as a smelting reagent in the reverberatory furnace and electric arc furnace. Under the proposed Project, the facility could include petroleum coke in lieu of or in addition to calcined coke through the rotary/kiln feed dryer as a smelting reagent in the reverberatory furnace and electric arc furnace. Further, the same amount of coke would be used as a smelting reagent in the feed stock whether it is calcined coke or petroleum coke. As discussed in Section 4.4 of the EIR, use of petroleum coke as a smelting reagent in lieu of or in place of calcined coke would not generate significant fire hazard impacts. For these reasons, potential fire hazard impacts would be less than significant and, mitigation measures are not required.

The County Opposes the Project Because it Will Increase Pollution in Already Overburdened Nearby Communities and Because Regulators Have Not Sufficiently Investigated Historic Environmental Impacts from Quemetco.

NOP-8-B

Response to Comment NOP-8-B

See also responses to NOP-8-A and NOP-8-C. The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts in Chapter 3 - Environmental Setting which identifies the existing environmental setting (including baseline conditions) and Chapter 4 - Environmental Impact Analysis which assesses the potential impacts of the proposed Project. All of these environmental topic areas were found to have less than significant impacts in the EIR; therefore, no mitigation measures are required. Chapter 5 of the EIR includes a discussion of the project alternatives including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

Section 3.2 and Appendix C of the EIR present Quemetco’s regulatory permitting history and compliance status. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Additionally, refer to Master Response on DTSC Soils Investigations and Remediation.

Quemetco's Hazardous Waste Facility Operation and Post-Closure permit, issued by the Department of Toxic Substances Control (DTSC) in September 2015 (which allows Quemetco to operate the equipment and processes at issue in the Project and establishes threshold maximum capacities for the equipment) is currently in a renewal process. The Initial Study acknowledges that "[a]ny revisions to this permit as a result of the [Project] would be a separate but related activity... [emphasis added]." (IS, p. 1-18.) The DTSC has collected soil samples and is conducting an analysis of impacts from Quemetco's existing operations. Accordingly, it is premature to continue the CEQA process for this Project without having the results of the DTSC's analysis completed and publicly available. It is imperative that the environmental and public health impacts from Quemetco's existing operations be known (both to SCAQMD and the public) before additional approvals are considered.

NOP-8-C

Response to Comment NOP-8-C

See also the response to NOP-8-B. The Hazardous Waste Facility Operation and Post-Closure Permit (RCRA permit) was initially issued by DTSC on September 15, 2005 and is currently in a renewal process. This RCRA permit allows Quemetco to operate the equipment and processes relevant to the Capacity Upgrade Project as miscellaneous hazardous waste management units (HWMUs) along with the other HMWUs at the facility.

The current the DTSC RCRA post closure permit establishes maximum capacities for each piece of equipment and a maximum daily throughput for the reverberatory furnace, electric arc furnace, and rotary/kiln feed dryer.

DTSC is a CEQA responsible agency for the proposed Project and will be reviewing a subsequent permit application for the throughput increase after South Coast AQMD completes its review as CEQA lead agency. The proposed Project does not include any physical facility modifications or new activities that could contribute to a change in existing onsite hazards. Refer to Master Response on DTSC Soils Investigations and Remediation. Additionally, Quemetco will continue to be required to comply with all applicable programs, plans, and regulations relating to hazards and hazardous materials including DTSC's RCRA permit. These are described in detail in Chapter 3.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the proposed Project's potential net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required.

DTSC is a responsible agency in the CEQA process for the proposed Project and has been consulted in the preparation of the EIR. The EIR does not specifically analyze impacts associated with DTSC’s RCRA permit renewal because the RCRA renewal is undergoing a separate CEQA review. DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination within the Facility’s “impacted area” as determined by DTSC. Please refer to Master Response on DTSC Soils Investigations and Remediation.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, Quemetco has received four Notices of Violations (NOVs) from the SCAQMD since July 2017, including three in 2018 that have not been resolved. (SCAQMD Scoping Meeting presentation dated October 11, 2018.) Two of these NOVs were for releasing excess air pollution, including arsenic. According to SCAQMD's presentation at the October 11, 2018 scoping meeting, Quemetco has also exceeded its permit limits for emissions of 1,3-Butadiene, which the US EPA has classified as a known human carcinogen. With so many existing, unresolved compliance issues, it is premature to continue processing the Project under CEQA.

NOP-8-D

Response to Comment NOP-8-D

See also response to NOP-8-C. Among others, the South Coast AQMD's rules and regulations which are applicable to the facility and will continue to apply to the proposed Project are described in detail in Chapter 3. The facility's compliance history, including current compliance status, is discussed in Section 3.2 and Appendix C of the EIR; the aforementioned NOVs from 2018 have all been resolved (as detailed in Appendix C). The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits. Evaluation of the proposed Project under CEQA and processing of the permit application does not imply approval of the proposed Project or issuance of a permit.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

The County also opposes the Project because it will increase hazardous waste, air pollution, including lead and arsenic emissions, water quality issues, traffic, and public health impacts in a community that is already at risk. As the community near the facility is identified by CalEPA as a "Disadvantaged Community" pursuant to the criteria in SB535, allowing additional hazardous waste and pollution into the community raises serious environmental justice concerns.

NOP-8-E

Response to Comment NOP-8-E

CEQA requires a thorough analysis of potential physical environmental impacts of a project. The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including air toxics such as lead and arsenic), energy, hazardous materials, hydrology and water quality, and transportation impacts.

To estimate public health impacts from the proposed Project's potential air toxics emissions, the EIR includes an HRA which is discussed in Section 4.2 and included in Appendix D of the EIR. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the potential net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Please refer to the Master Response for Environmental Justice. There are no requirements or procedures to evaluate potential environmental justice impacts under CEQA. SB 535 identifies environmental justice communities for an entirely separate purpose. Specifically, environmental justice communities are identified for the purpose of diverting at least 25 percent of the GHG reduction funds collected under AB 32's Cap-and-Trade program to be allocated for projects that benefit disadvantaged communities, with at least 10 percent for projects located within these communities. Quemetco participates in AB 32's Cap-and-Trade program and thus, supports SB 535. AB 617 establishes Community Air Protection Programs for select environmental justice communities for community air monitoring systems and/or community wide emissions reduction to reduce disproportionate impacts on minority or low-income populations. However, the

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Quemetco facility and its surrounding community is not currently designated as an AB 617 community eligible for incentive funding.

The following County departments have reviewed the Initial Study: Department of Public Health, the Fire Department's Health Hazardous Materials Division (which serves as the Certified Uniform Program Agency), Department of Public Works, and the County Sanitation District's Industrial Waste Section. The comments below reflect the experience and expertise of these County departments and the County's concerns about the proposed Project and the proposed limited scope of analysis proposed for the EIR.

NOP-8-F

Response to Comment NOP-8-F

Thank you for the County's review of the IS/NOP. This comment lists the various departments within the County which reviewed the NOP/IS and does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Quemetco's Existing Operations and the Proposed Expansion Project

NOP-8-G

Quemetco operates a battery recycling facility, which crushes and melts used batteries to recover lead and other materials. The facility currently emits lead, arsenic, benzene and 1,3-butadiene under permits issued by the SCAQMD. Quemetco's existing operation violated the permits four (4) times in the past two years—twice for exceeding the level of permitted arsenic emissions; once for exceeding emission limits for 1,3-butadiene, and once for reporting discrepancies.

The Project proposes to expand Quemetco's existing operations by: (1) increasing the rotary feed drying furnace rate; (2) increasing the amount of total coke material that may be processed; and (3) allowing petroleum coke to be used as a smelting reagent. The Project would also eliminate the existing "daily idle time."

Response to Comment NOP-8-G

The complete project description is included within Chapter 2 – Proposed Project. A discussion of the South Coast AQMD rules and regulations which apply to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including the current compliance status, are discussed in Section 3.2 and Appendix C in the EIR. Chapter 3 – Environmental Setting includes a description of the baseline conditions including the facility's existing emissions. The extensive rules and regulations that apply to the facility's emissions are specifically described within Section 3.2: Air Quality and GHG Emissions.

CEQA Requirements

NOP-8-H

“The ‘heart of CEQA’ is the EIR, whose purpose is to inform the public agency and governmental officials of the environmental consequences of decisions before they are made.” (*San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 687-688). An initial study is the preliminary environmental analysis in the CEQA process and it is intended to facilitate environmental assessment early in the design of a project. (CEQA Guidelines, section 15063(c)(5)).

A significant purpose of an initial study is to assist preparation of an EIR by identifying effects determined to be significant and not significant and by explaining the reasons for those determinations. (CEQA Guidelines, section 15063(c)(1), (3)). An initial study that omits material necessary to informed decision-making subverts the purposes of CEQA. (*Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1202). CEQA Appendix G provides an environmental checklist for an initial study. But the CEQA Guidelines explain that the checklist is a “sample form” that may be “tailored to satisfy individual agencies’ needs and project circumstances.” The Appendix G checklist does not create the outside limit for analysis. Rather, it creates a non-exhaustive list of resources to consider and recognizes that a lead agency should adjust the list to fit the project under consideration.

Response to Comment NOP-8-H

South Coast AQMD’s environmental checklist used in the NOP/IS was derived from the CEQA Guidelines, Appendix G – Environmental Checklist Form, but the environmental topic areas and questions are organized differently for streamlining and clarity and to eliminate repetition. For example, one key difference between South Coast AQMD’s version of the environmental checklist when compared to the CEQA Guidelines Appendix G is that the air quality and GHG questions are merged into one environmental topic area.

After the NOP/IS was released for public review and comment, the California Natural Resources Agency adopted revisions to the CEQA Guidelines and updated the Appendix G - Environmental Checklist Form. These changes were approved by the Office of Administrative Law and filed with the Secretary of State on December 28, 2018. Accordingly, South Coast AQMD updated its version of the environmental checklist. Chapter 4 – Environmental Impact Assessment of the EIR contains a table explaining the additional information that is addressed within each environmental impact section in response to these changes.

Chapter 6 - Other CEQA Considerations presents a summary of environmental checklist questions that were found not to be significant. A similar summary of environmental checklist modifications is also included in Chapter 6.

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The South Coast AQMD’s environmental checklist was carefully considered and analysis was updated accordingly to address the potential impacts of the proposed Project (see Chapter 6, Table 6.1-1 of the EIR). The South Coast AQMD has found no evidence to support the assertion that any material necessary to support an informed decision was omitted from the NOP/IS. The South Coast AQMD finds the NOP/IS and the EIR were appropriately scoped and the citation to *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) (131 Cal.App.4th 1170, 1202) is inapplicable.

Comments from the County Department of Public Health (DPH)

Initial Study Checklist Part III: Air Quality

NOP-8-I

The proposed Project will result in increased total coke usage and increased emissions. The EIR must identify the existing baseline emissions and the increased additional emissions that would result from the Project. The EIR must identify the additional mass and the chemical composition of the increased emissions and disclose impacts from the increase. This should include a discussion of how stack and fugitive emissions will increase the loading of hazardous materials to off-site soil. The County requests that the EIR expand the scope of its analysis in the EIR to include these issues and to identify all feasible mitigation measures. Further, the Initial Study references a 600-foot radius for residences adjacent to the facility. But the Initial Study does not explain why 600 feet was selected as the radius. The Department of Public Health (DPH) requests that the EIR identify the radius of the area tested and identify the substantial evidence that supports selection of that radius.

Response to Comment NOP-8-I

The facility’s existing setting or baseline emissions are presented in Chapter 3 of the EIR and the air quality impacts of the proposed Project are analyzed in Section 4.2 and Appendix D of the EIR.

The EIR addresses the proposed increase in processing of feed stock as well as the proposed increase in the amount and type of additives (including total coke usage). Section 4.2 and Appendix D present baseline and proposed Project emissions which includes stack and fugitive emissions from permitted processes, materials handling and truck deliveries. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D of the EIR). This specifically includes the potential loading of hazardous materials to offsite soils (Table 4.2-9) and the evidence in the record supports the finding that the proposed Project would not generate any new air quality impacts including from hazardous materials (as shown in the HRA) or from soil deposition offsite. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Regarding the request for additional mass and chemical composition of the increased emissions, that is specifically included as follows: in Tables 4.2-5 (daily emissions) and Table 4.2-6 (annual

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emissions) for criteria air pollutants; Table 4.2-7 presents the results of NAAQS and CAAQS ambient air quality modeling; Table 4.2-8 and 4.2-9 which summarize the results of air toxics (as supported by Appendix D) and Table 4.2-10 which summarizes the proposed Project's potential GHG impacts. As stated above, all of these technical emissions estimates include stack and fugitive emissions from permitted processes, materials handling and truck deliveries.

Based on an analysis of residential locations in relation to the proposed Project location, the nearest residences to the project site were identified as being located approximately 600 feet away from the property line. This is the 600-foot radius referenced in the NOP/IS. This location is not necessarily the location of the greatest impact as this residence is not in the dominant downwind pattern for the facility. Further, the estimated soil deposition of heavy metals from air toxics emissions would be less than significant; this could be explained by the facility having extensive air pollution control systems, including a WESP, and that heavy metals do not travel far as evidenced by the facility's source tests, CEMS records, and HRA modeling.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes of an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions, including stack and fugitive emissions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions.

The EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required. Additionally, the assessment of cumulative air quality and GHG emissions (including air toxics) were found to be less than cumulatively considerable.

Initial Study Checklist VIII: Hazardous and Hazardous Materials

NOP-8-J

The EIR must disclose the existing operation's significant impacts on human health and ecology and the significant impacts from increased emissions. Specifically, the EIR should discuss the following:

- How will the Project impact the Health Risk Assessment (HRA) related to cancer from Arsenic, Benzene, and Hexavalent Chromium?
- How will the Project impact the HRA related to chronic hazard from Arsenic?
- How will the Project impact the HRA related to acute hazard from Arsenic and Benzene?
- Does the change from calcined coke to petroleum coke result in any differences (chemical character, physical form, or volume) in the hazardous emission profile to air, soil, or water?

The EIR should also require a formal numeric HRA to evaluate the Project's impact from stationary and mobile sources as well as a lead significance threshold analysis.

NOP-8-K

Response to Comment NOP-8-J & NOP-8-K

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project's existing environmental conditions are described in detail in Chapter 3. CEQA, however, does not require an analysis of the existing conditions' significant impacts as implied in the comment.

Instead, CEQA requires an analysis of a proposed Project's potential environmental impacts. Here, the proposed Project's potential air quality impacts are presented in Section 4.2 and Appendix D of the EIR. The analysis examines the proposed Project's potential increases of criteria pollutant emissions, including lead, and compares these increases to South Coast AQMD's air quality significance thresholds. This analysis included the potential environmental impacts from all aspects of the proposed Project, including the use of petroleum coke in addition to or in lieu of calcined coke as a smelting reagent in the facility's furnaces. Section 4.2 and Appendix D of the EIR also include an extensive analysis of the potential health risks from the proposed Project's

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potential stationary and mobile source toxic emissions including but not limited to lead, arsenic, benzene, 1,3-butadiene and hexavalent chromium as requested in the comment.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions (e.g., arsenic, benzene, 1,3-butadiene and hexavalent chromium), the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The comment requests further information regarding the proposed use of petroleum coke in addition to or in lieu of calcined coke as a smelting reagent. Detailed information regarding petroleum coke and calcined coke can be found in Chapter 2. Section 4.2 and Appendix D evaluate the potential environmental impacts that could result from the use of petroleum cokes in the furnaces as a smelting reagent. Specifically, these potential impacts were the subject of a research permit issued by the South Coast AQMD pursuant to Rule 441. As explained in detail in the EIR and Appendix D, the source tests conducted pursuant to the research permit found no exceedances of permit conditions and all potential impacts due to the change in smelting reagents were found to be less than significant.

Regarding whether the proposed Project could potentially generate soil deposition (and thus also water) impacts, Table 4.2-9 in the EIR summarizes the breakdown of the sources of risk (the speciation) as well as the percentage contribution for each risk category (inhalation, soil (e.g., land and waterways), dermal, mother's milk and crops (e.g., home gardens)) for the maximum residential cancer risk for the Receptor 51165, the location of highest estimated residential risk (the MEIR). The MEIR risks for the total proposed Project, the baseline and the increment (proposed Project less baseline) would each be less than the South Coast AQMD maximum residential cancer risk threshold (Table 4.2-8 in the EIR). For these reasons, potential soil deposition impacts from the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts.

Once again, this section of the Initial Study utilizes an arbitrary cut-off in this case of a “quarter mile” and concludes that there will be no impacts to sensitive receptors. Specifically, the Initial Study concludes no impacts to schools because the closest school is .6 miles away and not within the “quarter mile” radius. The EIR must explain the radius used and identify the substantial evidence supporting that choice of radius. The County requests that the EIR disclose and analyze the Project’s significant impacts to all schools and residences located within a 2 mile radius of the facility, and identify all feasible measures to mitigate those impacts.

NOP-8-L

Response to Comment NOP-8-L

The proposed Project’s environmental impacts in both the NOP/IS and EIR were analyzed according to the applicable significance criteria for each environmental topic area. The quarter-mile distance referenced in the comment specifically responds to the NOP/IS Section VIII – Hazards and Hazardous Materials, Question c) which asks whether the proposed Project would emit hazardous emissions “within one-quarter mile of an existing or proposed school” (see NOP/IS pp. 2-31, 2-34). This standard is established in Appendix G to the CEQA Guidelines. Additionally, South Coast AQMD Rule 212 (d) establishes one-quarter mile as the minimum distribution radius from the proposed project for receipt of public notification for a Permit to Construct or a permit modification. Since the nearest school is located approximately 0.6 mile from the Project site, which is a greater distance than the one-quarter mile criterion, the NOP/IS determined that no impact would result in this particular environmental topic.

Nonetheless, relative to the current and proposed handling of hazardous materials at the Quemetco facility, the roadway routes used by the trucks entering or leaving the facility do not pass by the schools shown in Appendix A – Schools Within two-mile radius of the Quemetco facility of the NOP/IS (Appendix A of this EIR). Trucks access Quemetco along S. 7th Avenue to and from SR-60 (refer to Section 4.6 for evaluation of truck impacts at the SR-60 on and off ramps which is evidence that Caltrans also acknowledges that the trucks are using this state route and this local truck route). The comment identifies the closest school, Palm Elementary School located at 14740 Palm Avenue. The Palm Avenue Elementary school is located on the west side of SR-60 and would not be along the truck route to and from Quemetco. Additionally, the school is approximately 0.6 miles away from hazardous materials storage areas at the facility and is separated from the facility by multiple intervening structures including SR-60. Additionally, the HRA assessment prepared models of the existing air toxics emissions and the potential emissions from the proposed Project from mobile and onsite sources. The HRA applied a 10-kilometer receptor grid (also described as 5,000-meter radius or 6.2-mile grid from the facility). As a result, the proposed Project’s potential air toxics emissions impacts to all uses (including residences and schools) were modeled within 6.2 miles of the facility. All of the proposed Project’s potential impacts, including the potential impacts analyzed in the HRA, would be less than significant.

Initial Study Checklist Part IX: Hydrology and Water Quality

The Initial Study incorporates by reference the DTSC's previously certified Final Environmental Impact Report (FEIR) for its "Hazardous Waste Management Operation and Post Closure Permit for Quemetco, Inc." and discloses that the FEIR found water resources/water quality to be a "significant impact area." (IS, p. 1-20). The Initial Study further states that Quemetco has been working under DTSC's direction to investigate whether its facility has had

NOP-8-M

an effect on surface or groundwater resources. The County requests that the EIR disclose the results of this investigation, analyze significant impacts on surface and groundwater, and identify all feasible measures to mitigate those impacts.

NOP-8-M
cont.

Response to Comment NOP-8-M

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) ["'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..."].) The proposed Project's existing environmental conditions are described in detail in Chapter 3.

The proposed Project's hydrology and water quality impacts are discussed in Section 4.5 of the EIR, including the proposed Project's potential impacts to surface and groundwater. The analysis of this environmental topic area in the EIR concluded that the proposed Project would result in less than significant impacts. Therefore, mitigation measures are not required.

Please refer to Master Response on DTSC Soils Investigations and Remediation.

The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. Further, the proposed Project does not result in any surface or groundwater disturbance as assessed in Section 3.5 and 4.5 of the EIR.

Further, the Initial Study concludes that the Project will not substantially affect how much water is used at the facility or how much runoff is created. This conclusion ignores the fact that the increased production at the facility will increase emissions, thereby creating a significant potential for more chemicals to be carried into runoff. The EIR must disclose the additional mass and chemical composition of the increased water and chemical loading into the MS4-permitted sewer system. The EIR should disclose changes to runoff emissions during rain events, specifically considering the additional mass and chemical composition and study impacts related to those changes. Finally, the EIR should identify all feasible measures to mitigate the Project's significant impacts on Hydrology and Water Quality.

NOP-8-N

Response to Comment NOP-8-N

The EIR includes estimates of increased water usage and wastewater discharge, as presented in Table 2-1 of the EIR. Section 4.5: Hydrology and Water Quality of the EIR further evaluates the proposed Project’s potential stormwater, wastewater, and groundwater impacts.

As defined by U.S. EPA’s National Pollutant Discharge Elimination System (NPDES), stormwater runoff is “generated from rain and snowmelt events that flow over land or impervious surfaces, such as paved streets, parking lots, and building rooftops, and does not soak into the ground.” Stormwater impacts are also analyzed in Section 4.5 of the EIR which explains that the stormwater collected from the operating side of the facility is collected in stormwater inlets which are directed to the onsite wastewater treatment unit for filtering, treatment and discharge. Any change in stormwater runoff, which is not anticipated as there would be no construction as part of the proposed Project, could be handled by the onsite wastewater treatment unit.

Further, hazardous materials used in the furnaces are stored in enclosed buildings and therefore are not exposed to outside weather and are not susceptible to storms in a manner that would contribute to any to stormwater events. For this reason, the increased use of additives and feed stock, which are received, handled, stored and processed within enclosed buildings, would not cause any change in the amount of chemicals in a stormwater event.

It should also be noted that the Quemetco facility operates extensive and complex air pollution control systems to prevent the release and deposition of hazardous materials onto surface areas that could contaminate stormwater via surface runoff (refer to Chapter 3 – Environmental Setting and Chapter 4 – Environmental Impact Assessment of the EIR for detailed discussions on this topic). Please also refer to the Master Response on DTSC Soils Investigations and Remediations. Further, Section 4.2 in the EIR includes Table 4.2-9 which summarizes that the facility’s potential air toxics emissions would not generate a potentially significant soils deposition impact from the proposed Project.

Wastewater is water that has been contaminated by human use and is generated at the facility through water use in various processes. The facility is subject to wastewater discharge permits. All wastewater at the facility is collected and transferred to the onsite wastewater treatment unit per the facility’s wastewater discharge permit conditions prior to either reuse or discharge to the LACSD system. All onsite washdown water is currently treated at the onsite water treatment facility prior to discharge.

As the proposed Project does not include changes to the physical characteristics of the existing facility, such as increased impermeable surfaces, no increases or changes to stormwater runoff are expected. The proposed Project’s potential air quality impacts, as analyzed in Section 4.2 and Appendix D of the EIR, will not increase pollutants in runoff because these pollutants do not exceed HRA significance thresholds nor air permit conditions. Specifically, Table 4.2-8 in the EIR (as supported by Appendix D.1) shows that the potential net cancer risk impacts, inclusive of both stationary and mobile sources, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. Sensitive receptors are included in the residential receptor analysis. Potential cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective significance thresholds.

Initial Study Checklist Part XII: Noise

Even though the Project will increase truck and rail trips to the facility, the Initial Study concludes that the Project will create no noise impacts and excludes noise from the areas studied in the EIR. The Initial Study does not include substantial or sufficient evidence to support this conclusion. NOP-8-O

The County requests that the EIR disclose and analyze the Project's significant impacts on noise, and identify all feasible measures to mitigate those impacts. At a minimum, the Initial Study must identify the hours that constitute the "existing daily idle time" to determine whether the Project's elimination of the "idle time" will create significant impacts. NOP-8-P

Response to Comment NOP-8-O & NOP-8-P

As discussed in the NOP/IS in Section XII, Noise, the proposed Project would have no construction-related noise impacts because no construction is called for by the proposed Project. Therefore, the proposed Project's only potential noise impacts would result from operational activities.

The noise impact analysis in the NOP/IS describes the characteristics of sound, sound levels of typical noise sources and noise environments, and provides reported existing noise levels which are published in the City of Industry Noise Element. Further, the noise analysis in the NOP/IS describes the sources of operational-related noise from Quemetco and noise-related attenuation from existing buildings and area topography.

The existing air pollution control devices are the main sources of existing facility operations noise. These devices are already operating at the Quemetco facility 24 hours per day. Further, the proposed Project would not cause these air pollution control systems to change their existing operations in any way. For these reasons, there would be no change in existing noise levels from the operations of air pollution control systems under proposed Project conditions.

By proposing to eliminate the time the rotary/kiln feed dryer is turned off and the reverberatory furnace is set to idle mode, which typically occurs between the hours of 6 a.m. and 11 a.m., the furnaces that will no longer have an idle period may operate one to six hours more per day and would no longer have to use fuel and idle. However, the rotary/kiln feed dryer and reverberatory furnace are fully contained within existing, enclosed buildings, which limits audible noise from the facility. As such, even if the rotary/kiln feed dryer and the reverberatory furnace operate between 6 a.m. and 11 a.m., the noise level at the fenceline will not be discernably different from any other time of day when the rotary/kiln feed dryer and the reverberatory furnace is operating. Moreover, the nearest sensitive noise receptors are located approximately 600 feet from the facility and are buffered from operational noise by intervening structures.

The proposal to increase the feed rate would cause additional feed and additives to be delivered to the facility, and daily traffic at the facility to increase by up to 15 truck visits per day, six (6) employee round trips per day and three (3) additional railcars per month. These activities would not change the noise profile at the facility's fenceline as explained in the following excerpts from the NOP/IS, Section XII: Noise:

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“The additional employee activity would occur at shift change. The 15 additional trucks would generate no more than one additional truck per hour. One truck per hour passing by at 15 to 25 miles per hour would generate a noise effect of less than 35 dBA averaged over an hour. The facility buildings as well as nearby industrial buildings and the railroad berm would act as barriers between the noise generated by this additional truck activity and the nearest residents (approximately 600 feet south of the facility fence line and on the opposite side of the railroad berm). The potential noise impact from a project is evaluated at the nearest sensitive receptor, which is over 600 feet to the south of the Quemetco facility boundary. Noise levels diminish over a distance from a noise source, and can be estimated using noise attenuation formulas. For example, 75 dB(A) reduces to 49.75 dB(A) over 600 feet with no intervening structures, 80 dB(A) attenuates to 54.75, 85 dB(A) attenuates to 59.75 dB(A), and 90 dB(A) attenuates to 64.75 without any intervening noise barriers. In the case of Quemetco, there are intervening structures and a railroad berm that serve as a noise buffer between the Quemetco facility and nearest residences 600 feet to the south. Thus, additional noise from Quemetco would be reduced further than the attenuation scenarios presented above. For these reasons, an additional six employee roundtrips a day, 15 trucks a day and three additional railcars per month would not be expected to substantially change the exterior noise environment of 75 dB(A) CNEL at the facility fence line. With respect to the three railcars, those cars would occur on the existing railroad right-of-way adjacent to Quemetco. Furthermore, three railcars per month would not substantially increase existing environmental noise because such noise would be extremely intermittent and in limited duration (up to three additional times per month). Finally, unloading of the railcar would occur at the northern boundary of the project site, thus further attenuating unloading noise by adding the facility as a buffer.”

As explained in the excerpt, the potential increase in truck trips would not be expected to result in a significant noise impact because the additional truck activities would be spread out across the work day and would be controlled by appointment scheduling; all deliveries arrive at specific appointment times. In the unlikely event that all of the additional truck trips occur during a single hour, 15 truck trips added to the roadway network would not result in a significant noise impact because the additional truck activities would result in almost no measurable change to this existing noise environment on the adjacent roadway. The truck trips would represent a negligible increase (0.01% of daily activity) to the total trips occurring on the roadway network that Quemetco utilizes, including along S. 7th Avenue, which has a daily volume ranging from approximately 12,000 to 15,000 trips and a peak hour activity level of 1,200 to 1,500 cars per hour.

The excerpt from the NOP/IS also explains why the projected additional rail trips to the facility associated with the proposed Project would not result in a significant noise impact.

For these reasons, the net noise impact from the proposed Project would not generate significant impacts. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required.

Initial Study Checklist Part XVI: Solid and Hazardous Waste

The Initial Study lacks information necessary to support the conclusion that the Project will have no impacts to Solid and Hazardous Waste. The Initial Study states that the Project would create 178 additional truck loads and an additional 4114 tons of “landfill bound slag” (IS, p. 2-56.) But the Initial Study fails to explain why this increase is not significant. The Initial Study concludes that there is sufficient space at landfills to receive the additional waste, but it does not identify the landfills that will receive the waste. Further, the Initial Study concludes that there will be no impacts because Quemetco has “historically” complied with all regulations. (IS, p. 2-57.) Given that Quemetco has received four NOV’s in the past two years, the Initial Study’s conclusion lacks evidentiary support and improperly assumes future compliance. DPH requests that the EIR

NOP-8-Q

disclose and analyze the Project’s significant impacts to Solid and Hazardous Waste and identify all feasible measures to mitigate those impacts. At a minimum, the EIR must identify the landfills that will receive the additional hazardous waste generated by the Project.

NOP-8-Q
cont.

Response to Comment NOP-8-Q

The assessment of the proposed Project’s potential effects on solid and hazardous waste is included in the NOP/IS Section XVI, questions a) and b). The analysis quantified the proposed Project’s potential increase in solid and hazardous waste generation and the capacity of the landfills designated to receive Quemetco’s solid and hazardous waste (see NOP/IS Page 2-56). The landfills that would receive the additional waste were identified in the NOP/IS as located in Beatty, Nevada and Parker, Arizona. The potential impacts to solid and hazardous waste were found to be less than significant based on both landfills confirming that there is sufficient capacity to handle the proposed Project’s potential increase in the amount of slag as described in Table 2-1 of Section 2.6: Project Description as well as both landfills confirming they have theoretically sufficient space to continue receiving Quemetco’s waste streams (Reid personal communication and Sawyer personal communication) (See Appendix A of the EIR).³

For these reasons, the net solid waste disposal impacts from the proposed Project would not generate significant impacts. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area analyzed in the NOP/IS and the EIR would be less than significant; therefore, mitigation measures are not required.

³ Reid, Jessica. 2014 Customer Service Representative, US Ecology, Beatty, Nevada. Telephone conversation with Valerie Rosenkrantz of Trinity Consultants, Inc. on December 17, 2014 to confirm landfill’s capacity to accept additional amounts of slag. Sawyer, Willis D. 2016. Arizona Area Environmental Manager, Republic Services. La Paz County Landfill, Parker, Arizona. Email verification on May 3, 2016 confirming landfill’s capacity to accept additional amounts of slag.

The South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including the current compliance status, are discussed in Section 3.2 and Appendix C in the EIR. The NOV's for the facility referenced in the comment were issued by South Coast AQMD for air permit violations and do not pertain to solid and hazardous waste disposal and capacity at designated landfills.

The facility has a history of solid and hazardous waste disposal compliance. Nonetheless, the South Coast AQMD does not have authority over solid and hazardous waste handling and disposal.

Initial Study Checklist Part XVII: Transportation and Traffic

Once again, the Initial Study does not provide sufficient or substantial evidence to support its conclusion. The Initial Study does not explain whether the traffic pattern will remain the same with Project implementation. The County requests that the EIR disclose and analyze the Project's significant impacts on Transportation and Traffic, and identify all feasible measures to mitigate those impacts.

NOP-8-R

Response to Comment NOP-8-R

The proposed Project does not include any physical changes to access locations, pick-ups and drop-offs of materials, or storage that would impact traffic patterns. While the NOP/IS concluded that traffic and transportation would not be significantly impacted by the proposed Project, the EIR includes an analysis of the proposed Project's potential VMT and turning movement hazards in Section 4.6. These potential impacts would be less than significant.

All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR including potential changes to traffic patterns. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and were found to be less than significant. Therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts. Therefore, mitigation measures are not required.

Comments from the County Fire Department's Health Hazardous Materials Division, the Certified Uniform Program Agency (CFD)

Initial Study Part 1.4: Project Background

The County Fire Department's Health Hazardous Materials Division (which serves as the Certified Uniform Program Agency) (CFD) requests that the EIR provide additional detail regarding the railcar loading system, and specifically discuss whether the loading system is connected to the negative air pressure system, similar to the feedstock truck offloading location.

NOP-8-S

Response to Comment NOP-8-S

Detailed information regarding Quemetco's railcar loading system is provided in Chapter 2 - Proposed Project of the EIR. The railcar loading system is not within a building maintained under the negative air pressure. This is because the rail loading building is used for the transfer of products that are either stable (e.g., refined lead) or contained and there would be no lead processing operations or dispersion of any hazardous materials in the transfer of material in this building.

Initial Study Part 1.5: Regulatory Requirements

The EIR should discuss the impact of the Project on the conditional approval of the AB2588 Risk Reduction Plan (RRP) and identify the expectations and requirements for updated RRP submittals.

NOP-8-T

Response to Comment NOP-8-T

As discussed in Section Section 3.2 of Chapter 3 – Environmental Setting, RRP conditions have been incorporated into the existing Title V permit and will not change as a result of the proposed Project. Additionally, the HRA looks at total facility health risks to ensure no conflicts with the previously approved RRP. Note that Quemetco is still subject to AB 2588 and the proposed Project would also be subject to AB 2588.

Initial Study Part 1.6: Project Description

Key information is missing from the Project Description section. The Initial Study fails to explain the difference in by-products (such as hydrocarbons, flammable and dust configuration) that would result from the switch to petroleum coke as a smelting agent, and discuss how those different by-products relate to the existing air pollution control safeguards (such as explosion proofing). The Project Description section also mentions the Rule 441 testing, but the Initial Study fails to provide the results of that testing. The EIR should include those test results.

NOP-8-U

Response to Comment NOP-8-U

Chapter 2 includes a detailed discussion of petroleum coke and calcined coke. The potential impacts, including air quality and hazards impacts, associated with the use of petroleum coke in lieu of or in addition to calcined coke are analyzed in Sections 4.2 and 4.4 of the EIR, including air toxics by-products of past use of these materials. The referenced testing results are included in Appendix D. As summarized in Section 4.2, there would be no change in existing emissions levels from the proposed change in smelting reagents. Further, all potential impacts from the proposed change in smelting reagents were found to be less than significant. Additionally, there would be no exceedances of permit conditions from the proposed change in smelting reagents.

Initial Study Part 1.7: Related Permits and Approvals

The EIR should explain that CFD’s Health Hazardous Material Division has regulatory authority over the hazardous materials, the California Accidental Release Prevention Program, above-ground petroleum storage tanks, and the generation of hazardous waste.

NOP-8-V

The EIR should further explain that CFD’s Fire Prevention Division regulates the storage and handling of hazardous materials, which is governed by Los Angeles County Ordinance, Title 32.

Response to Comment NOP-8-V

The NOP/IS identified the Los Angeles County Fire Department (LACFD), serving as the Certified Uniform Program Agency (CUPA), as the regulatory authority for the storage and handling of hazardous materials and waste at the facility (see p. 1-19). However, the proposed Project does not require any modifications to existing permits or approvals from LACFD. For this reason, LACFD is not identified as a CEQA Responsible Agency. Section 4.4 of the EIR includes an assessment of the hazardous material and waste and the applicable LACFD CUPA requirements and concludes all potential impacts from the storage or handling of hazardous materials, which is governed by Los Angeles County Ordinance, Title 32, would be less than significant. Hazardous waste requirements related to LACFD, DTSC and U.S. EPA are discussed in Sections 3.4 and 4.4 of the EIR.

The Initial Study omits the fact that the CFD Health Hazardous Materials Division permits Quemetco as a large quantity waste generator, and regulates the quantity of hazardous waste materials and other waste that may be stored on-site. Quemetco must comply with Title 32 of the County’s Code of Ordinances.

NOP-8-W

Response to Comment NOP-8-W

See also Response to Comment NOP-8-V. The NOP/IS discussed LACFD’s regulatory requirements including CUPA reporting, emergency procedures, and employee training. The

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proposed Project does not change these CUPA requirements. There will be no new materials stored onsite nor any change in the quantities of materials stored onsite as currently identified in the facility's Hazardous Materials Business Plan (refer to Sections 3.4 and 4.4 of the EIR). The proposed Project would include additional coke used onsite for the increase in the throughput limit; because Quemetco currently holds a sufficient quantity of coke for smelting in its warehouse to cover its daily usage plus a reserve, there would be no change in the amount of coke materials (the combined total of calcined coke and petroleum coke) stored onsite required based on the use of petroleum coke as a smelting reagent. Therefore, there would not be any substantial change in the existing HMBP. The HMBP is required for safety reasons so that fire department personnel are aware of materials stored onsite in advance to take appropriate precautionary measures in case of fire. Section 4.4 of the EIR includes an assessment of the hazardous material and waste and the applicable LACFD CUPA requirements and concludes all potential impacts from the storage or handling of hazardous materials, which is governed by Los Angeles County Ordinance, Title 32, would be less than significant.

CFD agrees with the Initial Study's conclusions that: (1) fire hazards, and (2) the possibility of a release of hazardous materials would increase with Project implementation. The EIR's analysis of the Project's significant impacts to Hazards and Hazardous Materials should include the following issues, which are not currently identified for analysis in the Initial Study:

NOP-8-X

- The impact of the proposed increased operational period on mechanical systems, including discussion of changes in maintenance, shut-down operations or upgraded safety mechanisms that may be necessary as a result of the increased operational period.
- The impact of the proposed increased lead component staging in the containment building and the limits on capacity, maintenance, and shut-down operations.
- The impact of the proposed increased railcar slag loads, including the increased potential for release during material transfer (such as general spills and fugitive emissions.)
- The potential for and impact of external power interruptions, including plans for back-up generator implementation or other contingency measures.
- The impact from substituting petroleum coke for calcined coke and from "other additives" (IS, p. 1-17) such as sodium metal, red phosphorus, sodium nitrate, cobalt, silver, and arsenic. Such materials are extremely reactive, flammable, and toxic.

Response to Comment NOP-8-X

See also response to comments NOP-8-U, NOP-8-V and NOP-8-W. The proposed Project's potential hazards impacts are analyzed in Sections 4.2 (the HRA) and 4.4 (Hazards and Hazardous Materials) of the EIR which address all of the requested areas of study identified in the comment.

The test results from changing smelting reagents from calcined coke to petroleum coke in lieu of or in addition to calcined coke are summarized in Appendix D.

As summarized in Section 4.2, there would be no change in existing emissions levels from the proposed change in smelting reagents. Further, all potential impacts from the proposed change in smelting reagents were found to be less than significant. Additionally, there would be no exceedances of permit conditions from the proposed change in smelting reagents.

Initial Study Checklist Section XVI: Solid and Hazardous Waste

CFD requests that the EIR include analysis of potentially significant impacts to Solid and Hazardous Waste. The analysis should include the following:

NOP-8-Y

- Impacts of increased slag truck loads to landfills.
- Potential for release during waste slag transfer, both with respect to general spills and fugitive emissions.
- An explanation of whether the slag loading system is connected to a negative air pressure system.

Response to Comment NOP-8-Y

See also response to NOP-8-Q. The solid and hazardous waste analysis in the NOP/IS indicated that the proposed Project would generate approximately 178 additional slag truck loads per year due to new waste materials requiring transfer to landfills.

The handling of these materials at the facility is regulated by the facility's existing RCRA Part B permit, as approved by DTSC. The RCRA Part B permit includes restrictions on the handling, loading, and transport of such materials to ensure that hazardous waste and disposal impacts (including spills) are minimized and primarily occur under negative pressure.⁴ The method of

⁴ Except for the rail car loading area, the operations, including the furnaces, batter wrecker, the containment building and refinery, are within enclosed buildings under negative pressure. Refer to Chapter 2 for detailed descriptions of the facility and its operations.

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storage and transfer of slag to trucks for disposal at landfills will not change as a result of the proposed Project.

See also Section 3.4 and Section 4.4 of the EIR for an assessment of the storage, handling and transfer of hazardous materials, including slag truck loads to landfills. The NOP/IS and the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

In addition, quantities of lead still remain in waste slag that may be deemed “non-hazardous” under a Toxicity Characteristic Leaching Procedure (TCLP) analysis. The EIR should explain how this will be addressed in truck loading and transportation procedures.

NOP-8-Z

Response to Comment NOP-8-Z

See also responses to NOP-8-Q and NOP-8-Y. Under existing operations, small quantities of lead may remain in waste slag and are deemed non-hazardous under a TCLP analysis.⁵ As described in Chapter 2 and Section 3.4, all slag is tested under a TCLP analysis and based on the results, some slag is sent to a RCRA-landfill and some slag is deemed non-hazardous and sent to a non-RCRA landfill. The proposed Project would not change the process for evaluating slag to determine which landfill (whether RCRA or non-RCRA) for each truck load of slag. Although the proposed Project may result in an increased number of slag loads, the method of storage and transfer of slag to trucks for disposal at landfills will not change as a result of the proposed Project.

Further, the Initial Study concludes that there will be no impacts because Quemetco has “historically” complied with all regulations. Given that Quemetco has received four violations in the past two years, the Initial Study’s conclusion lacks evidentiary support and improperly assumes future compliance. The County requests that the EIR disclose and analyze the Project’s significant impacts to Solid and Hazardous Waste and identify all feasible measures to mitigate those impacts. At a minimum, the EIR must identify the landfills that will receive the additional hazardous waste generated by the Project.

NOP-8-AA

Response to Comment NOP-8-AA

See also response to NOP-8-Q. Quemetco’s permit violations and settlements are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the

⁵ Refer to EIR Chapter 7 – Acronyms for a definition of terms.

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addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

The landfills that would receive additional hazardous waste generated by the proposed Project are identified in the NOP/IS, Section XVI, Solid and Hazardous Waste, as those landfills located in Beatty, Nevada and Parker, Arizona. The assessment of the proposed Project's potential effects on solid and hazardous waste is included in the NOP/IS Section XVI, questions a) and b). The potential impacts to solid and hazardous waste were found to be less than significant based on both landfills confirming that there is sufficient capacity to handle this additional amount of slag (Reid personal communication and Sawyer personal communication) (See Appendix A of the EIR).

Comments from the Department of Public Works (DPW)

Initial Study Checklist Part IV: Geology and Soils:

The facility is located in a State defined Liquefaction zone. Seismically induced ground shaking, ground failure, settlement, laterally spreading or liquefaction may occur in the Puente Valley, where the Quemetco facility is located, as a result of strong earthquakes near or distant from the facility. Structures or appurtenances not designed for current maximum credible

NOP-8-AB

earthquakes or are possibly not built to current County Codes could be affected by seismically induced ground shaking resulting in land subsidence and structural damage. The County requests that the EIR disclose and analyze the Project's significant impacts to Geology and Soils and identify all feasible measures to mitigate those impacts.

Response to Comment NOP-8-AB

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions are described in detail in Chapter 3. The seismic risks described in the comment are the existing environmental conditions.

As explained in the NOP/IS (see Section VII: Geology and Soils), the analysis concluded that the proposed Project would not contribute to any geology and soils impacts because no physical changes requiring construction or soil disturbance are needed at the facility. Since no potentially significant geology and soils impacts were identified, no mitigation measures are required.

Initial Study Checklist Part IX: Hydrology and Water Quality

Groundwater quality is being monitored for potential contamination from on-site facility waste impoundment and from surface water intrusion from facility wash down operations and maintenance operations inside the facility’s buildings. Water supply to the facility is from the San Gabriel Water Company. The Initial Study does not contain evidence sufficient to support its conclusions that: (1) San Gabriel Water Company can supply the additional water to the facility; (2) the Project will not create runoff; and (3) the Project will not deplete groundwater supply. The County requests that the EIR analyze additional significant impacts to Hydrology and Water Quality (sections IX (b), (d), (h), (i)).

NOP-8-AC

Response to Comment NOP-8-AC

Section 4.5 of the EIR presents a discussion of the proposed Project’s hydrology and water quality impacts and includes an analysis of the impacts to surface and groundwater.

Regarding groundwater usage, the proposed Project is expected to use approximately 97,000 additional gallons of water per day which will be supplied by the San Gabriel Valley Water Company (SGVWC). The water provided by the SGVWC is from the main San Gabriel groundwater basin (referred to as Main Basin) or recycled water. The SGVWC’s Urban Water Management Plan confirms that it has sufficient water supplies to serve the proposed Project.

The Urban Water Management Plan for the SGVWC also demonstrates that the proposed Project’s anticipated water use will not result in significant impacts. The Urban Water Management Plan provides that the SGVWC has water supplies sufficient to meet anticipated future demand including the proposed Project in normal, dry, and multiple-dry year scenarios and that these future demands are projected to be accommodated by increased use of recycled water as opposed to groundwater. Moreover, the Urban Water Management Plan projects an increase in potable and raw water demand from industrial users from baseline (2015) conditions to 2040. The proposed

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Project's water demand is within these growth projections and is assessed in Sections 3.5 and 4.5 of the EIR.⁶ The Urban Water Management Plan also notes the following:

- The project's water demand would constitute approximately 0.35% of the total water demand serviced by the SGVWC in 2015.⁷ This percentage decreases in projected future years (e.g., 2020, 2025, 2030).
- The Urban Water Management Plan concludes that reliable quantities of projected water supply sources are available to the SGVWC to meet the region's demand (including the proposed Project) through 2040. A single dry year or a multiple dry year period will not compromise the SGVWC's ability to provide a reliable supply of water to its customers.⁸ The groundwater supplies in the Main Basin are deemed reliable.
- The SGVWC has the ability to deliver imported water through a connection with the Metropolitan Water District of Southern California, as well as emergency interconnections with several surrounding water agencies to ensure the reliability of its water supply.⁹

Further, Quemetco has the ability to recycle its water for additional use onsite. As a result, the projected demand for the proposed Project was overestimated, and is therefore conservative for CEQA purposes. Regarding surface runoff, see Response to Comment NOP-8-N. As explained in the NOP/IS (see Appendix A of the EIR), the proposed Project would occur within the boundaries of the existing facility and no physical changes to the facility are needed; therefore, there would be no new impacts from surface runoff. See also Response to Comment NOP-8-N for a detailed discussion regarding surface runoff and stormwater runoff.

⁶ San Gabriel Valley Water Company, Los Angeles County Division, 2015 Urban Water Management Plan, July 2016, Amended July 2017; Tables 4-1 and 4-2 (https://www.sgvwater.com/wp-content/uploads/2018/09/Volume-I-FINAL-AMENDED_2015-UWMP_SGVWC_LACD.pdf; accessed on April 1, 2021).

⁷ SGVWC UWMP Tables 4-1, 6-8, and 6-9.

⁸ SGVWC UWMP Section 7.3.

⁹ SGVWC UWMP Sections 6.1 and 6.7.3.

Initial Study Checklist Part XIV: Public Services

The County Flood Control District maintains and operates a significant flood control channel (San Jose Creek) adjacent to the facility that has been exposed to the operations at the facility. Adjacent surface soils have required mitigation and clean up, and may require further clean up. DPW personnel maintain and inspect the flood control channel and may be affected by impaired soils along the channel access roads. A public bikeway and equestrian trail located within a quarter mile of the facility along the San Jose Creek channel are also being assessed for contamination emanating from the facility. All of these public services may be significantly impacted by the proposed Project and the County requests that the EIR disclose and analyze the Project's significant impacts on Public Services and identify all feasible measures to mitigate those impacts.

NOP-8-AD

Response to Comment NOP-8-AD

This EIR has analyzed what the proposed Project's potential environmental impacts, including impacts to public services, air quality, geology and soils, hazardous materials and hydrology and water quality. The NOP/IS analyzed the proposed Project's potential impacts to geology and soils and public services and found them to be less than significant; therefore, they are not analyzed further in the EIR and the comment does not raise any geology and soils and public services issues which were not previously analyzed or considered. Section 3.4 of the EIR includes a summary of DTSC's soil sampling program. Please refer to Master Response on DTSC Soils Investigations and Remediation. The air quality and hydrology impacts of the proposed Project are discussed in Sections 4.2 and 4.5, respectively.

The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project, as well as an assessment of compliance with state and federal ambient air quality standards, which includes lead (see Section 4.2 and Appendix D of the EIR). The HRA found the proposed Project's potential impacts would be less than significant. Regarding whether the proposed Project's air emissions could potentially generate soil deposition impacts, Table 4.2-9 in the EIR breaks down the potential sources of risk being evaluated (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) as well as the percentage contribution of each risk source to the maximum residential cancer risk for Receptor 51165, the location of the highest estimated residential risk (the MEIR). The MEIR risks including soil deposition impacts for the total proposed Project, the baseline, and the increment (proposed Project less baseline), would be less than the South Coast AQMD maximum residential cancer risk threshold (Table 4.2-8 in the EIR). For these reasons, potential soil deposition impacts from the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts. Based on the findings of the NOP/IS and the HRA, it is not anticipated that the public bikeway and equestrian trail along San Jose Creek channel would be subject to health risks or toxics contamination from the proposed Project.

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The Initial Study incorrectly suggests that the Project discharges solely into the County of Los Angeles Sanitation District system. (IS, p. 1-9.) In reality, the proposed Project discharges into the sewer systems owned by the City of Industry, and maintained by the Los Angeles County Sewer Maintenance Districts. Accordingly, close coordination with both the County Sewer Maintenance Districts and the City of Industry should be undertaken, and the EIR should analyze impacts from both agencies' perspectives.

NOP-8-AE

Response to Comment NOP-8-AE

Chapter 2 of the EIR explains that Quemetco operates pursuant to a wastewater discharge permit from the LACSD and its onsite wastewater treatment facilities are connected to the sewer system which is owned by the City of Industry and maintained by LACSD. Section 3.5 of the EIR addresses the proposed Project's hydrology and water quality environmental setting, including applicable waste discharge requirements. The proposed Project's potential impacts to wastewater discharge are analyzed in Section 4.5 of the EIR. The facility will continue its close coordination with the City of Industry and LACSD.

The City of Industry Department of Public Works and Engineering (<https://www.cityofindustry.org/city-hall/departments/development-services/public-works-engineering>) defers to the Los Angeles County Department of Public Works (LADPW) Sewer Maintenance District for sewer service or spills. As discussed in Section 2.6: Permits and Approvals of the EIR, LADPW has been identified as a commenting agency as Quemetco does not have a permit directly with LADPW. The project does not contain any elements that would require a discretionary action by LADPW to determine whether to carry out or approved the proposed Project.

The City of Industry Department of Public Works and Engineering (<https://www.cityofindustry.org/city-hall/departments/development-services/public-works-engineering>) defers to the applicable water purveyor for water service or leaks. The water purveyor for the facility is the SGVWC. The SGVWC has confirmed that it can and will serve the proposed Project based on its UWMP.

The NOP/IS and the EIR accurately portray the agency responsibilities regarding water and wastewater.

Initial Study Checklist Parts I through XVII.

The County requests that the EIR identify all references embedded in the Initial Study that support the Initial Study's findings in Chapter 2, Parts I through XVII.

NOP-8-AF

Response to Comment NOP-8-AF

The NOP/IS included a reference section identifying documents, reports, and studies cited in the NOP/IS. Chapter 8 of the EIR includes all the references cited in the EIR.

Request for Notification

Finally, the County requests that SCAQMD provide notice by mail and electronic mail of all public hearings related to the Project, and also provide copies of all agendas and agenda packets for such hearings. The County makes this request under Government Code section 54954.1 and Public Resources Code sections 21092.2 and 21167(f). Notice and copies should be sent to:

NOP-8-AG

Office of County Counsel
Attn: Scott Kuhn, Assistant County Counsel
500 W. Temple Street, Suite 652
Los Angeles, CA 90012
skuhn@counsel.lacounty.gov

Response to Comment NOP-8-AG

As requested, the contact information has been added to the distribution list for all notices related to this proposed Project.

Conclusion

The County intends these comments to act as guidance for the SCAQMD in its preparation of the EIR for the Project and requests that the comments be incorporated and considered in the EIR.

NOP-8-AH

Response to Comment NOP-8-AH

Thank you for responding to the NOP/IS. All comments received relative to the NOP/IS have been included in Appendix B of the EIR, individual comments have been bracketed, and responses to the bracketed comments have been provided.

From: Mario Delgado [<mailto:superdmario@msn.com>]
Sent: Saturday, September 8, 2018 4:54 PM
To: Diana Thai <dthai@agmd.gov>
Subject: Quemetco

Comment NOP-9

Your study needs to address prior health related deaths from Exide Battery employees on District files.

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And current Quemetco employees blood screenings need to be reviewed for lead and other related toxics prior to granting any operation increases.

If any toxics exist in employees, operations need to be reduced. Not increased.

Response to Comment Letter NOP-9

The EIR includes an analysis of the health risks from existing and the proposed Project's potential toxic emissions based on South Coast AQMD methodology and guidance.

While Quemetco and Exide are both battery recyclers, Exide's operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Exide began operation in the 1920s, several decades earlier than Quemetco. The details of Exide's operations, facility design and air pollution control systems were not the same as Quemetco's operations, facility design and air pollution control systems.

Specifically, Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide's last two full years of operation, 2014 and 2013, Exide's lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to SCAQMD and obtained via SCAQMD's FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013). For these reasons, Exide's past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. Information pertaining to the Exide facility and its previous operations are therefore not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Quemetco has safety measures and practices in place for its employees to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Tyvek suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for its employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures.

As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to their employees to screen for elevated lead levels every three (3) months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing are protected under the Health Insurance Portability and Accountability Act (HIPAA). The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. Therefore, the amount of lead or other toxics in employees' blood is not a factor in evaluating the proposed Project.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, click here: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Comment Letter NOP-10 Stephen Russell

From: Stephen Russell [<mailto:stephenrussell@sbcglobal.net>]
Sent: Saturday, September 15, 2018 7:52 AM
To: Diana Thai <dthai@aqmd.gov>
Subject: Battery plant

Comment NOP-10

AQMD:

Urge Robotics used in plant production issues alone

& apply sensors to stacks for emissions readings

Use drones to scan emission levels in area of plant.

& fixed ground sensors.

Use schools, offices, etc for fixed sensors.

Host 800 ph#.

Inform local medical about health issues

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Be Pro active.

hear out residents on issues & address or fwd to those WHO CAN.

Automate plant processes IF possible.

Reuse emissions to drive turbines for power vs into the air.

More can be done.

Response to Comment Letter NOP-10

Thank you for responding to the NOP/IS and providing innovative suggestions. The comment suggests the facility use robotics, drones and fixed ground sensors in the operation of the Quemetco plant.

The existing facility operations already use as much automation as is safe in the operations of this secondary lead smelting operation. The use of drones or fixed ground sensors to scan emissions levels has not yet replaced use of CEMS or ambient air monitors with respect to South Coast AQMD requirements; both of which are currently in operations at this facility and are long established, effective tools in providing accurate emission readings. Further, while there are emissions from the WESP stacks and the Busch units, the velocity has not yet shown there is

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

sufficient potential to run a power generation turbine to reliably generate electricity as a power supply. Additionally, four onsite fence-line monitors continuously monitor lead and arsenic in the ambient air. Information about South Coast AQMD's offsite air monitoring station is located here: <http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>.

The Quemetco facility has a CEMS which is used for monitoring various pollutants, and the daily readings from the CEMS are used to demonstrate compliance with South Coast AQMD rules and regulations including Rule 1420.1.¹⁰ Additionally, ambient air quality monitoring stations located around the facility's perimeter and in the area surrounding the facility provide additional data for the aforementioned pollutants.

In addition, members of the public may register complaints, which are subsequently investigated by South Coast AQMD personnel by calling 1-800-CUT-SMOG or 1-800-288-7664 (toll free) or via web through South Coast AQMD's online complaint submittal system at <https://www.aqmd.gov/home/air-quality/complaints>.

While South Coast AQMD does not have any rules or regulations which require the use of robotics or automation at facilities, Quemetco has many automated processes. Nevertheless, employees are necessary for operations, including oversight of automation, occurring throughout the facility.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHGs, and hazards and hazardous materials (accidental releases or fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, an HRA was prepared. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter distance from the facility were included in the residential receptor analysis. Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and

¹⁰ Once the CO CEMS is installed and certified, there will be five constituents continuously monitored at the WESP stack: CO, CO₂, NO_x, SO_x and arsenic.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

As part of the CEQA process for the proposed Project, South Coast AQMD has released the NOP/IS for public review and comment and held two CEQA scoping meetings in the community near the facility. Comments received relative to the NOP/IS and at the CEQA scoping meetings are included in this Appendix B of the EIR along with responses to the comments. In addition, the Draft EIR will also be released for at least a 60-day public review and comment period with at least one public meeting in response to requests made by the public as well as interested agencies. Comments received relative to the Draft EIR will also be included in an appendix of the Final EIR along with responses to the comments.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

These comments do not raise any issues related to the scope of the NOP/IS or the scope of the EIR for the proposed Project; therefore, no further response is required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-11 Albert and Margaret Porras

Comment NOP-11

September 22, 2018

To: Ms. Diana Thai
c/o CEQA
21865 Copley Drive
Diamond Bar, CA 91765-4178

From: Albert and Margaret Porras
1456 Gemwood Drive
North Whittier, CA 90601

RE: Project Title:
Quemetco Capacity Upgrade Project

Dear Ms Thai,

Thank you for the notice sent to us regarding Quemetco's Request to Expand. Per your letter, we need to let you know that of course this has a bearing on us and the neighborhoods around us.

We are all opposed to the upgrade request because it will have a horrible impact on our children and our community.

Quemetco hires agencies to study the impact of "danger" to our community and their agency reports that everything is fine and there is no harm to us and our community. But they pay these agencies and the outcome is in their favor.

Enough is Enough. Why doesn't Quemetco move out of our area? Why does Quemetco lease property close to families? Why doesn't Quemetco move out to the desert areas or mountain areas where they will not harm our community?

Does AQMD really believe that by allowing Quemetco to increase the lead-acid battery processing from 600 tons to more than 750 tons per day will not expose us and our communities to pollution, lead, arsenic exposures, etc.? Quemetco is asking for a 25% increase in pollution. That is unacceptable. Please do not allow these toxic substances to expand and hurt our health.

Signatures: 
Albert Porras 
Margaret Porras

Response to Comment Letter NOP-11

The CEQA process for the proposed Project is specifically designed to evaluate the potential impacts to the environment in general and, more specifically, to the community surrounding the Quemetco facility. The first step of the CEQA process, the NOP/IS, analyzed the proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste, and concluded that the proposed Project would have less than significant impacts. For this reason, these environmental topic areas were not analyzed further in the EIR.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

The EIR analyzes the potential impacts of the proposed Project on air quality and GHG emissions (including air toxics), energy, hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project. As part of the EIR, an HRA analyzed the potential health risks to the surrounding areas (see Section 4.2 and Appendix D). The HRA was prepared in accordance with South Coast AQMD’s methodology and guidance and the results indicated less than significant impacts. A detailed emissions evaluation also presented in Section 4.2 and Appendix D summarizes the assessment methodology and results. Given the existing operations levels and use of air pollution control systems, the proposed Project would not result in a straight-line increase in emissions by 25%. This is because Quemetco facility has multiple air pollution control and environmental management systems operating to ensure the facility emissions meet its permit conditions and South Coast AQMD Rules 1402 and 1420.1.

As required by CEQA Guidelines Section 15090, the South Coast AQMD as the CEQA Lead Agency must exercise independent judgement regarding CEQA compliance for the proposed Project. Further, Quemetco owns its facility property within the City of Industry; there is no lease from the City to operate the facility.

South Coast AQMD’s evaluation of the proposed Project presented in detail in the Draft EIR is based on an independent review of the evidence which includes, but is not limited to, emissions monitoring data, source test data, and evaluation of the applicable rules and regulations and in consultation and cooperation with other agencies which have oversight over the facility’s operations. The applicant, Quemetco, is required to pay fees associated with submitting air quality permit applications for the proposed Project and is responsible for paying the costs associated with South Coast AQMD staff time and materials utilized to evaluate the project and prepare the necessary CEQA documentation for the proposed Project. All applicants seeking permit modifications are required to pay these fees pursuant to South Coast AQMD Regulation III – Fees.

Moreover, the process of carefully evaluating the proposed Project and the decision to either approve or deny the proposed Project is made through independent judgment by South Coast AQMD. It is also important to note that the CEQA process is just one component in the overall evaluation process as required by the Public Resources Code and CEQA Guidelines, and does not control whether a project will be approved or denied.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

Comment Letter NOP-12 Xavier Mendoza –

Comment NOP-12



WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

COMMENTS TO:
SOUTH COAST AQMD
Project: Qemetco NOP/IS published on August 30, 2018

From: Xavier Mendoza
Address: 1707 Vallecito Dr. Hacienda Heights, CA 91745
Affiliation: Self, resident.
Email: xmendoza7777@gmail.com

Attn: Ms. Diana Thai
South Coast AQMD
21865 Copley Drive
Diamond Bar, Ca 91765
dthai@aqmd.gov

Date: October 1, 2018

Gentlepersons:

The following are my summary comments to the NOP and Initial Study (I/S) for the subject Project.

It appears that as a result of the I/S, the only issue to be addressed by the Draft Environmental Report (EIR) is that of **Section XVIII, Mandatory Findings of Significance; significant adverse environmental impacts on humans.** To that section, and related Sections of the report, I have several comments and questions, as follows:

NOP-12-
A

- There are 21 schools within a 2 mile radius of the Qemetco facility. Does this fact mean that the adverse impacts of Quemetco are limited exclusively to the area within that 2 mile radius (impact area)?

NOP-12-
B

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

- What are the environmental scientific standards that are followed in determination of that narrow impact area? NOP-12-C

- Should that perfect circle boundary be modified for the effects of weather, wind or other factors that would impact the spread of hazardous materials? NOP-12-D

- How many other facilities that area house humans (homes, places of employment, stores, etc) are there within the boundary area that is affected? How many humans are affected in that impact area? NOP-12-E

- Are these humans made aware of the hazards imposed? How and by whom are the humans in those facilities advised of the hazards? What is the program of advice and consent that is employed for this purpose? Is it a one-time effort, or a recurring annual program to accommodate for other humans that may later come into the impact area? NOP-12-F

- Will the EIR reveal the levels of hazards imposed on the impact area currently, before expansion; and also after expansion? NOP-12-G

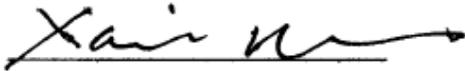
- What have been the total amounts of hazardous substances emitted from the Quemetco since day one of its existence? Have these substances penetrated the soil or structures within the impact area and surrounds? Have they impacted school playgrounds, equipment outdoors, or any other item that humans come in contact with? NOP-12-H

- Is there a sunset period to the approvals that are being considered? How frequently will these impacts be re-evaluated and communicated to the community? NOP-12-I

- What Alternatives and Mitigations are being considered to address any or all of the above concerns? NOP-12-J

Please consider and address my comments above in the preparation of the EIR. NOP-12-K

Thank you,



Xavier Mendoza
Xmendoza7777@gmail.com

Comment NOP-12-A

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

It appears that as a result of the I/S, the only issue to be addressed by the Draft Environmental Report (EIR) is that of **Section XVIII, Mandatory Findings of Significance; significant adverse environmental impacts on humans**. To that section, and related Sections of the report, I have several comments and questions, as follows:

NOP-12-A

Response to Comment NOP-12-A

Comment NOP-12-B

There are 21 schools within a 2 mile radius of the Qemetco facility. Does this fact mean that the adverse impacts of Quemetco are limited exclusively to the area within that 2 mile radius (impact area)?

NOP-12-B

Response to Comment NOP-12-B

Comment NOP-12-C

What are the environmental scientific standards that are followed in determination of that narrow impact area?

NOP-12-C

Response to Comment NOP-12-C

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-12-D

Should that perfect circle boundary be modified for the effects of weather, wind or other factors that would impact the spread of hazardous materials? NOP-12-D

Response to Comment NOP-12-D

Comment NOP-12-E

How many other facilities that area house humans (homes, places of employment, stores, etc) are there within the boundary area that is affected? NOP-12-E
How many humans are affected in that impact area?

Section 4.2 and Appendix D of the EIR present the assessment of health risks from the proposed Project in terms of an area's cancer risk: one cancer case in one million and 10 cancer cases in one million. South Coast AQMD requires public notification if the cancer risk exceeds 10 in one million. South Coast AQMD approved Quemetco's HRA in 2016 which indicated that 658,605 people are located within an area identified as having a cancer risk of one in one million. The maximum edge (length of radius) of the one in one million cancer risk isopleth is 16,500 meters (approximately 10.25 miles) based on the 2016 HRA. The approved 2016 HRA assessed this risk and established a risk reduction plan, which requires facility emissions to be calculated if the facility emissions exceed allowable permit limits. An HRA was conducted for the proposed Project. The proposed Project would not affect more people than the 2016 HRA. The results of the HRA reported in Section 4.2 and Appendix D of the EIR (and specifically Table 4.2-8) includes estimating the number of people in the one in one million isopleth for cancer risk as 65,843 people, the same number identified in the 2016 HRA.

Comment NOP-12-F

Are these humans made aware of the hazards imposed? How and by whom are the humans in those facilities advised of the hazards? What is the program of advice and consent that is employed for this purpose? Is it a one-time effort, or a recurring annual program to accommodate for other humans that may later come into the impact area? NOP-12-F

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Response to Comment NOP-12-F

At the time of release of the NOP/IS for the 32-day public review and comment period (which was extended for an additional 24 days), 5,745 letters were mailed and 700 emails were sent to notify availability of the NOP/IS and the CEQA Scoping Meeting #1; 12,500 letters were mailed and 700 emails were sent to inform people of CEQA Scoping Meeting #2. Similar to the notification process for the NOP/IS, the Draft EIR was released for at least a 60-day public review and comment period. A Notice of Completion of the Draft EIR was sent to other agencies with jurisdiction over the facility, all interested parties who have previously asked to be included on the notification list for the proposed Project including attendees of both CEQA scoping meetings, as well as all addresses located within an approximate 2-mile radius of the facility. In total, 13,200 people were notified of the Draft EIR for the proposed Project (using the same distribution lists from CEQA Scoping Meeting #2). These distribution lists include the same group previously included in Quemetco’s AB2588 notification list (10,255 people) in compliance with South Coast AQMD’s Rule 1402, described next.

Section 4.2 and Appendix D of the EIR present the assessment of health risks from the proposed Project. South Coast AQMD Rule 1402 - Control of Toxic Air Contaminants From Existing Sources applies to the Quemetco facility because it is subject to the Air Toxics “Hot Spots” Information and Assessment Act (AB2588) and has emissions that exceed the significant or action risk levels. Rule 1402 specifies limits to reduce health risks if emissions of toxic air contaminants from existing sources exceed thresholds for the maximum individual cancer risk (MICR), cancer burden, or non-cancer acute and chronic hazard index (HI). In some cases, facilities are required to prepare and implement Risk Reduction Plans (RRPs) to achieve these risk limits, as required by AB2588 and Rule 1402. When required by the RRP, public notification is sent to affected properties (this includes the 10,255 people on the Quemetco Rule 1402 notification distribution list).

Rule 1402 subdivision (q) outlines the Public Notification Requirements for facilities subject to Risk Reduction Plans. After the initial Public Notification related to the HRA for facilities with a total facility risk greater than or equal to the Notification Risk Level (which Quemetco provided), further Public Notifications are required every twelve (12) months for facilities with a post-Risk Reduction Plan risk that is equal to or exceeds an Action Risk Level. Because Quemetco did not have a post-Risk Reduction Plan risk level equal to or exceeding the Action Risk Level, no additional Public Notifications beyond the HRA Public Notification Period were required.

Comment NOP-12-G

Will the EIR reveal the levels of hazards imposed on the impact area currently, before expansion; and also after expansion? NOP-12-G

Response to Comment NOP-12-G

Specific to air toxics and hazards, Sections 3.2 and 3.4 of the EIR provide the existing environmental setting (currently before the proposed Project) for the environmental topic areas of air quality and GHG emissions (including toxics) and hazards and hazardous materials, respectively. Similarly, Sections 4.2 and 4.4 and Appendix D of the EIR analyzes the

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

environmental impacts from the proposed Project (difference before and after the proposed Project) for these same environmental topic areas.

Comment NOP-12-H

What have been the total amounts of hazardous substances emitted from the Quemetco since day one of its existence? Have these substances penetrated the soil or structures within the impact area and surrounds? Have they impacted school playgrounds, equipment outdoors, or any other item that humans come in contact with? NOP-12-H

Response to Comment NOP-12-H

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. Please refer to Master Response on DTSC Soils Investigations and Remediation.

Comment NOP-12-I

Is there a sunset period to the approvals that are being considered? How frequently will these impacts be re-evaluated and communicated to the community? NOP-12-I

Response to Comment NOP-12-I

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-12-J

What Alternatives and Mitigations are being considered to address any or all of the above concerns? **NOP-12-J**

Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified. Chapter 4 of the EIR analyzed the following environmental topic areas to determine if potentially significant impacts would occur from the proposed Project: air quality and GHG emissions (including air toxics), energy, hazardous materials, hydrology and water quality, and transportation impacts. However, the analysis concluded that while there may be adverse impacts, the environmental effects were shown to be at less than significant levels such that no mitigation measures or alternatives analysis are required.

Nonetheless, while not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

Comment NOP-12-K

Please consider and address my comments above in the preparation of the EIR. **NOP-12-K**

Response to Comment NOP-12-K

Comment Letter NOP-13 Margarita Beltran

From: Maggie B. [mailto:mbeltran2002@live.com]
Sent: Saturday, October 6, 2018 2:31 PM
To: Diana Thai <dthai@aqmd.gov>
Cc: Sal Beltran <salb@qpscompany.com>
Subject: CEQA

Comment NOP-13

Dear Miss Thai,

I hope you are doing well. I'm a resident at 955 Beech Hill Ave. Hacienda Heights, CA, and I have a concern about the planned expansion of the Quemetco facility. I'm a mother of two children that enjoy playing outside with other neighborhood children and see the potential health risk this expansion will pose on my children's health, my pet's as well as my husband's and my health. A few years ago there were several properties that had their soil tested and to this day, I've yet to receive the results of the tests. As you can see, we're already exposed to the pollution of the 60 freeway and the additional expansion of the facility will bring more traffic to our area. I will hope you can get us the results of the soil testing and see how the expansion will NOT benefit our residents but will cause more damage. Thank you for taking the time to read about my concerns.

Concerned Hacienda Heights resident,
Margarita Beltran

Response to Comment Letter NOP-13

The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project. In particular, an HRA, which analyzes the potential health risks to the surrounding areas, was prepared which concluded the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions (see Section 4.2 and Appendix D.1 of the EIR). Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area are less than significant; therefore, mitigation measures are not required.

The additional traffic generated from the proposed project is addressed in the NOP/IS Section XVII: Transportation, and EIR Sections 3.6 and 4.6. There would be no more than 15 additional truck round trips and six (6) additional employee roundtrips per day. The analysis in the EIR concluded that all potential transportation impacts are less than significant; therefore, mitigation measures are not required.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination which is not necessarily reflective of today's activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 designed to curb toxic emissions and penalize violations through curtailment of facility activities. Please refer to Master Response on DTSC Soils Investigations and Remediation. For more information about DTSC's soils investigations, visit their website at: <https://dtsc.ca.gov/hw-projects/quemetco-battery-recycling/>; additionally, you may contact Elsa Lopez at Elsa.Lopez@DTSC.CA.GOV.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-14 sstac@excite.com

-----Original Message-----

From: Full Name [mailto:ssstac@excite.com]
Sent: Sunday, October 7, 2018 3:03 PM
To: Diana Thai <dthai@aqmd.gov>
Subject: Quemetco, Inc

Comment NOP-14

Ms. Thai:

In response to a letter notification from the South Coast Air Quality Management District I am sending my comments regarding Quemetco, Inc., a battery recycler facility located at 720 S 7th Ave, City of Industry, CA 91746 production increase, running a 24 hour per day operation. This cannot be permitted. The normal operation of this facility offers numerous health risks during its existing operation to allow an increase in this contamination would be totally irresponsible to our environment and tax paying citizens in the surrounding areas. NOP-14-A

Environmental evaluations have been completed and have always found levels exceeding government standards in the past. Regardless of a few standards being remediated no amount of lead contamination in air or soil is acceptable to children. This facility is located within miles of elementary, middle, and high schools! A few examples: Orange Grove Middle School – 1 mile; Newton Middle School – 2 miles; Los Robles elementary – 1 mile In 2016, it was found that arsenic emissions posed an increased cancer risk from the plant to 12,000 people and we (the residents) were notified of this. Exactly what were supposed to do with this information? Sell our homes and move? In addition, I have not seen a recent update regarding off-site soil testing nor any reporting of the toxic pollutants being released into the air and water near the plant. We were already exposed! Now, they want to increase production 24 hours a day???! NOP-14-B

Quemetco has taken steps to reduce emissions of lead and toxic pollutants – key word is “reduce.” As mentioned previously in this letter, NO AMOUNT OF LEAD IS SAFE FOR CHILDREN. Not to mention Quemetco has been cited several times for violating emissions standards for benzene and arsenic. My mother in law died of cancer from benzene NOP-14-C

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exposure – it is a known carcinogen. In addition, I have not seen a recent update regarding off-site soil testing nor any reporting of the toxic pollutants being released into the air and water near the plant.

In the evening, we open our windows to cut down on electricity use of the air conditioner, if the site ramps to 24 hours a day, in addition to being exposed during the day, we will be breathing all the toxic air pollutants day and night. NOP-14-D

My preference would be to relocate the plant away from any populated areas, in the absence of that not allowing a 24 hour day spewing toxic substances, soil and ground water contamination with better soil and air quality testing would be a small step towards thinking my representatives have their constituents’ best interests at heart. NOP-14-E

Responses to Comment Letter NOP-14

Comment NOP-14-A

In response to a letter notification from the South Coast Air Quality Management District I am sending my comments regarding Quemetco, Inc., a battery recycler facility located at 720 S 7th Ave, City of Industry, CA 91746 production NOP-14-A increase, running a 24 hour per day operation. This cannot be permitted. The normal operation of this facility offers numerous health risks during its existing operation to allow an increase in this contamination would be totally irresponsible to our environment and tax paying citizens in the surrounding areas.

Response to Comment NOP-14-A

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

Quemetco is currently a 24-hour facility, operated in three (3) shifts, and is permitted to handle and process feed stock and other materials. The facility is required to operate multiple air pollution control systems at all times (see Chapter 2 – Proposed Project). Only the rotary/kiln feed dryer and reverberatory furnace operate less than 24 hours per day because of the existing feed rate limits. Chapter 3 – Environmental Setting provides existing baseline for normal operations and Section 3.2 summarizes Quemetco’s compliance history with AB 2588 which addresses health risks from baseline air toxics emissions.

Of the environmental topic areas analyzed, air quality and GHG emissions (including air toxics), and hazards and hazardous materials (accidental releases or fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project’s air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter distance from the facility (also represented as a 6.2 miles / 10,000 meters receptor grid) were included in the residential receptor analysis.

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The

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proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Comment NOP-14-B

Environmental evaluations have been completed and have always found levels exceeding government standards in the past. Regardless of a few standards being remediated no amount of lead contamination in air or soil is acceptable to children. This facility is located within miles of elementary, middle, and high schools! A few examples: Orange Grove Middle School – 1 mile; Newton Middle School – 2 miles; Los Robles elementary – 1 mile In 2016, it was found that arsenic emissions posed an increased cancer risk from the plant to 12,000 people and we (the residents) were notified of this. Exactly what were supposed to do with this information? Sell our homes and move? In addition, I have not seen a recent update regarding off-site soil testing nor any reporting of the toxic pollutants being released into the air and water near the plant. We were already exposed! Now, they want to increase production 24 hours a day????!

Response to Comment NOP-14-B

See also response to Comment NOP-14-A. Chapter 3 – Environmental Setting provides existing baseline for normal operations and Section 3.2 summarizes Quemetco’s compliance history with AB 2588 which addresses health risks from baseline air toxics emissions. An analysis of environmental impacts to surrounding areas, including schools and residences, can be found in Chapter 4 and Appendix D of the EIR.

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receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles). Further, a detailed air quality and GHG emissions assessment was prepared and is presented in Section 4.2 and Appendix D. This analysis showed that all of the proposed Project’s potential environmental effects would be less than significant and thus mitigation measures are not required.

Quemetco maintains a Risk Reduction Plan (RRP) as required by AB 2588. RRP conditions have been incorporated into the facility’s Title V permit and will not change as a result of the proposed Project. Additionally, the HRA assesses total facility health risks to ensure no conflicts with the previously approved RRP. Note that Quemetco is still subject to AB 2588 and the proposed Project would also be subject to AB 2588 requirements. AB 2588 is explained in detail in Section 3.2.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not reflect today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Comment NOP-14-C

Quemetco has taken steps to reduce emissions of lead and toxic pollutants – key word is “reduce.” As mentioned previously in this letter, NO AMOUNT OF LEAD IS SAFE FOR CHILDREN. Not to mention Quemetco has been cited several times for violating emissions standards for benzene and arsenic. My mother in law died of cancer from benzene

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exposure – it is a known carcinogen. In addition, I have not seen a recent update regarding off-site soil testing nor any reporting of the toxic pollutants being released into the air and water near the plant.

Response to Comment NOP-14-C

As described in Chapter 2 – Proposed Project, Quemetco operates multiple air pollution control systems comprised of the following equipment: baghouses, scrubbers, low temperature oxidation of nitrogen oxides (LoTOx), a wet electrostatic precipitator (WESP) to reduce metallic particulate matter (PM) emissions including lead, and a regenerative thermal oxidizer (RTO) to reduce volatile organic compound (VOC) emissions from the rotary feed drying furnace. The

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existing South Coast AQMD permit to operate issued to the Quemetco facility was written prior to installation of several major facility improvements including enclosing the battery wrecker building and installing air pollution control equipment such as the WESP, LoTox and RTO. All of these facility improvements have contributed to reducing Quemetco's air emissions discussed in Section 3.2 of the EIR.

In the evening, we open our windows to cut down on electricity use of the air conditioner, if the site ramps to 24 hours a day, in addition to being exposed during the day, we will be breathing all the toxic air pollutants day and night. NOP-14-D

Refer to response to comment NOP-14-A. As described in Chapter 2 - Proposed Project, Quemetco is currently a 24-hour facility that is permitted to handle and process feed stock and other materials. The facility is required to operate multiple air pollution control systems at all times.

Of the environmental topic areas analyzed, air quality and GHG emissions (including air toxics), and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis.

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

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My preference would be to relocate the plant away from any populated areas, in the absence of that not allowing a 24 hour day spewing toxic substances, soil and ground water contamination with better soil and air quality testing would be a small step towards thinking my representatives have their constituents' best interests at heart. NOP-14-E

See also response to Comment NOP-14-B. Quemetco is currently a 24-hour facility, operated in three (3) shifts, and is permitted to handle and process feed stock and other materials. The facility is required to operate multiple air pollution control systems at all times (Refer to Chapter 2 – Proposed Project). Only the rotary/kiln feed dryer and reverberatory furnace operate less than 24 hours per day because of the existing feed rate limits.

Chapter 3 – Environmental Setting provides existing baseline for normal operations and Section 2.3.2 includes Quemetco's compliance history with AB 2588 which addresses health risks from baseline air toxics emissions. Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified. Chapter 4 – Environmental Impact Analysis of the EIR analyzed the following environmental topic areas to determine if potentially significant impacts would occur from the proposed Project: air quality and GHGs (including air toxics), energy, hazardous materials, hydrology and water quality, and transportation impacts. The analysis concluded that the proposed Project's potential environmental impacts would be less than significant levels such that no mitigation measures or alternatives analysis are required. Nonetheless, while not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR includes a discussion of project alternatives that were considered, with some at the suggestion of or in response to public comment, including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility. The feasibility of each of these alternatives was evaluated against the project objectives; relocating the facility to another site or closing the facility would not meet the project objectives and therefore is not a feasible alternative.

Additionally, Quemetco operates CEMS and air monitors to ensure compliance with air permit limits. With the proposed Project, there will be a new CO CEMS monitor added at the WESP stack to allow continuous collection of data on CO, NO_x, SO_x, CO₂ and arsenic emissions. The air monitoring stations are positioned along the property fencelines and continuously monitor ambient lead and arsenic concentrations.

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Comment Letter NOP-15 Bing Chen

Comment NOP-15

Community Meeting about Quemetco (on Oct. 11, 2018) Written by Bing Chen

Here is a list of my suggestions about the Quemetco pollution issues

- | | |
|--|----------|
| 1) Shut it down immediately if possible. | NOP-15-A |
| 2) Set up a social group by using our social media, such as Twitter, FaceBook, etc. So we can communicate with or exchange information with each other on the pollution issues that we are concerned about, posting the news about the latest pollution issues, and the pollution reports released by DTSC or SCAQMD or any related bills or regulations issued by our government. | NOP-15-B |
| 3) Report pollution level to everyone constantly. It can be a warning message automatically sent to our iPhone, or email, etc. (once or twice a day) | NOP-15-C |
| 4) Need an emergency alert system in force for the pollution unexpectedly produced by Quemetco. For example, we can take advantage of an existing disaster alert/emergency alert system if an emission outbreak by accident (such as an earthquake) which would be producing more daily emissions and out of our control. With the help of the government, we need a feasible way to be evacuated from this area right away. | NOP-15-D |
| 5) Place warning signs around the Quemetco plant or in the vicinity of this facility for anyone who will pass by this plant. The message can be "Attention: close all windows and turn on inside air circulation function when you are driving by this area", "Warning: the air around this area is being polluted with arsenic, lead and toxic materials and is known to cause cancers". The sign can be seen anywhere such as a place next to our traffic lights or somewhere which is conspicuous for everyone. The message should be in English, Chinese, and Spanish. | NOP-15-E |
| 6) File a claim or lawsuit against the Quemetco for everyone who lives in the affected area for reasonable compensation as both the quality of our whole lives and the protection of our public health that we deserved have been compromised. | NOP-15-F |
| 7) Have our blood tested for lead as well as have our backyard soil tested for lead and arsenic on a regular basis. Because we are concerned about the exposure from lead, arsenic and toxic materials. | NOP-15-G |
| 8) Resolve the pollution issues from Quemetco, including air pollution, wastewater pollution, and contaminated soil. The issues have been around there for almost 50 years. We cannot tolerate it and we cannot ignore it because it affects all of us including children, grandchildren, and generations to come. | NOP-15-H |
| In my humble opinion, now there is only one choice between saving the business and saving the victims. It is a dilemma and mutually exclusive in front of you. Which one will you choose? | NOP-15-I |

Responses to Comment Letter NOP-15

Comment NOP-15-A

1) Shut it down immediately if possible.

NOP-15-A

Response to Comment NOP-15-A

Comment NOP-15-B

2) Set up a social group by using our social media, such as Twitter, FaceBook, etc. So we can communicate with or exchange information with each other on the pollution issues that we are concerned about, posting the news about the latest pollution issues, and the pollution reports released by DTSC or SCAQMD or any related bills or regulations issued by our government.

NOP-15-B

Response to Comment NOP-15-B

<https://xappprod.aqmd.gov/find>. The Quemetco facility can be found by searching for Facility ID 8547. South Coast AQMD also has a website dedicated to the Quemetco proposed Project: [<http://www.aqmd.gov/home/news-events/community-investigations/quemetco>]. South Coast AQMD has a signup page so that interested parties can receive email alerts from us regarding our rule development. The South Coast AQMD also posts meeting notices, presentations and draft rules on The South Coast AQMD website so that the public has full access to our rule development process: [<http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules>].

See DTSC’s EnviroStor for DTSC information on Quemetco:
[https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=80001454].

Comment NOP-15-C

3) Report pollution level to everyone constantly. It can be a warning message automatically sent to our iPhone, or email, etc. (once or twice a day)

NOP-15-C

Response to Comment NOP-15-C

<https://xappprod.aqmd.gov/find>. The Quemetco facility can be found by searching for Facility ID 8547. Note that FIND provides emission data from the Annual Emissions Reports and does not provide real-time CEMS data on a publicly available website. South Coast AQMD Rule 1420.1 requires public notification in the event of an unplanned shut down of air pollution control equipment in the form of an email that is sent within one-hour of the unplanned shutdown. To

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join the email list, click here: <http://www.aqmd.gov/sign-up> (scroll down and click the Quemetco box under the “Community Investigations” banner).

Comment NOP-15-D

4) Need an emergency alert system in force for the pollution unexpectedly produced by Quemetco. For example, we can take advantage of an existing disaster alert/emergency alert system if an emission outbreak by accident (such as an earthquake) which would be producing more daily emissions and out of our control. With the help of the government, we need a feasible way to be evacuated from this area right away.

NOP-15-D

Response to Comment NOP-15-D

If for any reason the facility exceeds allowed emissions as monitored by daily review of data from its CEMS and air monitors, facility operations must be immediately curtailed in accordance with the requirements of Rule 1420.1.

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded 0.120 µg/m³ over a 30-day rolling average. If there is a power supply interruption, the facility’s backup power supply automatically starts ensuring continuous operation of the air pollution control equipment. In addition, Rule 1420.1 requires public notification in the event of an unplanned shut down of air pollution control equipment in the form of an email that is sent within one-hour of the unplanned shutdown. To join the email list, click here: <http://www.aqmd.gov/sign-up> (scroll down and click the Quemetco box under the “Community Investigations” banner).

The facility has prepared an Emergency Response Plan (refer to Section 3.4 - Hazards and Hazardous Materials for more information) which the Los Angeles County Fire Department receives, reviews, monitors and files and is available for review by South Coast AQMD and DTSC as it pertains to each agency’s permits and authority.

5) Place warning signs around the Quemetco plant or in the vicinity of this facility for anyone who will pass by this plant. The message can be "Attention: close all windows and turn on inside air circulation function when you are driving by this area", "Warning: the air around this area is being polluted with arsenic, lead and toxic materials and is known to cause cancers". The sign can be seen anywhere such as a place next to our traffic lights or somewhere which is conspicuous for everyone. The message should be in English, Chinese, and Spanish.

NOP-15-E

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The comment requests warning signs to be placed outside the facility. The facility is surrounded by security gates. Quemetco participated in Proposition 65¹¹ until approximately 2010 or 2011. After installation of the WESP in 2010, the facility no longer met the thresholds for participation in this Proposition 65 notification program because the WESP substantially reduced all ambient releases of toxics on the Proposition 65 list of toxic chemicals. Proposition 65 required , warning of potential exposure to certain chemicals to be posted and provided for visitors to certain areas of the facility. Outside of the fenceline of the facility, Proposition 65 warnings have not been provided since 2010, because the potential environmental exposure risk has been less than Proposition 65 risk levels.

Quemetco compares the results of source tests to exposure levels beyond the fenceline to confirm whether environmental exposures from the Facility’s emissions are below Proposition 65 safe harbor levels. Since 2010, the results have confirmed that the risk from the facility is below Proposition 65 safe harbor levels. For these reasons, Quemetco is no longer required to send out letters to members of the community who were previously on the Proposition 65 notification list.

As part of the EIR, an HRA, which analyzes the potential health risks from the proposed Project to the surrounding areas, was prepared (see Section 4.2 and Appendix D). The HRA concluded that the proposed Project’s potential impacts would be less than significant. Additionally, the EIR assessed transportation in the NOP/IS Section XVII and the EIR in Sections 3.6 and 4.6; all potential impacts would be less than significant. Finally, South Coast AQMD does not have the authority to require this type of notification.

6) File a claim or lawsuit against the Quemetco for everyone who lives in the affected area for reasonable compensation as both the quality of our whole lives and the protection of our public health that we deserved have been compromised.

NOP-15-F

The comment is outside the scope of the proposed Project or the South Coast AQMD permit modification considerations and does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

7) Have our blood tested for lead as well as have our backyard soil tested for lead and arsenic on a regular basis. Because we are concerned about the exposure from lead, arsenic and toxic materials.

NOP-15-G

Quemetco has safety measures and best work practices in place for their employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for its employees on an

¹¹ Proposition 65 requires businesses to notify Californians about significant amounts of chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures.

As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to its employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

The South Coast AQMD rules and regulations applicable to the Quemetco facility include extensive requirements for addressing emissions of lead and other toxics including Rules 1402 and 1420.1, but none require the screening or testing of any facility's employees' blood. The establishment of regulation requiring the testing blood is not within the jurisdiction of South Coast AQMD.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination and are not necessarily reflective of today's activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, an HRA was prepared. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources under normal operating conditions and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less

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than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

8) Resolve the pollution issues from Quemeto, including air pollution, wastewater pollution, and contaminated soil. The issues have been around there for almost 50 years. We cannot tolerate it and we cannot ignore it because it affects all of us including children, grandchildren, and generations to come.

NOP-15-H

Quemetco must comply with its South Coast AQMD and DTSC permits. When violations have occurred, the facility curtails production and must resolve any identified issues (see Section 3.2 and Appendix C of the EIR for a discussion of permit violations). The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Additionally, a review of facility baseline (existing setting) emissions levels is presented in Sections 3.2, 4.2 and Appendix D. These reviews show that overall emissions levels are lower than emissions levels prior to installation of battery wrecker building, the WESP and other air pollution control equipment improvements.

South Coast AQMD’s mission includes a responsibility to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.”

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

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All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and concluded to be less than significant; therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality and GHG emissions (including air toxics) (see Sections 3.2 and 4.2 and Appendix D), energy (see Sections 3.3 and 4.3), hazards and hazardous materials (see Sections 3.4 and 4.4), hydrology and water quality (see Section 3.5 and 4.5), and transportation (see Section 3.6 and 4.6). The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today’s operation and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize exceedances with curtailment of facilities operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

In my humble opinion, now there is only one choice between saving the business and saving the victims. It is a dilemma and mutually exclusive in front of you. Which one will you choose?

NOP-15-I

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Response to Comment NOP-15-I

This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

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Comment Letter NOP-16 Mario Sandoval

From: Mario Sandoval [mailto:mario.sandoval@mrca.ca.gov] Comment NOP-16
Sent: Friday, October 12, 2018 1:15 PM
To: Diana Thai <dthai@aqmd.gov>; Barbara Radlein <bradlein@aqmd.gov>; Michael Krause <MKrause@aqmd.gov>
Cc: hilda@bos.lacounty.gov; cchen@bos.lacounty.gov
Subject: Qemetco Capacity Upgrade Project- Public Comment for Scoping Purposes

Good afternoon Diana,

I do not envy the position you find yourself in. I recently went through a scoping comment period for a contentious project of my own and can understand the deluge of emails and phone calls you must be receiving. Understandably, the local community is concerned over the current level of operations at the Qemetco facility, let alone any increase in the capacity of a facility that had been operating below standards for decades. NOP-16-A

I grew up in Hacienda Heights and my parents still reside in the community. I am not a "NIMBY" fighting against any form of change in my community whether it is positive or negative. I am simply concerned for the health and well being of a community that has been burdened for decades with poor air quality from surrounding industry and close proximity to major freeways. The correlation between airborne arsenic and lead PM and increased risk of cancer and developmental disorders has been well established. I understand that it is the SCAQMD prerogative to ensure that local communities are not being exposed to hazardous levels of air pollutants. Please incorporate the following comments or concerns when determining the full scope of the DEIR and the necessary studies to mitigate any impacts from the capacity expansion: NOP-16-B

1

This facility has existed since 1959 and any baseline study should be considered prior to the establishment of the site. Baseline levels of arsenic and lead in soils should match historic levels prior the establishment of the facility in 1959. NOP-16-C

The 5 topic areas currently designated for potentially significant impacts under the NOP are grossly insufficient for the existing facility let alone any expansion for capacity. Seeing as the facility does release PM and emissions, you must study the total distribution of the dispersion cloud produced from this facility and how this changes due to seasonality/precipitation and prevailing airflow patterns from the facility. How many schools or private homes are impacted by the dispersion of the particulate matter? NOP-16-D

How do the rates of cancer, low infant birth weight, and respiratory illness differ from those residents living in close proximity to the facility and levels consistent with the region? How could these increased rates have impacted public services for the whole life of the project? (1959 to present and projected) NOP-16-E

If the final product coming out of the facility is predominantly raw lead for other industrial production, then you must study the impacts for solid and hazardous waste. How are these materials stored onsite? Are they exposed to the open air and subject to contaminate any runoff from the facility? NOP-16-F

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

The facility may have started treating any discharge water or wastewater from the facility in 2016, but how was this water being discharged prior to this? Where is the discharge point? Does runoff or discharge from the site enter into the adjacent Puente Creek? And if not directly from the facility, how does stormwater discharge from the surrounding area enter Puente Creek and at what point? Puente Creek flows directly into a softbottom portion of the San Gabriel River and a much more ecologically valuable area of the Emerald Necklace. How do the current activities at the facility and any future expansion to capacity impact regional biological resources? This must be studied. NOP-16-G

Avocado Heights is an agrarian and equestrian community very close to this facility. How have surrounding agricultural resources been impacted by the current capacity and how could this impact increase with the proposed increase in capacity? NOP-16-H

Scoping Period Inquiries:

How many neighboring residents were noticed of the first scoping meeting? How many days prior to the meeting did they receive a posted or mailed notice? How many people were in attendance at the first meeting held? NOP-16-I

Why was the comment period extended? Will SCAQMD as the lead agency be producing a Scoping Summary Report? If so, will this report include a full record of all comments received during the scoping period and summarize the areas of concern or the areas or topics suggested for study? NOP-16-J

I find it a bit ridiculous that my father found out about the second scoping meeting the day of from a neighbor leaving leaflets on cars. He lives within a mile of this facility. NOP-16-K

In the future, please add the following address to the "Interested Parties Mailing List": **1120 S. Nantes Avenue, Hacienda Heights, CA 91745** NOP-16-L

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I hope these comments and questions will be incorporated into the DEIR and expand the number of initial studies necessary for this project. PLEASE PROVIDE RESPONSE/RECEIPT FOR THIS MESSAGE. NOP-16-M

Thank you,
Mario Sandoval

Responses to Comment Letter NOP-16

Comment NOP-16-A

I do not envy the position you find yourself in. I recently went through a scoping comment period for a contentious project of my own and can understand the deluge of emails and phone calls you must be receiving. Understandably, the local community is concerned over the current level of operations at the Qemetco facility, let alone any increase in the capacity of a facility that had been operating below standards for decades. NOP-16-A

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Response to Comment NOP-16-A

South Coast AQMD is responsible for assessing the potential impacts of all its air quality permit in compliance with CEQA statutes and guidelines as well as other applicable rules and regulations. Quemetco is an existing permitted facility with active permits which allow it to operate. The purpose of this assessment is to evaluate baseline (existing setting) conditions and the proposed Project's impacts. The facility is required to meet stringent air pollution control and hazardous waste handling standards. Additionally, the facility has implemented emission controls in the past 10-15 years that have reduced overall facility emissions within the community through state-of-the-art pollution control systems like the WESP and compliance with South Coast Rule 1420.1. As discussed further in Section 3.2, Section 4.2, and Appendix D, proposed Project's emissions are estimated to be less than significant. This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment NOP-16-B

I grew up in Hacienda Heights and my parents still reside in the community. I am not a "NIMBY" fighting against any form of change in my community whether it is positive or negative. I am simply concerned for the health and well being of a community that has been burdened for decades with poor air quality from surrounding industry and close proximity to major freeways. The correlation between airborne arsenic and lead PM and increased risk of cancer and developmental disorders has been well established. I understand that it is the SCAQMD prerogative to ensure that local communities are not being exposed to hazardous levels of air pollutants. Please incorporate the following comments or concerns when determining the full scope of the DEIR and the necessary studies to mitigate any impacts from the capacity expansion: NOP-16-B

South Coast AQMD's mission includes a responsibility to: "All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses." South Coast AQMD is responsible for assessing the potential impacts of all its permits to ensure compliance with CEQA statutes and guidelines as well as other applicable rules and regulations. This Appendix B includes all comments received during the public comment period on the NOP/IS as well as comments provided during CEQA scoping meetings. All letters and comments are included and individual responses are provided for each comment.

The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles). Table 4.2-8 in the EIR shows that the potential increment (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts,

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

NOP-16-C

This facility has existed since 1959 and any baseline study should be considered prior to the establishment of the site. Baseline levels of arsenic and lead in soils should match historic levels prior the establishment of the facility in 1959.

CEQA Guidelines Section 15125 requires the analysis of a project relative to the baseline (existing setting). Specifically, the baseline is normally the existing physical condition at the time NOP/IS is released for public review and comment. For the proposed Project, the baseline year selected was year 2014; this represents the year of lowest operation since submittal of the permit application and therefore results in the largest increment of potential environmental change; and thus, is considered the most reasonably conservative scenario for assessing the proposed Project's impacts. A detailed discussion regarding the selection of the baseline year for the proposed Project is provided in Section 2.6 of the EIR.

NOP-16-

The 5 topic areas currently designated for potentially significant impacts under the NOP are grossly insufficient for the existing facility let alone any expansion for capacity. Seeing as the facility does release PM and emissions, you must study the total distribution of the dispersion cloud produced from this facility and how this changes due to seasonality/precipitation and prevailing airflow patterns from the facility. How many schools or private homes are impacted by the dispersion of the particulate matter?

The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and were found to be less than significant; therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation. For this reason, the EIR analyzed these five environmental topic areas.

Section 4.2 and Appendix D of the EIR include an analysis of the proposed Project's emissions and air dispersion modeling which was used to estimate impacts for all criteria pollutants, including particulate matter (PM). The dispersion modeling was prepared following the recommended methodology and guidance from South Coast AQMD and used the latest approved models and meteorological data which takes into account parameters such as temperature, precipitation, and prevailing wind patterns around the facility. Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Comment NOP-16-E

How do the rates of cancer, low infant birth weight, and respiratory illness differ from those residents living in close proximity to the facility and levels consistent with the region? How could these increased rates have impacted public services for the whole life of the project? (1959 to present and projected) NOP-16-E

Response to Comment NOP-16-E

The EIR includes an analysis of the health risks from existing and potential toxic emissions from the proposed Project, following the recommended methodology and guidance from South Coast AQMD (see Section 4.2 and Appendix D). The comment asks a question about a scope of assessing public health that is a regional comparison of cancer rates, low infant births and respiratory illness. The HRA follows South Coast AQMD's methodology and the requirements of the CEQA Guidelines which is to evaluate whether the potential Project impacts are above established impact criteria; for air toxics, the thresholds of significance are presented in Table 4.2-2. Additional details are included in Table 4.2-9 in the EIR which summarizes information about the potential sources of risk being evaluated (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) as well as the percentage contribution of each risk source to the maximum residential cancer risk for Receptor 51165, the location of the highest estimated residential risk (the MEIR). The MEIR risks including soil deposition impacts for the total proposed Project, the baseline, and the increment (proposed Project less baseline), would be less than the South Coast AQMD maximum residential cancer risk threshold (Table 4.2-8 in the EIR). For these reasons, the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts.

The NOP/IS analyzed the proposed Project's potential impacts to public services and concluded they would be less than significant. For this reason, the environmental topic of public services was not identified as requiring further analysis in the EIR. The comment asks about public services for the life of the project. CEQA, including the CEQA Guidelines, requires an evaluation of proposed Project conditions compared to the environmental baseline to estimate the potential incremental (net) impacts from the proposed Project. This analysis was conducted, and all proposed Project's impacts were determined to be less than significant. South Coast AQMD makes the conservative assumption that the Project contributes to a significant cumulative air toxics health risk. The Project's contribution to the significant cumulative health risk, however,

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

is not cumulatively considerable because the Project will comply with the requirements set forth in the AQMP.

Comment NOP-16-F

If the final product coming out of the facility is predominantly raw lead for other industrial production, then you must study the impacts for solid and hazardous waste. How are these materials stored onsite? Are they exposed to the open air and subject to contaminate any runoff from the facility? NOP-16-F

Response to Comment NOP-16-F

The impacts of the additional solid and hazardous waste streams were analyzed in the NOP/IS for potential impacts to both landfill disposal and transportation and traffic. All potential impacts would be less than significant. Regarding the solid and hazardous waste streams generated at the facility, the hazardous and non-hazardous landfills were both contacted. They confirmed that the increase in waste streams (also referred to as slag disposal) from the proposed Project could be accommodated (see NOP/IS, Section XVI: Solid and Hazardous Waste, pp. 2-56 through 2-57). Also, both the US Recology and Republic Services landfills confirmed their capacity to receive additional slag disposal, both hazardous and non-hazardous, waste streams.

Solid and hazardous waste is not “stored” onsite. Slag is removed from the furnaces, tested, and then hauled to the disposal destination every one to two days. This process of removing slag from furnaces happens every day or two and slag is immediately hauled to the disposal destination after testing. Finished lead product is cooled in hog and pig ingots and shipped to customers per order specifications. All other hazardous waste used and handled onsite is managed in accordance with requirements by applicable laws and standards, which are summarized in Section 3.4 in the EIR.

This process occurs within the area of the Quemetco facility in which air pollution control devices are operating. Slag and its removal are not exposed to open air because slag is handled inside buildings which are equipped with air pollution control devices. Moreover, because finished lead and slag is handled indoors and is collected in closed containers, finished lead and slag are also not exposed to stormwater. The comment asks about solid and hazardous waste, which are assessed in the NOP/IS Section XVI (solid waste) and the EIR Section 4.4: Hazards and Hazardous Materials impacts.

Comment NOP-16-G

The facility may have started treating any discharge water or wastewater from the facility in 2016, but how was this water being discharged prior to this? Where is the discharge point? Does runoff or discharge from the site enter into the adjacent Puente Creek? And if not directly from the facility, how does stormwater discharge from the surrounding area enter Puente Creek and at what point? Puente Creek flows directly into a NOP-16-G softbottom portion of the San Gabriel River and a much more ecologically valuable area of the Emerald Necklace. How do the current activities at the facility and any future expansion to capacity impact regional biological resources? This must be studied.

Response to Comment NOP-16-G

The purpose of CEQA is to assess the potential impacts of a proposed Project by evaluating the difference between baseline (existing) conditions (see Chapter 2 – Proposed Project, Section 2.6: Project Description for further discussion about the selection of the baseline year) and proposed Project operations. While existing conditions are important to understand, the responsibility of the CEQA analysis is to determine the impact from the proposed Project and, if significant, to mitigate accordingly. Table 2-1 in Chapter 2 summarizes the proposed Project operations and the Project increment for water consumption and wastewater discharge. The commenter is requesting information prior to baseline; as described above, that is not the purpose of a CEQA assessment and is not included in this EIR.

The facility currently operates systems that treat its onsite waste and stormwater (Refer to Figure 2-6). The proposed Project occurs within the boundaries of the existing facility, primarily involves existing equipment, and therefore no additional construction involving ground disturbance is needed. The proposed Project’s potential impacts to biological resources were analyzed in the NOP/IS and impacts were found to be less than significant; therefore, this topic is not further analyzed in the EIR.

The EIR analyzes the proposed Project’s increased water demand and wastewater generation. Refer to Chapter 3 – Environmental Setting and Chapter 4 – Environmental Impact Assessment (see Section 3.5 and Section 4.5). The proposed Project’s potential to violate any water quality standards, waste discharge requirements or substantially degrade surface or water quality is assessed in Section 4.5.2 under Impact HYD-1: Wastewater Discharge and Surface and Groundwater Quality Impacts and summarized in Table 4.5-2, Table 4.5-3, and Table 4.5-4. The facility would not exceed the allowed wastewater discharge rate and would not exceed the allowed concentration limits. Additionally, composition of the effluent wastewater would remain essentially the same as the pre-Project values. No onsite water interferes with or is discharged directly to any surface water bodies. Finally, the proposed Project does not involve the CSI or FRMSA. Therefore, it would not alter the historical patterns of compliance and is not expected to have an impact on groundwater quality. For these reasons, the proposed Project would have a less than significant impact on wastewater discharge requirements, surface water quality and groundwater quality; no mitigation measures would be required.

Comment NOP-16-H

Avocado Heights is an agrarian and equestrian community very close to this facility. How have surrounding agricultural resources been impacted by the current capacity and how could this impact increase with the NOP-16-H proposed increase in capacity?

Response to Comment NOP-16-H

The proposed Project occurs within the boundaries of the existing facility within an urban area developed with industrial and commercial uses and no additional construction involving ground disturbance is needed. As such, no impacts to agricultural resources would occur. Therefore, the analysis of agricultural resources in the NOP/IS (see Section II, questions a) and b)) concluded the proposed Project would not have any impacts in environmental topic area. Therefore, this topic is not further analyzed in the EIR.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

How many neighboring residents were noticed of the first scoping meeting? How many days prior to the meeting did they receive a posted or mailed notice? How many people were in attendance at the first meeting held? NOP-16-I

The announcement indicating the availability of the NOP/IS for a public review and comment period also included a notice of the September 13, 2018 CEQA scoping meeting. The announcement was published on South Coast AQMD’s website on August 30, 2018 and in the Los Angeles Times newspaper on August 31, 2018. The announcement was also transmitted electronically to 710 email addresses on August 31, 2018 and hard copies were mailed on August 30, 2018 to 5,745 addresses within the vicinity of the proposed Project. Depending on the notification method (e.g., hardcopy mailout, email, newspaper, and website posting), the public was given approximately 14 days advanced notice of the first CEQA scoping meeting.

Aside from South Coast AQMD staff, facility representatives, DTSC staff, representatives from other local agencies, politicians, and members of the press, CEQA scoping attendees were comprised of 134 individuals who signed in for the CEQA scoping meeting held on September 13, 2018. Since attendees were not required to sign in and due to a free flow of people throughout the event, the exact number of people who attended cannot be determined but is likely higher than the number of people who signed in.

Why was the comment period extended? Will SCAQMD as the lead agency be producing a Scoping Summary Report? If so, will this report include a full record of all comments received during the scoping period and summarize the areas of concern or the areas or topics suggested for study? NOP-16-J

The format of the CEQA scoping meeting held on September 13, 2018 at the Hacienda Heights Community Center was structured in a free-flow style with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility’s processes, the CEQA process, and the proposed Project.

Due to complaints that the style of the first CEQA scoping meeting did not meet attendees’ expectations of a more structured meeting format, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled.

The second CEQA scoping meeting was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. A notice of the second CEQA scoping meeting and the NOP/IS public review and comment period extension was published on South Coast AQMD’s website on September 27, 2018 and in the Los Angeles Times newspaper on September 28,

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

2018. The announcement was also transmitted electronically to 710 email addresses on September 28, 2018 and hard copies were mailed on October 2, 2018 and October 3, 2018¹² to 12,500 addresses within the vicinity of the proposed Project.

The second CEQA scoping meeting held on October 11, 2018 at the Hacienda Heights Community Center included a formal presentation by a seated panel of South Coast AQMD personnel and other agency representatives (e.g., DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and U.S House of Representatives). After the presentation, there was a question-and-answer period during which attendees' comments and questions could be heard by the entire audience.

A summary report following the CEQA scoping meetings was not prepared, however this appendix contains all the comment letters received during the NOP/IS public comment and review period, the comments received during the two CEQA scoping meetings, and the responses to all comments as required by CEQA Guidelines Section 15088.

NOP-16-K

I find it a bit ridiculous that my father found out about the second scoping meeting the day of from a neighbor leaving leaflets on cars. He lives within a mile of this facility.

The distribution area for the public notices included 5,745 mailed and 700 emailed notices for the CEQA scoping meeting #1 and 12,500 mailed and 700 emailed notices for the CEQA scoping meeting #2 (expanded to include facility's AB 2588 mailing list which extends up to two miles from the facility).

In the future, please add the following address to the "Interested Parties Mailing List": 1120 S. Nantes Avenue, Hacienda Heights, CA 91745

NOP-16-L

The address provided has been added to the public notification list for the proposed Project, along with all individuals who submitted public comments and their address.

¹² Paper copies of the notification were sent out via U.S. Postal Service with 8,007 pieces sent on October 2, 2018 and 2,248 pieces sent on October 3, 2018 per U.S. Postal Service Statement of Mailing receipts.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

I hope these comments and questions will be incorporated into the DEIR and expand the number of initial studies necessary for this project. PLEASE PROVIDE RESPONSE/RECEIPT FOR THIS MESSAGE. NOP-16-M

As explained in Response to Comment NOP-16-J, Appendix B in the EIR contains all the comment letters received during the NOP/IS public review and comment period, comments received during the two CEQA scoping meetings, and responses to all comments.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-17 Richard and Marilyn Kamimura

Richard and Marilyn Kamimura

Comment NOP-17

843 Caraway Drive

Whittier, Ca. 90601

Ph.626-3309365,alohakamimura@gmail.com

October 15,2018

Re: Quemetco Capacity Upgrade project NOP/IS

Dear Ms. Diana Thai(c/o CEQA)

We are 47 year residence of unincorporated Avocado Heights (including N. Whittier,Bassett and a small portion of La Puente).The most recent census, approximately 15,000 people. NOP-17-A

The following comments are being requested to be included in the DEIR.

I-Quemetco has created an increased cancer risk burden to sensitive receptors for at least a perimeter distance of 2 miles from the facility as evident from the HRA dated May 17,2016(IS 1-12) NOP-17-B

- a) The Arsenic plume was by modeling ,we request actual testing of fugitive dust on homes starting from the facility for a two mile radius, as part of its analysis, fingerprinting of non-organic arsenic and lead. NOP-17-C
- b) We request measurement of exposure from released arsenic for 40 years, starting from 6 days a week 20 hours to the now proposed constant exposure of 7 days a week 24 hours. NOP-17-D
- c) Dispute Hazards and Hazardous materials section VIII-c. The contamination risk distance perimeter analysis must be increased to 2 miles and include the 21 schools(Appendix A-I) Reference Arsenic plume May 17,2016 HRA 2 mile contamination risk distance NOP-17-E

II) Cumulative Impact

- a) Air Quality and Green House Emission III b,f,c,d,g,h. To include among others measurement of Diesel Emission PM 2.5. PM 2.10 at intersection of Gale and Sunset adjacent to 60 Freeway entrance at peak hours , 7 days a week. To include projected total truck traffic not using clean fuel(LNG). It is not to my understanding that Quemetco requires only Clean Burning trucks into their facility. NOP-17-F

III) Include all current studies and testing taken within the expanded 2 mile perimeter.

- a) Current DTSC soil sampling one quarter mile around Quemetco. In SCAQMD jurisdiction historical and present deposition and accumulation becomes airborne from wind, vehicle and human and animal disturbance. NOP-17-G

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Page 2 Quemetco Capacity Upgrade (NOP/IS)

- b) Keck school of Medicine USC Independent soil testing July 2016 approximately 243 samples Jill Johnston PhD ,Assistant Professor, Director, Community Outreach and Engagement ,Department of Preventive Medicine ,Division of Environment Health<jillj@usc.edu> 323-442-1099 Within the 2 mile perimeter. NOP-17-H
- c) Keck School of Medicine USC , Study: Measuring Environmental Exposure to Assess Long term Health Study, September 2017 ongoing. Jill Johnston PHD, 87 Children 5 to 17. Within the perimeter. NOP-17-I
- IV) Inclusion of State Law
- a) AB 1132 Air Quality Violators orders of Abatement NOP-17-J
- b) SB 673 Permit Criteria for community protection(Cumulative impact ,Community Vulnerability) NOP-17-K
- c) SB 535 Disadvantage Community NOP-17-L
- V) All Notice of Violations must be resolved before any consideration of increased throughput. NOP-17-M

- THE PROPOSED QUEMETCO PROJECT CAPACITY INCREASE MUST BE DENIED. NOP-17-N

Sincerely,



Richard Kamimura



Marilyn Kamimura

Responses to Comment Letter NOP-17

Comment NOP-17-A

We are 47 year residence of unincorporated Avocado Heights (including N. Whittier, Bassett and a small portion of La Puente).The most recent census, approximately 15,000 people. NOP-17-A

Response to Comment NOP-17-A

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-17-B

The following comments are being requested to be included in the DEIR.

I-Quemetco has created an increased cancer risk burden to sensitive receptors for at least a perimeter distance of 2 miles from the facility as evident from the HRA dated May 17,2016(IS 1-12) NOP-17-B

Response to Comment NOP-17-B

The comment refers to the facility's previous HRA which was prepared for AB2588 purposes and was based on the facility's emissions for years 2013 and 2014. This previously approved HRA is discussed in Section 4.2 of the EIR.

Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the proposed Project's potential net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles, and beyond two (2) miles used in the previous HRA)).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Comment NOP-17-C

a) The Arsenic plume was by modeling ,we request actual testing of fugitive dust on homes starting from the facility for a two mile radius, as part of its analysis, fingerprinting of non-organic arsenic and lead. NOP-17-C

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Response to Comment NOP-17-C

Following the South Coast AQMD methodology and guidance on preparing an HRA, dispersion modeling using U.S. EPA’s air dispersion model, AERMOD¹³, was conducted in combination with the Risk Assessment Procedures recommended by California’s Office of Environmental Health Hazard Assessment (OEHHA)¹⁴. South Coast AQMD methodology and guidance focuses on estimating criteria pollutants and air toxics within an established receptor grid and does not require testing of fugitive dust on homes.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Comment NOP-17-D

b) We request measurement of exposure from released arsenic for 40 years, starting from 6 days a week 20 hours to the now proposed constant exposure of 7 days a week 24 hours. NOP-17-D

Response to Comment NOP-17-D

As described in detail in the EIR, the facility is required to operate multiple air pollution control systems at all times. Four (4) onsite ambient air monitors located at Quemetco’s fencelines continuously monitor ambient lead and arsenic concentrations at the facility boundary. Information about South Coast AQMD’s offsite air monitoring station is located here: <http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

The EIR includes an analysis of the health risks from existing operations and potential toxic emissions from the proposed Project, including arsenic, following South Coast AQMD methodology and guidance (see Section 4.2 and Appendix D). Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles). Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both

¹³ U.S. EPA. 2020. AERMOD is available at <https://www.epa.gov/scram/air-quality-dispersion-modeling-preferred-and-recommended-models#aermod>

¹⁴ OEHHA. 2015. Air Toxics Hot Spot program, Guidance Manual for Preparation of Health Risk Assessments. February 2015. Available at <https://oehha.ca.gov/media/downloads/crnrr/2015guidancemanual.pdf>

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stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required.

This South Coast AQMD CEQA assessment follows the requirements of the CEQA Guidelines which requires estimating the potential impacts of the proposed Project over existing conditions (or baseline scenario) and this methodology does not include modeling of estimated historic arsenic emissions.

- c) Dispute Hazards and Hazardous materials section VIII-c. The contamination risk distance perimeter analysis must be increased to 2 miles and include the 21 schools(Appendix A-I) NOP-17-E
Reference Arsenic plume May 17,2016 HRA 2 mile contamination risk distance

Response to Comment NOP-17-E

The information regarding the schools within a two-mile radius of the Quemetco facility was presented for informational purposes. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the significance criteria for each environmental topic area. For example, the HRA in Section 4.2 (as supported in Appendix D.1) of the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles), while some of the other environmental checklist questions for hazards and hazardous materials refer to impacts within one-quarter mile of a school or two miles of an airport.

II) Cumulative Impact

- a) Air Quality and Green House Emission III b,f,c,d,g,h. To include among others measurement of Diesel Emission PM 2.5. PM 2.10 at intersection of Gale and Sunset adjacent to 60 Freeway entrance at peak hours , 7 days a week. To include projected total truck traffic not using clean fuel(LNG). It is not to my understanding that Quemetco requires only Clean Burning trucks into their facility. NOP-17-F

Response to Comment NOP-17-F

The HRA prepared for the proposed Project includes the emissions generated from the total Project facility operations, and includes a reasonably conservative profile for the diesel truck emission rates (that is the use of emission rates that would be higher than expected for the baseline and proposed Project scenarios), and uses a grid that extends 10 kilometers (which is equivalent to 6.2 miles) from the facility (which includes the intersection of Gale and Sunset adjacent to SR-60). While Quemetco has air monitors at its fencelines, these air monitors collect data on ambient lead and arsenic concentrations and do not collect diesel PM data. Diesel PM emissions monitoring at the Gale and Sunset intersections adjacent to SR-60 were not collected as part of the scope of the EIR. CEQA Guidelines is not prescriptive about the impact assessment methodology; that falls within the jurisdiction of the agency responsible for that resource. In the case of collecting diesel particulate emissions, that falls within the responsibility of South Coast AQMD. As described above, South Coast AQMD has an established methodology for using HRA dispersion models to estimate mobile source emission impacts and does not require air monitoring .

Cumulative air quality and GHG impacts are analyzed in the EIR in Section 4.2. The proposed Project’s projected truck impacts are analyzed in the EIR in Section 4.6. Chapter 4 – Environmental Impact Analysis of the EIR analyzed the following environmental topic areas to determine if potentially significant impacts would occur from the proposed Project: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. All potential environmental effects would be less than significant such that no mitigation measures or alternatives analysis are required. The EIR concluded that the proposed Project’s contribution to cumulative significant impacts would not be cumulatively considerable or cumulative impacts would not be significant (see Sections 4.2.5, 4.3.4, 4.4.4, 4.5.4, 4.5.4 and 4.6.4 for detailed cumulative impact assessments).

Additionally, the facility complies with CARB’s Clean Truck Program when they are the owner and operator of the truck fleet. Whether a contractor uses clean fuels in its truck fleet is outside the influence of Quemetco. The emissions assessment uses CARB’s emissions factors, including a factor for diesel fuel types. and this is outside the influence of Quemetco or South Coast AQMD.

III) Include all current studies and testing taken within the expanded 2 mile perimeter.

a) Current DTSC soil sampling one quarter mile around Quemetco. In SCAQMD jurisdiction historical and present deposition and accumulation becomes airborne from wind, vehicle and human and animal disturbance. NOP-17-G

b) Keck school of Medicine USC Independent soil testing July 2016 approximately 243 samples .Jill Johnston PhD ,Assistant Professor, Director, Community Outreach and Engagement ,Department of Preventive Medicine ,Division of Environment Health<jillj@usc.edu> 323-442-1099 Within the 2 mile perimeter. NOP-17-H

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- c) Keck School of Medicine USC , Study: Measuring Environmental Exposure to Assess Long term Health Study, September 2017 ongoing. Jill Johnston PHD, 87 Children 5 to 17. NOP-17-I
Within the perimeter.

Response to Comment NOP-17-G, NOP-17-H and NOP-17-I

DTSC’s soils remediation activities, as described in detail in Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today’s operation and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Source tests used in modeling and emissions reporting are described in Sections 3.2, 4.2 and Appendix D.

The NOP/IS analyzed the proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste, and found them to be less than significant, therefore, they are not analyzed further in the EIR. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project. Chapter 3 includes environmental setting for the EIR topic areas, including DTSC’s and other studies relevant to assessing the impacts of the South Coast AQMD’s proposed Project.

DTSC is the lead on soil sampling and remediation as it relates to its RCRA Part B permit renewal with Quemetco. The Keck School of Medicine studies may be relevant to DTSC’s permit, however, not to South Coast AQMD’s jurisdiction over its air permit reviews and related CEQA evaluations. The South Coast AQMD’s HRA for the proposed Project did look at the potential sources of risk (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) (described in Section 4.2 and Appendix D of the EIR). Further, the proposed Project assessed in this EIR does not call for any soil disturbance (onsite or offsite) nor any changes that would affect the existing soil conditions; therefore, no further soils analysis is required for CEQA purposes.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. Impacts to geology and soils resources were determined to be less than significant in the NOP/IS and no new evidence to change this finding has been presented.

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IV) Inclusion of State Law

- | | |
|--|----------|
| a) AB 1132 Air Quality Violators orders of Abatement | NOP-17-J |
| b) SB 673 Permit Criteria for community protection(Cumulative impact ,Community Vulnerability) | NOP-17-K |
| c) SB 535 Disadvantage Community | NOP-17-L |

Chapter 3 – Environmental Setting includes a detailed regulatory background for all impact areas assessed in the EIR. Detailed information regarding Quemetco’s permit violations and settlements is discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations. Community vulnerability as it relates to hazards is assessed in Sections 3.4 and 4.4 of the EIR.

AB 1132 authorizes air pollution control districts, including South Coast AQMD, to issue a temporary order for abatement immediately upon finding violations of air pollution standards that present an “imminent and substantial endangerment to the public health or to the environment.” South Coast AQMD implements its duty to public health and the environment with every permit application review and CEQA assessment.

Regarding SB 673, Quemetco operates under a DTSC Hazardous Waste Facility Operation and Post-Closure Permit which is in a renewal process and is a separate permit activity with independent utility. As part of its RCRA responsibilities, DTSC has been investigating and

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overseeing soils remediation activities, as described in more detail in Section 3.4 of the EIR, to address historic soil contamination. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. The area established by DTSC as “Quemetco’s Impacted Area” has been remediated and the report findings are awaiting DTSC’s review and approval. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. Impacts to geology and soils resources were determined to be less than significant in the NOP/IS and no new evidence requiring a change to this finding has been presented.

CEQA focuses on potential impacts to the physical environment. While analysis of impacts on disadvantaged communities pursuant to SB 535 is not expressly required by CEQA, CEQA does require an evaluation of a proposed Project’s potential public health and environmental impacts. The CEQA process for the proposed Project is specifically designed to evaluate the potential impacts to the environment in general and, more specifically, to the community surrounding the Quemetco facility. The first step of the CEQA process, the NOP/IS, analyzed the proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste, and concluded that the proposed Project would have less than significant impacts. For this reason, these environmental topic areas were not analyzed further in the EIR. The EIR, however, analyzes the potential impacts of the proposed Project on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project.

Under state law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. [Government Code Section 65040.12(e).] Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that are already experiencing its adverse effects. As part of the EIR, an HRA analyzed the proposed Project’s potential health risks to the surrounding areas (see Section 4.2 and Appendix D). The HRA was prepared in accordance with South Coast AQMD’s methodology and guidance and the results indicated less than significant impacts. A detailed emissions evaluation is also presented in Section 4.2 and Appendix D, which summarizes the assessment methodology and results.

V) All Notice of Violations must be resolved before any consideration of increased throughput. NOP-17-M

Response to Comment NOP-17-M

Detailed information regarding Quemetco’s permit violations and settlements is discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the

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facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

THE PROPOSED QUEMETCO PROJECT CAPACITY INCREASE MUST BE DENIED.

NOP-17-N

See also response to Comment NOP-17-M. While not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

The analysis of the no project alternative evaluates the potential impacts if the proposed Project is not implemented.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit

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evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

It is important to note that the CEQA process, including the preparation and public review of this EIR, is just one component of the overall evaluation process required by CEQA and does not imply that a project will ultimately be approved.

Comment Letter NOP-18 Kevin Kim

From: kim kevin [mailto:teardrop0706@gmail.com]
Sent: Wednesday, October 17, 2018 4:29 PM
To: Diana Thai <dthai@aqmd.gov>
Subject: In regards to Quemetco capacity upgrade project

Comment NOP-18

Dear Mr. Diana Thai,

My name is Kevin Kim, live on 14464 orange grove ave. hacienda heights.
my cell number is 626-225-6945 and email address is teardrop0706@gmail.com

I would like to know how Quemetco capacity upgrade project would affect the air quality of Hacienda Heights.

We already live near by refuse incineration plant and not we have to worry about air pollution from Quemetco plant.

Will you please provide us the result of sampling of near by Quemetco plant?

We really appreciated your hard work and cooperation.

Sincerely,

Kevin Kim

Response to Comment Letter NOP-18

The comment mentions a refuse incineration plant near his home. There are two operating waste incinerators within California: City of Long Beach and Stanislaus County. The La Puente Landfill, located adjacent to Hacienda Heights, terminated its operating permit on October 31, 2013 and has since stopped receiving refuse. There is record of a Puente Hills Gas-to-Energy Facility which converts the 30,000 cubic feet per minute of landfill gas (https://en.wikipedia.org/wiki/Landfill_gas) created by the landfill into more than 40 megawatts (<https://en.wikipedia.org/wiki/Watt#Megawatt>) of electricity. Without this gas-to-energy facility, the landfill gas would be flared; this is not a refuse incineration plant. There is also the LACSD's waste to energy project at its La Puente WWTP; this is also not a refuse incineration plant. The City of Long Beach refuse incineration plant is approximately 30 miles from Quemetco and its surrounding communities and due to the distance from the facility, the City of Long Beach refuse incineration plant is not a contributing influence to air quality, GHGs and air toxics for the community around Quemetco.

The EIR includes an analysis of the potential air quality (including air toxics) and GHG impacts from the proposed Project (see Section 4.2 and Appendix D of the EIR). Cumulative impacts are also discussed in Section 4.2.

South Coast AQMD's Annual Emissions Reporting (AER) program tracks emissions of air contaminants from permitted facilities, including the Quemetco facility, on an annual basis. Facilities subject to this program are required to report their emissions (both criteria pollutants and toxic air contaminants) for each calendar year. The reported emissions of criteria air pollutants from Quemetco for the previous six years, based on the annual emission inventory reports prepared for the South Coast AQMD under the AER program, are provided in Section

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3.2 of the EIR. The annual emission inventory reports for the facility are based on source test results and CEMS data. Refer to Section 4.2 and Appendix D of the EIR for more information on baseline (existing setting) and the proposed Project's emissions.

A CEMS, which continuously monitors various pollutants, is installed at the WESP (air pollution control equipment) stack of the Quemetco facility, and the readings from source tests and the CEMS are used to measure compliance with emission limits at the WESP stack. Additionally, there are ambient air quality monitoring stations around the facility and in the area surrounding the facility which provide additional data.

The DTSC, and not the South Coast AQMD, conducted the soil sampling. DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today's operation and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Comment Letter NOP-19 Duncan McKee

Comment NOP-19

10/18/2018

Duncan McKee
738 S. 3rd Avenue
Avocado Heights, CA 91746
Tele: (626) 330-5123

SCAQMD
Ms. Diana Thai (c/o CEQA)
21865 Copley Drive
Diamond Bar, CA 91765

Dear SCAQMD Staff:

On behalf of the residents and business owners in Avocado Heights, Bassett, City of Industry, Hacienda Heights, La Puente and North Whittier, thank you for the opportunity to provide comments on the outrageous proposal by Quemetco to increase the quantity of hazardous waste and other toxic materials processed as well as their request to use petroleum coke in lieu of and in addition to, cleaner burning calcined carbon coke. We are grateful to the skilled staff at SCAQMD for their hard work and diligence in their efforts to protect Public Health and the environment. NOP-19-A

We are very concerned that Quemetco is requesting an enormous increase in the amount of hazardous waste that SCAQMD permits them to process, despite the fact that they currently are unable to meet the emission limitations required by Rule 1420.1, their Title V permit and other SCAQMD rules and regulations. They also have compliance issues with other permitting and regulatory agencies. According to SCAQMD personnel, due to emission violations, Quemetco was recently required to reduce throughput to comply with curtailment provisions in Rule 1420.1. Quemetco has still not implemented arsenic reduction measures to comply with AB 2588 limits, has done nothing to clean up soil and groundwater contamination and has failed to fingerprint the contamination that is documented to exist in the surrounding community at residences and businesses as well as in public areas. Keep in mind that the soil contamination that resulted from air emissions permitted by SCAQMD becomes re-entrained when the wind blows or when trucks, trains and other vehicles pass through the contaminated locations. The soil contamination that SCAQMD denies accountability for, is their responsibility, and must be addressed by all the regulatory agencies as a joint issue that needs to be sensibly resolved. A task force consisting of USEPA, SCAQMD, DTSC, City of Industry, The Los Angeles Regional Water Quality Control Board, Los Angeles County Sanitation Districts, LA County Fire Health Haz Mat Division, Department of Public Health and several others should be working together to clean up the Public Health Hazards associated with the Quemetco operation. What is the Quemetco plan to clean up the toxic contamination in the soils in and around the facility? NOP-19-B

On page 2-4 of the NOP SCAQMD inadvertently failed to check multiple boxes that must be addressed in the EIR. For example, Agricultural and Forestry Resources are certainly impacted. Lead, arsenic, cadmium, chromium, 1, 3- butadiene, benzene and many other toxic substances discharged by Quemetco are a risk to consumers of the numerous agricultural NOP-19-C

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products produced in the area. With an increasing trend towards urban agriculture this is a very important issue that must be addressed. Please include the fact that many properties that are in close proximity to the facility are zoned A-1 Agriculture, are under cultivation and are potentially adversely impacted by current and projected Quemetco toxic discharges.

NOP-19-C
cont.

SCAQMD failed to check the box that says Biological Resources of which there are many in the areas surrounding this big polluter. The Environmental Impact Report (EIR) must include a full Eco Risk Assessment. Risks to the environment must include the fact that the San Jose Creek is a tributary of the San Gabriel River and is a significant component of the Rivers and Mountain Conservancy. All the documented wildlife and Quemetco's adverse impact on it should be included. What effect on the now severely impacted frog population did Quemetco's direct and indirect discharges into the San Jose Creek have on their demise? What about the other species of plants, animals and microorganisms that populate the ecosystem. Exactly what quantity of lead, arsenic, cadmium, chromium and other toxic materials from Quemetco enter the surface water of the San Jose Creek each year? How much toxic material from Quemetco ends up in the San Gabriel River Basin and ultimately contaminates drinking water wells or ends up in the ocean? What would the impact be in the case of a catastrophic accident where millions of gallons of contaminated waste water are spilled into the environment? The waste water treatment facility that has visible material running down the side and the documented cracks in the secondary containment must be included along with the impacts to the surrounding soils, surface water and groundwater. What toxic substances are discharged from the wastewater treatment facility both in the form of airborne emissions and liquids and in what quantities are they released into the environment? Are these included in the HHRA? A complete seismic assessment must be included in the EIR that includes a possible release of over 2 million gallons of contaminated liquids when a significant seismic event occurs.

NOP-19-D

SCAQMD failed to check the box that says Cultural Resources. The EIR must identify the Museums, Historical Structures, Plant Conservatories and planned Botanical Gardens that exist in the area and this must be included in the Final Draft. How do noxious air emissions from Quemetco affect the senior citizen groups and school children that visit these facilities?

NOP-19-E

SCAQMD failed to check the box that says Geology and Soils. This very important issue must be addressed including Quemetco's plan, with a timeline, on how they are going to clean up the contaminated soils that are documented to exist in and around the facility. Much of this contamination likely resulted from fallout of air emissions from the facility and the proposed increase will certainly contribute to an increase in additional contamination. What will the soil outside Quemetco's fence line that tested at 14,000 ppm lead be in 20 years of continued operations taking into account the proposed increase in throughput? Also, **"Previous boring logs indicate that the soils around this "background" monitoring well are reported to be contaminated to depths of up to 68 feet bgs with up to 1800 mg/kg of lead."**¹ This and other

NOP-19-F

¹ Comprehensive Ground Water Monitoring Evaluation Report, Quemetco Inc., RSR Corporation, City of Industry, Ca. March 8, 1996 EPA ID No. CADO66233966 section 4.4

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contamination must be cleaned up prior to any increase in throughput being approved and the plans for that clean up and financial responsibility included in the EIR.

SCAQMD failed to check the box that says Land use and Planning. This must be addressed in the EIR. Numerous, large **food** manufacturing and **food**-processing companies (Golden State Foods, El Mexicano, Pocino Foods Company, Lee Kim Kee USA Foods Inc., Cacique Cheese, Goya and many others) are all located within blocks of Quemetco. Some are located just across the street from the facility within several hundred feet of Quemetco's stacks. The Food and Drug Administration has guidelines that dictate how much of certain substances specific food products can contain including lead, 1,3 Butadiene, benzene, arsenic, chromium 6 and other toxic substances released by Quemetco. These food producing companies and Quemetco's potential to contaminate the food products with the proposed increase in throughput and the petroleum coke addition must be thoroughly addressed in the E.I.R. What special measures has Quemetco implemented to safeguard the food products produced at these facilities from contamination by stack and dust emissions from their facility? Numerous schools are located in close proximity to this facility and previous testing indicates that high levels of contaminants associated with Quemetco are present in the soils at these schools. Please include this data in the EIR along with the expected projected levels in 20 years of Quemetco operations with the increase in throughput and the use of petroleum coke along with a plan to protect the students and staff at these schools.

NOP-19-G

SCAQMD failed to check the box that says Noise. Residents are reporting loud noises, clanking, banging and alarms going off late at night and in the early morning. They also report that they smell noxious plumes coming from the facility at these times. What is the plan to stop this? How much additional noise will be produced by the hammer mill smashing 300,000 additional pounds of batteries each day? At what decibel level is the noise being measured?

NOP-19-H

SCAQMD failed to check the box that says Population and Housing. Large numbers of residences are in very close proximity to the facility and children are playing in soils that have tested high in arsenic and lead. What is the plan to protect these children from toxic substances that are documented to cause irreparable harm to humans? What is the plan to keep the residents from being forced to breathe the toxic, noxious emissions from this big polluter including the additional emissions from the increase in throughput and burning the petroleum coke? Many people work in the manufacturing facilities, warehouses and other businesses in close proximity to this big polluter. Numerous reports of toxic, noxious fumes from Quemetco making workers at these facilities sick have been documented. What is the plan to make this stop? What additional emission control devices and procedures will be implemented to insure that this does not continue to happen? As previously mentioned, many schools surround this facility and teachers have reported adverse effects on children that they attributed to Quemetco. Please comprehensively address this and how the increase in throughput and the burning of the dirty petroleum coke will adversely affect the children and staff in the EIR.

NOP-19-I

SCAQMD failed to check the box that says Public Services. Law enforcement personnel have repeatedly reported their fear of the dangers associated with the facility. Los Angeles County Fire inspectors have expressed similar fears of the dangers of this facility. What will the drain on public services be when the next explosion and fire occur at this big polluter? Exactly

NOP-19-J

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how will first responders protect the community in the case of a seismic event that causes the wastewater treatment facility to rupture, the propane tank to explode and another fire to occur at the Quemetco facility? Keep in mind that in this case Hills Brothers Chemical's ammonia tanks near Quemetco would likely be impacted resulting in a very complicated catastrophic event.

NOP-19-J
cont.

SCAQMD failed to acknowledge the adverse impacts that this facility has on Recreation. People that know of the dangers of this facility consciously do not recreate in close proximity to Quemetco so that they are not adversely impacted by the toxic, noxious emissions from this big polluter. What additional emission control equipment will SCAQMD require or will Quemetco voluntarily agree to install that will reduce the impact to the community as a result of their increase in production and the use of petroleum coke?

NOP-19-K

SCAQMD failed to check the box regarding the increase in Solid and Hazardous Waste that will be generated as a result of the increase in hazardous waste processed. This must be addressed in detail in the EIR. The fact that Quemetco will be polluting a total of 369, 435 gallons of previously potable water per day and an additional 97, 413 gallons per day as a result of the increase in throughput is very concerning to everyone and needs to be closely considered.

NOP-19-L

SCAQMD failed to check the box that says Transportation and Traffic. Please include a detailed analysis of the additional toxic substances that will become airborne and therefore under SCAQMD jurisdiction, by the additional trucks associated with the increase and the trucks already servicing the Quemetco facility. Please also include the toxic substances released by the trucks themselves.

NOP-19-M

Other items that must be addressed are the additional toxic, noxious emissions from the increase in the amount of plastic and rubber incidentally incinerated in the Quemetco furnaces as a result of the increase in throughput. Please include a detailed accounting of the total quantity of plastic and rubber that is incinerated in all of Quemetco's processes. Where in the Health Risk Assessment is the data that considers the much higher toxic substance emissions when Quemetco was releasing quantities that violated regulatory agency levels? Why wasn't Quemetco prosecuted when it was discovered that they were exceeding Title V permit throughput limitations of 1.2 million lbs./day?

NOP-19-N

Residents and business owners reported very strong petroleum-like odors sometime back and suspect that was when Quemetco was testing the petroleum coke in their processes. This needs to be investigated and a determination made prior to considering allowing this material to be used in Quemetco operations. The results must be included in the EIR. Please also include a complete analysis of the increase in toxic emissions from the use of petroleum coke and the increase in Health Risk.

NOP-19-O

Please include a detailed accounting of what material is being imported from other countries and where that material is being imported from. The assumption that our community should bear the burden of processing lead and other metal containing hazardous waste from all points west of the Mississippi river, and from other countries, is unacceptable. An alternate facility must be built and the plan for this included in the EIR.

NOP-19-P

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Please include an alternative plan to build an additional lead acid battery facility to process batteries in an environmentally responsible manner that is not in the South Coast Basin. Since Quemetco proclaims to be the world's leading recycler of this type of hazardous waste we hope that they will consider this option. NOP-19-Q

I have included a sample of several petitions being circulated by local residents that call for the closure and the inevitable cleanup of the toxic mess left by Quemetco and another asking that the increase in throughput and request to use petroleum coke be denied. Please include these in the EIR. NOP-19-R

Thank you for the opportunity to submit comments and please do not hesitate to contact me if you require additional information. NOP-19-S

Duncan McKee

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Petition to: South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), Department of Toxic Substances Control (DTSC), USEPA, City of Industry, Los Angeles Regional Water Quality Control Board, LA County Sanitation Districts, all other Regulatory Agencies and all elected officials.

We the undersigned formally request that the Quemetco facility located at 720 S. 7th Avenue in City of Industry is closed immediately. We also request that the inevitable cleanup of the contamination that is documented to exist in and around the facility commence without delay.

Name	Address	Phone	email
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MARCELO ESCALANTE	16322 FARO ST H.H. HTS 91745	626-961-8714	
ALEJANDRO MENDOZA	16327 GARD ST. HAC. HTS CA. 91745	626 271-5280	
BING CHEN	1528 Silman St. H.H. CA 91745	626-242-7818	
Janice Wang	603 Wickford Ave. La Puente, CA 91744		
Melissa Wang	1578 Dunsford Ave. H.H. CA 91745		
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Sherry Lee	2015 Las Lomas Dr. CA 91745	(626) 703-1074	
Mitzj Leuk	14441 Fairbun St. Hacienda Heights, CA 91745		Catigirlz@roadrunner.com
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MARIA GONZALEZ	1462 Fieldgate Av. H.H.	626.893.1132	
Janice Sanchez	1456 Fieldgate CA H.H.	626 715-513	
Wynne Radford	13620 Malvern	213 605-1394	
Nancy Meraz	1468 S. Fieldgate Avl HAC. HTS	626-369-1884	
JESSICA DE LEON	1526 JAMU ST. H.H.	626 225 0433	
Paul De Leon	" " "	626 336 0123	PRBL24@Hotmail.com
Christine Blazek	2135 Arcdale Ave Rowland Hts CA 91748	562 458-5317	

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Name	Address	Phone	email
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Theresa Gervara		626 862 1237	teddy.gervara@reagan.com
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Chris Taylor Cruz		626 487 5415	contact@cluz.com
Harv Saper	810 Basitola Ave	626-333-2697	
Roseanne Ojeda	13703 Alanwood Rd Arcadia CA	626-252-5218	
Yolanda M. Carrido	410-3rd Ave Arcadia CA		
Ruth Wash	618 Arciero Dr	Whittier CA	626 936 4871

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Name	Address	Phone	email
Paul DeLeon	1526 South A.H	626 336 0423	PROL240@hotmail.com
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MARIA E. Alvarez	14540 EADSBROOK DR. Arc. Hts.	626-333-0450	
Diane Mihara	621 Pencin Dr Whittier 90601		
Raul Santus	1339 Goodhart Ave. W. Whittier CA 90601		raul.tetsi@gmail
James Graham	940 CUMMINGS WHITTIER, CA 90601	562-632-8908	
GILBERT MARTINEZ	14447 Vamboury St Ht. CA 91745		
MARINA MARTINEZ	14447 Vamboury St 16th CA 91745		
FELICIANO ALVARADO	2749 ARDILLO AVE HACIENDA HEIGHTS, CA 91745		
Alvaro Mendoza	13176 Don Julian Rd, La Puente, CA 91746	626 622-7693	almondos5@yahoo.com
Mitzi & Larry Leuk	14441 Fairbury St Hachts 91745	626 483-1407	
Sergio & Anel Ramos	2018 Harp Dr. Hacienda Hts. arroyo valley		caligirl3@gmail.com roadrunner.com
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Thomas Lehff	14030 Don Julian Rd. Avocado Hts. 91746		t.lehff@gmail.com
Elyana Mitchukoff	P.O. Box 2643, La Puente 91746		
Zoetta Chano	824 S. 3rd Ave, La Puente, CA 91746		
Debbie Mikee (Dawkins)	738 S 3rd La Puente 604-316-0066		
Brenda P. Lee	738 S. 3rd Ave La Puente 91746	949 324 7498	
Ping Li	13227 Moccasin St La Puente CA 91746		
Sean Cao	15479 Skyline Drive Hacienda Heights CA 91746		

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Name	Address	Phone	email
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Anne Escovar	15404 Los Altos Dr. H.H		anneescovar@gmail.com
Steve Escovar	" "	" "	
Keqiang Lin	1154 Kinbrao Ave H.H		keqianglin@gmail.com
Olivia Barrion	831 RIDLEY AVE H. HTS	626-9864941	Sarah.Solis@gmail.com
Sarah Solis-Miller	518 Cobb Ct, La Puente, CA 91746	(323) 712-1811	
JASON Miller	510 Cobb Ct, La Puente CA 91746		jason_miller@netnet.com

Petition to: South Coast Air Quality Management District, California Air Resources Board, Department of Toxic Substances Control, USEPA, City of Industry and all elected officials.

We the undersigned formally request that the application by Quemetco/RSR Inc. located at 720 S. 7th Avenue in City of Industry to increase the quantity of material permitted to be processed and to use petroleum coke instead of calcined coke be denied. We additionally request that Quemetco be required to begin the process of cleaning up the hazardous waste that is documented to exist in soils surrounding the facility.

Name	Phone	Address	email
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Theresa Guevara	13504 Deepriver Dr	N.Whittier 90601	teddy.guevara@ceagan.com
Hugo Hernandez	11210 Wedgewood Dr	H.H 91745	hugoshah@aol.com
Denise Rumbert	215-507-1707	16015 Bunker St	Bunker@gmail.com
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Marcia Madroñero	14447 Fairbourn St	Hacienda Heights CA 91745	626 922 3526
Gilbert Madroñero	14447 Fairbourn St	Hacienda Heights CA 91745	626 922 4332
MARIA GONZALEZ	1026-893-1652	14102 Fieldgate Ar. H.H. 91745	
JANIE BANCHE	145625	1456 Fieldgate H.H 91745	
Nancy Nichols	11683 Fieldgate Ave	H.H. HTS CA 91745	
Paul DeLeon	626 330 8403	1526 JANKIN H.H CA 91745	
Paul DeLeon	626 336 0423	" "	PROL240@hotmail.com
Christine Barcala	562 458 5317	2135 Arcadia Ave Rowland Heights CA 91748	
Jon Barcala	909 227 5901	2135 Arcadia Ave Rowland HTS CA 91748	

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Helen Smith	810 Basett Dr 626-333-2647	
Ronald Rodriguez	1269 Garassano Dr Whittier, CA 90601	626-9613035
Roseanne Ojeda	13703 Alenwood Rd Avocado Hts 91746	626-352-5218
Carolina M. Camacho	410-344 Ave, Avocado Heights 91746	
Ruth Wash	618 Arciero Dr Whittier 90601	626 836 4871
Loretha Chase	824 S. 3 rd Ave La Puente, CA 91746	626-336-5485
Elaine Mitchell	P.O. Box 2649 La Puente, CA 91746	
Regina McVee (Dowdell)	738 S 3 rd Ave Avocado la Puente	604-316-0066
Ronald Orfki	738 S. 3rd Ave La Puente, Ca 91746	949 329 7998
Ping Li	13727 Meccasin St La Puente CA 91746	
Sean Cao	15479 Skyline Drive Hacienda Heights CA 91745	626-5182710

Responses to Comment Letter NOP-19

On behalf of the residents and business owners in Avocado Heights, Bassett, City of Industry, Hacienda Heights, La Puente and North Whittier, thank you for the opportunity to provide comments on the outrageous proposal by Quemetco to increase the quantity of hazardous waste and other toxic materials processed as well as their request to use petroleum coke in lieu of and in addition to, cleaner burning calcined carbon coke. We are grateful to the skilled staff at SCAQMD for their hard work and diligence in their efforts to protect Public Health and the environment. NOP-16-A

Response to Comment NOP-19-A

Thank you for your comment. This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

We are very concerned that Quemetco is requesting an enormous increase in the amount of hazardous waste that SCAQMD permits them to process, despite the fact that they currently are unable to meet the emission limitations required by Rule 1420.1, their Title V permit and other SCAQMD rules and regulations. They also have compliance issues with other permitting and regulatory agencies. According to SCAQMD personnel, due to emission violations, Quemetco was recently required to reduce throughput to comply with curtailment provisions in Rule 1420.1. Quemetco has still not implemented arsenic reduction measures to comply with AB 2588 limits, has done nothing to clean up soil and groundwater contamination and has failed to fingerprint the contamination that is documented to exist in the surrounding community at residences and businesses as well as in public areas. Keep in mind that the soil contamination that resulted from air emissions permitted by SCAQMD becomes re-entrained when the wind blows or when trucks, trains and other vehicles pass through the contaminated locations. The soil contamination that SCAQMD denies accountability for, is their responsibility, and must be addressed by all the regulatory agencies as a joint issue that needs to be sensibly resolved. A task force consisting of USEPA, SCAQMD, DTSC, City of Industry, The Los Angeles Regional Water Quality Control Board, Los Angeles County Sanitation Districts, LA County Fire Health Haz Mat Division, Department of Public Health and several others should be working together to clean up the Public Health Hazards associated with the Quemetco operation. What is the Quemetco plan to clean up the toxic contamination in the soils in and around the facility?

NOP-19-B

Response to Comment NOP-19-B

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions are described in detail in Chapter 3. The EIR evaluates the proposed Project’s potential air quality and hazardous materials impacts in Section 4.2 and Section 4.4, respectively as well as within Appendix D.

A discussion of the South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project and the facility’s compliance history, including current compliance status are discussed in Section 3.2 and Appendix C of the EIR. Detailed information regarding Quemetco’s permit violations and settlements are also discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and

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U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

A number of agencies have been participating in the CEQA process for this proposed Project. The DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and a U.S House of Representative attended the South Coast AQMD CEQA scoping meetings. All of the responsible and commenting agencies have been notified of the proposed Project and are included on its all applicable mail and email lists.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination, an existing environmental condition, and include estimating the source of lead in the community soils (fingerprinting). Historic soil contamination does not necessarily reflect today's operation and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Similarly, existing groundwater contamination and the proposed Project's potential groundwater impacts are assessed in Section 3.5 and 4.5, respectively. Additionally, the NOP/IS analyzed the proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste, and found them to be less than significant. Therefore, they are not analyzed further in the EIR. The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Quemetco maintains a RRP as required by AB 2588, which addresses compliance with arsenic emissions limits. RRP conditions have been incorporated into the Title V permit and will not change because of the proposed Project. Additionally, the HRA looks at total facility health risks

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to ensure no conflicts with the previously approved RRP. Note that Quemetco is still subject to AB 2588 and the proposed Project will also be subject to AB 2588.

On page 2-4 of the NOP SCAQMD inadvertently failed to check multiple boxes that must be addressed in the EIR. For example, Agricultural and Forestry Resources are certainly impacted. Lead, arsenic, cadmium, chromium, 1, 3- butadiene, benzene and many other toxic substances discharged by Quemetco are a risk to consumers of the numerous agricultural

NOP-19-C

products produced in the area. With an increasing trend towards urban agriculture this is a very important issue that must be addressed. Please include the fact that many properties that are in close proximity to the facility are zoned A-1 Agriculture, are under cultivation and are potentially adversely impacted by current and projected Quemetco toxic discharges.

NOP-19-C

cont.

Response to Comment NOP-19-C

The comment alleges that multiple boxes, including one for “agricultural and forestry resources” in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected were not checked that must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The NOP/IS analyzed the proposed Project’s potential impacts to agriculture and forestry resources, and found that impacts would be less than significant; therefore, they are not analyzed further in the EIR.

The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions including lead, arsenic, cadmium, chromium, 1,3- butadiene, benzene and other toxic substances included in Quemetco’s AB 2588 HRAs. As explained in the NOP/IS, the area surrounding the proposed Project site is heavily developed. While the area immediately surrounding the facility is industrial in nature, there are remaining agricultural parcels under cultivation in the community as well as homes, grocery stores, parks, schools and hospitals.

An HRA, which analyzes the potential health risks to the surrounding areas, was prepared and included in Section 4.2 and Appendix D of the EIR. The HRA analyzes the proposed Project’s potential health risk impacts from toxic air emissions using multiple exposure pathways, including through ingestion of homegrown produce, as well as health risks to those parcels zoned for agriculture. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the proposed Project’s potential net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic

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Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The proposed Project would occur within the boundaries of the existing facility. A detailed HRA evaluated the proposed Project and found less than significant impacts from air toxic emissions. Regarding whether the proposed Project's air emissions could potentially generate soil deposition impacts, Table 4.2-9 in the EIR breaks down the potential sources of risk being evaluated (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) as well as the percentage contribution of each risk source to the maximum residential cancer risk for Receptor 51165, the location of the highest estimated residential risk (the MEIR). The MEIR risks including soil deposition impacts for the total proposed Project, the baseline, and the increment (proposed Project less baseline), would be less than the South Coast AQMD maximum residential cancer risk threshold (Table 4.2-8 in the EIR). For these reasons, potential soil deposition impacts from the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts. The NOP/IS therefore concluded that there would be no impacts to Agricultural Resources, including to the agricultural parcels under cultivation or those parcels zoned for agriculture. The comment does not raise any issues which were not previously analyzed or considered. For these reasons, there is no substantial evidence to support alleged potentially significant effects on forest and agricultural resources or further inclusion of this topic area in the EIR.

SCAQMD failed to check the box that says Biological Resources of which there are many in the areas surrounding this big polluter. The Environmental Impact Report (EIR) must include a full Eco Risk Assessment. Risks to the environment must include the fact that the San Jose Creek is a tributary of the San Gabriel River and is a significant component of the Rivers and Mountain Conservancy. All the documented wildlife and Quemetco's adverse impact on it should be included. What effect on the now severely impacted frog population did Quemetco's direct and indirect discharges into the San Jose Creek have on their demise? What about the other species of plants, animals and microorganisms that populate the ecosystem. Exactly what quantity of lead, arsenic, cadmium, chromium and other toxic materials from Quemetco enter the surface water of the San Jose Creek each year? How much toxic material from Quemetco ends up in the San Gabriel River Basin and ultimately contaminates drinking water wells or ends up in the ocean? What would the impact be in the case of a catastrophic accident where millions of gallons of contaminated waste water are spilled into the environment? The waste water treatment facility that has visible material running down the side and the documented cracks in the secondary containment must be included along with the impacts to the surrounding soils, surface water and groundwater. What toxic substances are discharged from the wastewater treatment facility both in the form of airborne emissions and liquids and in what quantities are they released into the environment? Are these included in the HHRA? A complete seismic assessment must be included in the EIR that includes a possible release of over 2 million gallons of contaminated liquids when a significant seismic event occurs.

NOP-19-D

Response to Comment NOP-19-D

The comment alleges that multiple boxes, including one for “biological resources” in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected were not checked that must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The NOP/IS acknowledged that San Jose Creek is located to the north of the facility and not within the boundaries of the facility. However, as discussed in the NOP/IS, San Jose Creek in the vicinity of the facility is a concrete drainage channel that is devoid of native plants, and protected habitat or species. The proposed Project would occur within the boundaries of the existing facility and no impacts to any biological resources would result. Although the comment alleges biological impacts to the frog population, no evidence was provided to support that claim. The comment does not raise any issues which were not previously analyzed or considered. Therefore, impacts to Biological Resources were not further analyzed in the EIR and a full Eco Risk Assessment is not included.

Furthermore, as discussed in the NOP/IS, wastewater processing and disposal at the facility is highly regulated and does not impact San Jose Creek. Quemetco is permitted through its Industrial Waste Discharge Permit from the Los Angeles County Sanitation District (LACSD) to treat and discharge wastewater generated at the facility. All treated wastewater is discharged into the LACSD sewer system and meets the standards of the Regional Water Quality Control Board, consistent with the facility's applicable permits. Additionally, wastewater discharged by the facility is tested quarterly by a third-party laboratory for metals, and reports are submitted to LACSD. A discussion of the potential impacts from wastewater discharge is included in Section 4.5 of the EIR.

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Hazards and hazardous materials, including potential for seismic activity and accidental releases, were assessed in Section VIII of the NOP/IS (Appendix A) and in Section 4.4 of the EIR.

The wastewater storage and treatment system is identified as an Operating Unit in Quemetco's DTSC permit, which strictly regulates the operation and maintenance of all Operating Units at Quemetco. The DTSC permit also includes specific monitoring, special conditions, and response programs that minimize risks associated with operation of the treatment system including potential cracks in the secondary containment and wastewater discharge overflows. Additionally, LACSD has permitting authority over wastewater discharges from the onsite treatment facility. Applicable state regulations and standards also apply to the treatment system, and require Quemetco to operate the system in a manner that ensures no impacts to water or people will occur.

Section 4.2 and Appendix D of the EIR include a detailed air quality impact assessment, including an HRA (Tables 4.2-8 and 4.2-9) to show that all potential air toxic emissions impacts from the proposed Project, including soil deposition as well as to rivers, waterways and gardens, would be less than significant. Air emissions are regulated according to Quemetco's Title V permit and applicable South Coast AQMD rules and regulations, including Rule 1420.1, which limits total arsenic, benzene, and 1,3-butadiene emissions from the facility and includes enforceable curtailment penalties if exceedances occur. Wastewater and stormwater are collected and treated onsite and released pursuant to Quemetco's Industrial Waste Discharge Permit and NPDES Industrial Storm Water Permit, both of which ensure that the quality of the released water is consistent with applicable standards/regulations.

Regarding actions taken to prevent potential spills during an accident or seismic event, the facility is subject to regulations (such as spill prevention control and countermeasure (SPCC) plan) that require installation and operation of a secondary containment system to protect against any such spills (22 CCR Section 66264.193). DTSC requires all wastewater holding tanks to be certified as compliant with applicable current seismic standards including secondary containment. See also Section 3.4 and 4.4 of the EIR for a discussion of Quemetco's SPCC and Risk Management Plan (RMP).

Detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through

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regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Since the proposed Project would occur within the boundaries of the existing facility, the NOP/IS concluded that there would be no impacts to biological resources and the comment does not raise any issues that were not previously analyzed or considered. For these reasons, there is no substantial evidence to support potentially significant effects on biological resources and thus further inclusion of this topic area in the EIR is not required.

Comment NOP-19-E

SCAQMD failed to check the box that says Cultural Resources. The EIR must identify the Museums, Historical Structures, Plant Conservatories and planned Botanical Gardens that exist in the area and this must be included in the Final Draft. How do noxious air emissions from Quemetco affect the senior citizen groups and school children that visit these facilities? NOP-19-E

In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The NOP/IS analyzed the proposed Project's potential impacts to cultural resources and found them to be less than significant, therefore, they are not analyzed further in the EIR. The cultural resources section of the Appendix G environmental checklist focuses on impacts at the project site or nearby cultural resources due to physical development, such as the potential for inadvertent destruction of archaeological or historical resources during project construction. As discussed in the NOP/IS, the proposed Project would occur within the boundaries of the existing facility and no new physical construction is necessary such as ground disturbing activities. As a result, the proposed Project would not impact cultural resources.

Further, an extensive HRA was conducted for a 10-kilometer (which is equivalent to 6.2 miles) grid area and found that all potential air toxic impacts would be less than significant. This includes all potential air toxic impacts on museums, historic structures, plant conservatories, planned botanical gardens or any other cultural resources within this air toxics study area. The comment does not raise any cultural resources issues which were not previously analyzed or considered.

For these reasons, there is no substantial evidence to support potentially significant effects on cultural resources. Further inclusion of this topic area in the EIR is not required.

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SCAQMD failed to check the box that says Geology and Soils. This very important issue must be addressed including Quemetco's plan, with a timeline, on how they are going to clean up the contaminated soils that are documented to exist in and around the facility. Much of this contamination likely resulted from fallout of air emissions from the facility and the proposed increase will certainly contribute to an increase in additional contamination. What will the soil outside Quemetco's fence line that tested at 14,000 ppm lead be in 20 years of continued operations taking into account the proposed increase in throughput? Also, **"Previous boring logs indicate that the soils around this "background" monitoring well are reported to be contaminated to depths of up to 68 feet bgs with up to 1800 mg/kg of lead."**¹ This and other

NOP-19-F

The comment alleges that multiple boxes, including the one for "geology and soils" in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected were not checked that must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [" 'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..."].) The proposed Project's existing environmental conditions are described in detail in Chapter 3. The referenced, existing contamination is part of the environmental baseline for the proposed Project.

The Quemetco facility monitors ambient lead and arsenic emissions at its fenceline to ensure compliance with all applicable rules and regulations include South Coast AQMD's Rule 1420.1, which was designed to curb toxic emissions and to penalize exceedances with curtailment of facility operations (refer to Chapter 2 – Proposed Project, Sections 3.2 and 4.2 and Appendix D).

The proposed Project's effects on geology and soil resources were analyzed in the NOP/IS which concluded that the proposed Project would result in less than significant impacts. Therefore, further analysis of geology and soil resources is not required and was not conducted in the EIR.

The geology and soils section of the Appendix G environmental checklist focuses on impacts at the project site or nearby geologic resources based on physical development that causes soil disturbances, such as grading and excavation, and impacts caused by locating a project on certain soils or in certain seismic areas. As explained in the NOP/IS, the proposed Project does not call for any physical development activities that would move or disturb soil. In addition, the facility has been located on the same site since 1959. As a result, there are no geologic resources that would potentially be impacted by the proposed Project. The comment does not raise any geology or soil resources issues which were not previously analyzed or considered.

The EIR's HRA (refer to Section 4.2 and Appendix D) measures the release of airborne hazardous materials from the facility's air pollution control devices and shows there the proposed Project's potential impacts would be less than significant. Additionally, the EIR's

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environmental setting for air quality (Section 3.2) presents information that shows Quemetco's air toxic and criteria pollutant emissions have been reducing over time due to increasingly stringent regulation and advances in air pollution control technology.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility. The feasibility of each of these alternatives was evaluated against the project objectives; Alternative 3- Offsite Facility and Alternative 4 – Close the Facility would not meet the project objectives and therefore was found not to be feasible.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and are not necessarily reflective of today's activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and to penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

The comment relative to the cleanup of offsite soils from previous contamination is outside the scope of this CEQA analysis. The referenced contamination is part of the environmental baseline for CEQA purposes. The proposed Project would not disturb any soil, either onsite at the Quemetco facility or offsite. DTSC, the agency with oversight for soil contamination, as part of its RCRA Part B permit renewal for Quemetco, is investigating the extent of surrounding soil contamination and response strategies. Detailed information regarding Quemetco's permit violations and settlements with South Coast AQMD, DTSC and others are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

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Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

For these reasons, there is no substantial evidence to support potentially significant effects on geology and soils resources and thus further inclusion of this topic area in the EIR is not warranted.

SCAQMD failed to check the box that says Land use and Planning. This must be addressed in the EIR. Numerous, large **food** manufacturing and **food-processing** companies (Golden State Foods, El Mexicano, Pocino Foods Company, Lee Kim Kee USA Foods Inc., Cacique Cheese, Goya and many others) are all located within blocks of Quemetco. Some are located just across the street from the facility within several hundred feet of Quemetco's stacks. The Food and Drug Administration has guidelines that dictate how much of certain substances specific food products can contain including lead, 1,3 Butadiene, benzene, arsenic, chromium 6 and other toxic substances released by Quemetco. These food producing companies and Quemetco's potential to contaminate the food products with the proposed increase in throughput and the petroleum coke addition must be thoroughly addressed in the E.I.R. What special measures has Quemetco implemented to safeguard the food products produced at these facilities from contamination by stack and dust emissions from their facility? Numerous schools are located in close proximity to this facility and previous testing indicates that high levels of contaminants associated with Quemetco are present in the soils at these schools. Please include this data in the EIR along with the expected projected levels in 20 years of Quemetco operations with the increase in throughput and the use of petroleum coke along with a plan to protect the students and staff at these schools.

NOP-19-
G

The comment alleges that multiple boxes, including the one for "land use and planning" in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected were not checked that must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The proposed Project's effects on land use and planning were analyzed in the NOP/IS which concluded the proposed Project would have no impacts in this environmental topic area because the proposed Project does not physically divide a community nor does it conflict with any land use plan, policy or regulation. The proposed Project would generate no physical change to the Quemetco facility and would not trigger any change in land use nor require any land use permit or review. Therefore, further analysis of land use and planning is not required and was not conducted in the EIR. Moreover, the comment does not raise any land use and planning issues which were not previously analyzed or considered.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: "will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

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The analysis of air quality and GHG emissions from the proposed Project is discussed in Section 4.2 and Appendix D of the EIR. All emissions are and will continue to be subject to air permit conditions for the next 20 years and beyond. The food manufacturing and food processing companies identified in the comment are separate businesses located within self-contained buildings and subject to their own federal, state, and local regulations regarding food handling and safety. For these reasons, no impacts to food safety are anticipated to occur as a result of the proposed Project, and the comment does not provide substantial evidence to undermine this conclusion. In addition, all residents and businesses in a two-mile radius from the facility were sent notices; none of these companies located within two-miles have provided comments on the NOP/IS.

The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and are not necessarily reflective of today's activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. Table 4.2-9 in the EIR breaks down the potential sources of health risk being evaluated (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) as well as the percentage contribution of each risk source to the maximum residential cancer risk for Receptor 51165, the location of the highest estimated residential risk (the MEIR). The MEIR risks including soil deposition impacts for the total proposed Project, the baseline, and the increment (proposed Project less baseline), would be less than the South Coast AQMD maximum residential cancer risk threshold (Table 4.2-8 in the EIR). For these reasons, potential soil deposition impacts from the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

As discussed in Section 3.2 and Appendix C of the EIR, the proposed Project will be subject to applicable rules and regulations from various agencies which will protect the public health of the surrounding community. Additionally, Quemetco does not process food nor ingredients for food processing. The various regulatory and permitting requirements applicable to Quemetco have

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become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

For these reasons, there is no substantial evidence to support potentially significant effects on land use and planning resources or further inclusion of this topic area in the EIR.

SCAQMD failed to check the box that says Noise. Residents are reporting loud noises, clanking, banging and alarms going off late at night and in the early morning. They also report that they smell noxious plumes coming from the facility at these times. What is the plan to stop this? How much additional noise will be produced by the hammer mill smashing 300,000 additional pounds of batteries each day? At what decibel level is the noise being measured?

NOP-19-
H

Response to Comment NOP-19-H

The comment alleges that environmental checklist box for “noise” in the NOP/IS was not checked and that noise must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The proposed Project’s effects on noise were analyzed in the NOP/IS which concluded the proposed Project would result in less than significant impacts for this environmental topic area. Therefore, further analysis of noise is not required and was not conducted in the EIR. Further, because the comment does not explain when the noise complaints were made, what agency received the complaints, and whether there was a follow up investigation that confirmed the Quemetco facility as the source of noise for these alleged incidents, the comment does not raise any noise issues which can be verified. As explained in the NOP/IS, all operations associated with the proposed Project will occur within existing, enclosed buildings (including the existing hammermill), which are surrounded by intervening structures and a railroad berm that serve as a noise buffer between Quemetco and nearby residences, the nearest of which are located approximately 600 feet from the Project site. The hammermill is not audible at the fenceline in the baseline condition. Any potential additional noise levels at the fenceline from additional hammermill activity within an enclosed building would not be discernable from the existing background traffic and industrial area noise activities.

Lastly, the comment does not provide any details about when the odor complaints were made and whether the complaints were directed to South Coast AQMD. All odor complaints made to South Coast AQMD are investigated by an inspector. Thus, the comment does not raise any odor issues which can be verified. For these reasons, there is no substantial evidence to support potentially significant effects from noise or odor and thus further inclusion of these topic areas in the EIR.

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SCAQMD failed to check the box that says Population and Housing. Large numbers of residences are in very close proximity to the facility and children are playing in soils that have tested high in arsenic and lead. What is the plan to protect these children from toxic substances that are documented to cause irreparable harm to humans? What is the plan to keep the residents from being forced to breathe the toxic, noxious emissions from this big polluter including the additional emissions from the increase in throughput and burning the petroleum coke? Many people work in the manufacturing facilities, warehouses and other businesses in close proximity to this big polluter. Numerous reports of toxic, noxious fumes from Quemetco making workers at these facilities sick have been documented. What is the plan to make this stop? What additional emission control devices and procedures will be implemented to insure that this does not continue to happen? As previously mentioned, many schools surround this facility and teachers have reported adverse effects on children that they attributed to Quemetco. Please comprehensively address this and how the increase in throughput and the burning of the dirty petroleum coke will adversely affect the children and staff in the EIR. NOP-19-I

Response to Comment NOP-19-I

The comment alleges that the box for “population and housing” in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected, was not checked that population and housing must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The proposed Project’s effects on population and housing were analyzed in the NOP/IS which concluded the proposed Project would result in less than significant impacts. The proposed Project does not induce substantial unplanned population growth nor displace a substantial number of people or housing. Therefore, further analysis of population and housing is not required and was not conducted in the EIR. In addition, the comment does not raise any additional population and housing issues that were not previously analyzed or considered.

The comment asks about air pollution control equipment in place at the Quemetco facility and air quality impacts, including toxics and the proposed use of petroleum coke, and the effects on schools and offsite receptors. The facility’s air pollution control equipment is discussed in Chapter 2 and the proposed Project’s potential air quality impacts are discussed in Section 4.2 and Appendix D of the EIR. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts

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including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

See Chapter 2 – Proposed Project for more information about the facility’s air pollution control equipment. The comment raises issues related to soil contamination and hazards, which are discussed in Section 4.4 of the EIR.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

The comment also mentions the topic of odors, which was analyzed in Section III of the NOP/IS (see Appendix A of the EIR) and Section 4.2 of the EIR. Thus, the comment does not raise any new odor issues requiring further analysis in the EIR.

For these reasons, there is no substantial evidence to support potentially significant effects from population and housing or odors and thus further inclusion of these topic areas in the EIR.

SCAQMD failed to check the box that says Public Services. Law enforcement personnel have repeatedly reported their fear of the dangers associated with the facility. Los Angeles County Fire inspectors have expressed similar fears of the dangers of this facility. What will the drain on public services be when the next explosion and fire occur at this big polluter? Exactly

NOP-19-J

how will first responders protect the community in the case of a seismic event that causes the wastewater treatment facility to rupture, the propane tank to explode and another fire to occur at the Quemetco facility? Keep in mind that in this case Hills Brothers Chemical’s ammonia tanks near Quemetco would likely be impacted resulting in a very complicated catastrophic event.

NOP-19-J
cont.

Response to Comment NOP-19-J

The comment alleges that the box for “public services” in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected, was not checked and that public services must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

Sufficient public services such as police and fire are available to provide services to the facility. The comment provides no evidence that undermines this understanding. The proposed Project’s effects on public services were analyzed in the NOP/IS which concluded the proposed Project would have less than significant impacts in this environmental topic area. Therefore, further

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analysis of public services is not required and was not conducted in the EIR. In addition, the comment does not raise any additional public services issues which were not previously analyzed or considered.

The comment mentions the potential for ruptures and fires related to seismic activity, which is discussed in Section VII – Geology and Soils of the NOP/IS (see Appendix A of the EIR) and Section 3.4 of the EIR. The comment also mentions to the potential for hazard accidents and release as well as soil contamination which are discussed in Section 4.4 of the EIR. The facility maintains a contingency plan which is approved by the local Certified Program Agency (CUPA) which is Los Angeles County, an Underground Storage Tank Monitoring and Emergency Plan which is approved by Los Angeles County Fire Department and Los Angeles County Public Works Department, and facility staff training procedures detailing hazardous material handling requirements. The EIR concludes that the proposed Project’s potential environmental impacts in this area would be less than significant.

For these reasons, there is no substantial evidence to support potentially significant effects from public services and thus further inclusion of these topic areas in the EIR.

SCAQMD failed to acknowledge the adverse impacts that this facility has on Recreation. People that know of the dangers of this facility consciously do not recreate in close proximity to Quemetco so that they are not adversely impacted by the toxic, noxious emissions from this big polluter. What additional emission control equipment will SCAQMD require or will Quemetco voluntarily agree to install that will reduce the impact to the community as a result of their increase in production and the use of petroleum coke?

NOP-19-K

Response to Comment NOP-19-K

The proposed Project’s effects on recreation were analyzed in the NOP/IS which concluded no impacts to this environmental topic area as the proposed Project would not increase the use of existing parks nor does it require the expansion of recreational facilities. Therefore, further analysis of recreation is not required and was not conducted in the EIR. It is important to note that the context for analyzing recreation is limited to considering whether increased use of existing recreational facilities would occur or if modifications to existing recreational facilities or new recreational facilities would need to be built as a result of implementing the proposed Project. If none of these criteria are met, then a recreational impact would not be triggered. With this context in mind, the comment does not raise any additional recreation issues which were not previously analyzed or considered.

The comment also asks about air pollution control equipment in place at the Quemetco facility as described in detail in Chapter 2 – Proposed Project and air quality impacts, associated with the proposed use of petroleum coke, which are analyzed in Section 4.2 and Appendix D of the EIR.

The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas (see Section 4.2 and Appendix D). Please see Response to Comment NOP-19-I for a further discussion of the HRA and its results.

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SCAQMD failed to check the box regarding the increase in Solid and Hazardous Waste that will be generated as a result of the increase in hazardous waste processed. This must be addressed in detail in the EIR. The fact that Quemetco will be polluting a total of 369, 435 gallons of previously potable water per day and an additional 97, 413 gallons per day as a result of the increase in throughput is very concerning to everyone and needs to be closely considered. NOP-19-L

Response to Comment NOP-19-L

The comment alleges that the box for “solid and hazardous waste” in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected was not checked that solid and hazardous waste must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

The proposed Project’s effects on solid and hazardous waste from the use, storage, and disposal of hazardous materials were analyzed in the NOP/IS which concluded less than significant impacts to this environmental topic area. Therefore, further analysis of solid and hazardous waste impacts is not required and was not conducted in the EIR.

It is important to note that the context for analyzing solid and hazardous waste is limited to determining that the solid waste landfill utilized by the facility has sufficient capacity to serve the needs of the proposed Project and whether the solid and hazardous waste handling activities would comply with federal, state and local requirements as a result of implementing the proposed Project. If these criteria can be satisfied, then a significant solid and hazardous waste impact would not occur. With this context in mind, the comment does not raise any solid and hazardous waste issues which were not previously analyzed or considered.

In addition, the proposed Project’s potential impacts relating to the topic of hazards and hazardous materials (which is different from solids and hazardous waste) from the upset and/or release of hazardous materials into the environment are analyzed in Section 4.4 of the EIR. Relative to the use of potable water and wastewater discharged, Section 4.5 of the EIR analyzes the proposed Project’s potential impacts to hydrology (water demand) and water quality.

For these reasons, there is no substantial evidence to support potentially significant effects from “solid and hazardous waste” and thus further inclusion of these topic areas in the EIR.

SCAQMD failed to check the box that says Transportation and Traffic. Please include a detailed analysis of the additional toxic substances that will become airborne and therefore under SCAQMD jurisdiction, by the additional trucks associated with the increase and the trucks already servicing the Quemetco facility. Please also include the toxic substances released by the trucks themselves. NOP-19-M

Response to Comment NOP-19-M

The comment alleges that the box for “transportation and traffic” in the NOP/IS Section 2.3: Environmental Impacts Areas Potentially Affected was not checked that transportation and traffic must be addressed in the EIR. In the NOP/IS, the boxes that were checked based on

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

substantial evidence suggesting that the proposed Project may cause potentially significant impacts and warranted inclusion in the EIR for additional impact assessment.

In response to a comment on the NOP/IS from Caltrans, a commenting agency, the proposed Project's potential impacts to transportation are analyzed in Sections 3.6 and 4.6 of the EIR. The EIR also includes an HRA, which analyzes the potential health risks emissions from diesel truck activities and other mobile sources to the surrounding areas under normal operations and proposed Project Conditions (see Section 4.2 and Appendix D).

Comment NOP-19-N

Other items that must be addressed are the additional toxic, noxious emissions from the increase in the amount of plastic and rubber incidentally incinerated in the Quemetco furnaces as a result of the increase in throughput. Please include a detailed accounting of the total quantity of plastic and rubber that is incinerated in all of Quemetco's processes. Where in the Health Risk Assessment is the data that considers the much higher toxic substance emissions when Quemetco was releasing quantities that violated regulatory agency levels? Why wasn't Quemetco prosecuted when it was discovered that they were exceeding Title V permit throughput limitations of 1.2 million lbs./day?

NOP-19-N

Response to Comment NOP-19-N

The air quality impacts of the proposed Project are analyzed in Section 4.2 and Appendix D of the EIR. The EIR also includes an HRA, which analyzes the air toxic emissions from furnace activities including all feed material (lead components and incidental plastics and rubbers as well as smelting reagents and other additives) and the potential health risks to the surrounding areas (see Section 4.2 and Appendix D). The HRA assessed baseline (existing setting) and proposed Project conditions; both modeling scenarios show lower air toxics emissions than allowed by permit conditions or observed during the referenced permit violation and that all of the proposed Project's potential impacts would be below applicable South Coast AQMD thresholds. While most of the plastics and metals are removed and separated during the battery dismantling process, there are small and incidental amounts of plastics and rubbers that remain in the feed material to the furnaces. Detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Comment NOP-19-O

Residents and business owners reported very strong petroleum-like odors sometime back and suspect that was when Quemetco was testing the petroleum coke in their processes. This needs to be investigated and a determination made prior to considering allowing this material to be used in Quemetco operations. The results must be included in the EIR. Please also include a complete analysis of the increase in toxic emissions from the use of petroleum coke and the increase in Health Risk.

NOP-19-O

Response to Comment NOP-19-O

In 2016, South Coast AQMD issued a Rule 441 research permit to test the use of petroleum coke in Quemetco's furnaces. The Rule 441 research permit required source testing and process sampling to assess the potential changes in emissions when petroleum coke is used as a smelting reagent in the furnaces (refer to Section 2.6: Project Description). South Coast AQMD approved CARB Method 410 test methods, sampling procedures, and source test protocols. The source tests were performed from July 6, 2016 to July 8, 2016.

Section III of the NOP/IS (see Appendix A of EIR) analyzed the potential for odors from the proposed Project which explained that the facility is equipped with air pollution control technology that is capable of reducing odors. For instance, the emissions from the rotary feed drying furnace are routed to an air pollution control system that utilizes a regenerative thermal oxidizer (RTO) which destroys VOCs and their associated odors. Further, any additional odors that may be generated by increasing the feed stock and additives throughput would also be routed to and destroyed by the existing air pollution control system. The potential air quality impacts of the proposed Project, including the results of the research permit for the use of petroleum coke as a smelting reagent, are analyzed in Section 4.2 and Appendix D of the EIR. Because the comment does not provide a precise timeline when the petroleum-like odors were noticeable, South Coast AQMD is unable to determine a correlation between the alleged odors and the previous use of petroleum coke at the facility. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project and includes the emission rates from the use of petroleum coke (see Section 4.2 and Appendix D).

Detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Please include a detailed accounting of what material is being imported from other countries and where that material is being imported from. The assumption that our community should bear the burden of processing lead and other metal containing hazardous waste from all points west of the Mississippi river, and from other countries, is unacceptable. An alternate facility must be built and the plan for this included in the EIR.

NOP-19-P

Response to Comment NOP-19-P

A discussion of the origins of the battery source materials and an analysis of alternate locations for the batteries processed by the Quemetco facility can be found in Chapter 5 of the EIR. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

South Coast AQMD is not a land use agency and does not have authority over the siting over this or any facility. Additionally, South Coast AQMD does not have the authority to require the facility to be relocated, for a different activity to be put on this site, or for another facility to be constructed.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Please include an alternative plan to build an additional lead acid battery facility to process batteries in an environmentally responsible manner that is not in the South Coast Basin. Since Quemetco proclaims to be the world's leading recycler of this type of hazardous waste we hope that they will consider this option. NOP-19-Q

Response to Comment NOP-19-Q

See Response to Comment NOP-19_P. Additionally, Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

I have included a sample of several petitions being circulated by local residents that call for the closure and the inevitable cleanup of the toxic mess left by Quemetco and another asking that the increase in throughput and request to use petroleum coke be denied. Please include these in the EIR. NOP-19-R

Response to Comment NOP-19-R

As explained in the Introduction, the comment letters, including this letter and the sample of the petitions being circulated are included in this Appendix.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Thank you for the opportunity to submit comments and please do not hesitate to contact me if you require additional information. NOP-19-S

Response to Comment NOP-19-S

Thank you for your participation in the IS/NOP process. This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

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Comment Letter NOP-20 Evergreen SGV, Victor Chen



Comment NOP-20

323 Workman Mill Rd.
La Puente, CA 91746
Phone: 626.363.0300
Email: info@evergreensgv.org
Website: www.evergreensgv.org

October 22, 2018

Re: Comments Quemetco Capacity Upgrade Project (increase)

To Whom It May Concern:

On behalf of Evergreen Baptist Church of San Gabriel Valley, which currently resides in Avocado Heights and is comprised of members of this community, I would like to share the concerns made known by our community. We would also like to voice our concerns for the staff and children at the local elementary school we volunteer at, Don Julian Elementary, which is 1.3 miles away from Quemetco. Our church is approximately 2.1 miles away from Quemetco and has approximately 1300 adults and 300 children come through our campus on any given week through various meetings, gatherings and worship services. NOP-20-A

Given the past notifications of the population's cancer burden being increased and the past power interruption that resulted in the shutdown of pollution control equipments, Quemetco's existence in the community is already troubling. An increase, which would result in more tonnage and subsequently more risk of toxic exposure is even more disconcerting. NOP-20-B

The increase would mean a depletion of good water supply in our current state of drought. Furthermore, there is a potentially significant increase in contaminated water for the children and families in the area. NOP-20-C

An increase would also mean more congested freeways and increased environmental risk. NOP-20-D

It is my concern that many families, especially families with small children, that frequent our campus in this community are needlessly being exposed to the increased environmental and toxic risks this capacity increase would bring about. NOP-20-E

On behalf of this church and this community, we ask that Quemetco's proposed project be denied. NOP-20-F

Sincerely,

Pastor Victor Chen
Senior Associate Pastor of Outreach

Responses to Comment Letter NOP-20

Comment NOP-20-A

On behalf of Evergreen Baptist Church of San Gabriel Valley, which currently resides in Avocado Heights and is comprised of members of this community, I would like to share the concerns made known by our community. We would also like to voice our concerns for the staff and children at the local elementary school we volunteer at, Don Julian Elementary, which is 1.3 miles away from Quemetco. Our church is approximately 2.1 miles away from Quemetco and has approximately 1300 adults and 300 children come through our campus on any given week through various meetings, gatherings and worship services.

NOP-20-A

Response to Comment NOP-20-A

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required. Therefore, based on the 10-kilometer grid applied in the HRA, the schools and church mentioned in the comment are within the scope of the HRA and impacts in this area would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-20-B

Given the past notifications of the population's cancer burden being increased and the past power interruption that resulted in the shutdown of pollution control equipments, Quemetco's existence in the community is already troubling. An increase, which would result in more tonnage and subsequently more risk of toxic exposure is even more disconcerting. NOP-20-B

Response to Comment NOP-20-B

Comment NOP-20-C

The increase would mean a depletion of good water supply in our current state of drought. Furthermore, there is a potentially significant increase in contaminated water for the children and families in the area. NOP-20-C

Response to Comment NOP-20-C

Comment NOP-20-D

An increase would also mean more congested freeways and increased environmental risk. NOP-20-D

The comment expresses concern about increased traffic generation leading to more congested freeways and increased environmental risk. Detailed information regarding proposed Project impacts on transportation are discussed in Section 4.6 of the EIR. Section 4.2 and Appendix D of the EIR analyzes the air quality impacts of the proposed Project, including an HRA which analyzes the potential health risks to the surrounding areas from mobile and stationary sources from the proposed Project. Section 4.4 analyzes hazards and hazardous materials impacts. The EIR determined that the proposed Project's impacts would be less than significant.

Comment NOP-20-E

It is my concern that many families, especially families with small children, that frequent our campus in this community are needlessly being exposed to the increased environmental and toxic risks this capacity increase would bring about. NOP-20-E

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Response to Comment NOP-20-E

As explained in Response to Comment NOP-20-A and NOP-20-B, Section 4.2 and Appendix D of the EIR analyzes the air quality impacts of the proposed Project, including an HRA which analyzes the potential health risks to the surrounding areas from the proposed Project. All of the proposed Project’s potential impacts would be less than significant.

Comment NOP-20-F

On behalf of this church and this community, we ask that Quemetco's proposed project be denied. NOP-20-F

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and concluded to be less than significant; therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

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It is important to note that the CEQA process, including the preparation and public review of this EIR, is just one component of the overall evaluation process and does not imply that a project will ultimately be approved.

The decision to approve or deny permits is made by the South Coast AQMD Executive Officer or designee in accordance with Health and Safety Code Section 42300(a).

Comment Letter NOP-21 Sierra Club - San Gabriel Valley Task Force, Joan Licari

Comment NOP-21

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San Gabriel Valley Task Force

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Attention: Ms. Diana Thai

Oct. 24, 2018

Reference: Notice of Preparation of a Draft Environmental Impact Report Quemetco Capacity Upgrade Project

Dear Ms. Thai,

The San Gabriel Valley Task Force, Angeles Chapter of Sierra Club thanks SCAQMD for the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report Quemetco Capacity Upgrade Project (NOP). We also want to commend the agency for the second community forum on this project. It was very professional. We also thank SCAQMD for the extension of comment period.

NOP-21-A

The San Gabriel Valley Task Force was organized by the Angeles Chapter of the Sierra Club in 1999 to work with leaders in San Gabriel Valley cities and Los Angeles County to seek ways to create a more livable environment for Valley residents while preserving or improving management of natural resources.

We have been following the history of the Quemetco facility for a number of years and have attended recent forums held by SCAQMD as well as past community meetings at which local residents have expressed concerns about possible health implications of lead and arsenic on their families and pets that may be contaminating their homes, local schools and parks. Sierra Club believes a number of serious issues must be addressed in the DEIR as Quemetco is seeking a modification of permit from your agency to increase production by 25% .

We feel the following issues must be addressed in addition to all those already identified in the NOP before any permit for expansion be considered.

General comments:

- ◆ Extend the comment period for the DEIR to 60 days. It will be a complex, extensive document for the local residents to evaluate but who are extremely concerned about this project . Give the public more time to consider the findings in the DEIR.

NOP-21-B

- ◆ We notice that the hard copies of the NOP documents can be viewed by the public at the La Puente Library. Include the Hacienda Heights Library as a site for the DEIR. Residents of Hacienda Heights live within approximately 400 feet and are very interested in this project.

NOP-21-C

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

NOP-21-D

◆ This community has borne the impacts of this facility since 1959. It is currently the only plant of this type west of the Rocky Mountains and is receiving lead-bearing waste from reportedly from American Samoa, Canada, Central and Southern America and we have even heard Africa. Should this residential community be subject to recycling of materials brought from other countries? Shouldn't Quemetco construct facilities in areas where environmental impacts would be less cumulatively important than in this heavily urbanized area with major air quality and traffic problems?

Specific comments:

NOP-21-E

◆ Test results already completed or in progress must be made public, evaluated and documented in the DEIR. Results from testing of the soils, children's toenails/urine and air quality must be completed and results made public before any permit modification is granted. Fingerprinting to determine sources of contamination must be evaluated and presented in the DEIR. We have waited over two years for results of soil testing done by the California Dept. of Toxic Substances Control. This is unacceptable. Address contamination present in the surrounding area. There are numerous schools, a healthcare facility—"El Encanto", day-care centers, and parks that are within 2 miles that could be impacted. What effect to baselines will occur from the increased production? What cleanup is needed due to past activities? Any clean-up must be completed before any permit extension be granted.

NOP-21-F

◆ Potential impacts/changes due to a conversion from calcined coke to that of petroleum coke must be evaluated. "Petcoke" can contain vanadium, a toxic metal. Vanadium is toxic in tiny quantities 0.8 micrograms/cubic meter of air according to EPA and also can be high in sulfur. What are the results of the source tests required by SCAQMD to determine whether all emissions of pollutants from the air pollution control system would be different or worse from using petcoke instead of calcined coke in the reverberatory furnace and electric resistance heated slag reduction furnace. (1-15).

NOP-20-G

◆ In the CEQA checklist in the NOP, "Geology" is determined to be "Less than Significant". Geology must be considered "Potentially Significant". Seismic hazards must be evaluated utilizing the most recent seismic research in the Southern California region. Hazardous materials are located on site. Should containment vessels fail or ground fracturing occur due to earthquakes, contaminants could be released to the surrounding area, San Jose Creek, or subsurface groundwater reservoirs.

◆ With 24 hours of production will there be time for maintenance of equipment?

NOP-21-H

◆ The San Gabriel Valley has some of the worst air quality in Southern California. How will the increase in throughput affect local air quality, particularly with respect to nonattainment material thresholds. What changes to air quality, lead deposition in local areas, and the arsenic plume detected to the northwest will occur? The cumulative impacts to air quality in the San Gabriel Valley must be evaluated, including other proposed projects nearby that would be additive.

NOP-21-I

Evaluation of air quality impacts to areas along transport routes utilized to bring raw materials to the facility, transport of waste, including hazardous waste, or finished products to other areas must be included. Any offsets required for mitigation should be required to be in the local area—not some distant area such as the coast that experiences better air quality.

NOP-20-J

◆ The need for potable/recycled water must be evaluated. This is a time of drought in Southern California. The water table in the Upper San Gabriel Groundwater basin is at historic lows. In the NOP, the local water agency indicates water is available, while we are being asked to conserve. Where will the needed water for this project come from? What reduction in water will be available for other local uses will be needed?

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♦ Will there be any impacts to San Jose Creek or downstream along the San Gabriel River to the coast due to normal operations? Could accidental spills reach those areas or reach groundwater resources. NOP-21-K

♦ Elements released by lead/acid battery recycling include arsenic, antimony, barium and cadmium (UNEP, 2003). These substances may form part of the waste and emissions generated at various stages of the recycling process. (UNEP, 2003). NOP-21-L

Cadmium and antimony have been reported in the surrounding areas by a USC study. These materials NOP-21-M are commonly associated by lead/acid battery recycling. Cadmium affects the human respiratory system, kidneys, the gastrointestinal system, and skeletal system. Antimony can irritate eyes and lungs and can cause heart and lung problems, stomach pain, diarrhea, vomiting, and stomach ulcers. Results of studies conducted in the local areas that indicate presence of these materials must be discussed in the DEIR.

♦ There is a concern for social justice about the expansion and even continued operation of this plant which has operated since 1959. Property values are depressed in the area due to health concerns of potential buyers. Should expansion be allowed? Should residents of this area be further subjected to an increase in production or should new processing plants be constructed elsewhere. Can/should residents be compensated in some way? These anxieties should be addressed in the DEIR. NOP-21-N

♦ Traffic studies must be completed at peak hours and off-peak hours to determine impact to local free- NOP-21-O ways, nearby on-ramps/off-ramps, as well as to local streets. Seventh St. is heavily traveled at all times, and off-ramps to/from the 60 freeway are congested at all hours with common backup.

♦ Will trucks delivering raw materials or those transporting waste or finished products meet requirements for trucks traveling the California highways? Residents expressed concern about whether trucks are meeting California standards, especially those coming from Mexico. NOP-21-P

♦ If the plant is in violation, will it be shut down immediately or will it be allowed continue to operate in violation of regulations. This should be addressed in the DEIR. What regulations/laws would be in effect? NOP-21-Q

Again, we thank you for the opportunity for commenting on the NOP. If you have any questions, feel free to contact me. NOP-21-R

Respectfully submitted,



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San Gabriel Valley Task Force
Angeles Chapter of Sierra Club
jlicari2013@gmail.com
626-330-4229
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Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Responses to Comment Letter NOP-21

Comment NOP-21-A

The San Gabriel Valley Task Force, Angeles Chapter of Sierra Club thanks SCAQMD for the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report Quemetco Capacity Upgrade Project (NOP). We also want to commend the agency for the second community forum on this project. It was very professional. We also thank SCAQMD for the extension of comment period. NOP-21-A

The San Gabriel Valley Task Force was organized by the Angeles Chapter of the Sierra Club in 1999 to work with leaders in San Gabriel Valley cities and Los Angeles County to seek ways to create a more livable environment for Valley residents while preserving or improving management of natural resources.

We have been following the history of the Quemetco facility for a number of years and have attended recent forums held by SCAQMD as well as past community meetings at which local residents have expressed concerns about possible health implications of lead and arsenic on their families and pets that may be contaminating their homes, local schools and parks. Sierra Club believes a number of serious issues must be addressed in the DEIR as Quemetco is seeking a modification of permit from your agency to increase production by 25% .

We feel the following issues must be addressed in addition to all those already identified in the NOP before any permit for expansion be considered.

Response to Comment NOP-21-A

Comment NOP-21-B

General comments:

- ◆ Extend the comment period for the DEIR to 60 days. It will be a complex, extensive document for the local residents to evaluate but who are extremely concerned about this project . Give the public more time to consider the findings in the DEIR. NOP-21-B

Response to Comment NOP-21-B

Comment NOP-21-C

- ◆ We notice that the hard copies of the NOP documents can be viewed by the public at the La Puente Library. Include the Hacienda Heights Library as a site for the DEIR. Residents of Hacienda Heights live within approximately 400 feet and are very interested in this project. NOP-21-C

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Response to Comment NOP-21-C

In addition to the La Puente Library, the Hacienda Heights Library was provided a copy of the NOP/IS. Further, at the time of release for public review and comment, a copy of the Draft EIR has been sent to the Hacienda Heights Library and the La Puente Library.

Comment NOP-21-D

• This community has borne the impacts of this facility since 1959. It is currently the only plant of this type ^{NOP-21-D} west of the Rocky Mountains and is receiving lead-bearing waste from reportedly from American Samoa, Canada, Central and Southern America and we have even heard Africa. Should this residential community be subject to recycling of materials brought from other countries? Shouldn't Quemetco construct facilities in areas where environmental impacts would be less cumulatively important than in this heavily urbanized area with major air quality and traffic problems?

Response to Comment NOP-21-D

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. Chapter 5 and Appendix E includes more information about where batteries are generated as well as recycled.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

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South Coast AQMD is not a land use agency and does not have authority over the siting over this or any facility. Additionally, South Coast AQMD does not have the authority to require the facility to be relocated, for a different activity to be put on this site, or for another facility to be constructed.

Comment NOP-21-E

Specific comments:

NOP-21-E

- Test results already completed or in progress must be made public, evaluated and documented in the DEIR. Results from testing of the soils, children’s toenails/urine and air quality must be completed and results made public before any permit modification is granted. Fingerprinting to determine sources of contamination must be evaluated and presented in the DEIR. We have waited over two years for results of soil testing done by the California Dept. of Toxic Substances Control. This is unacceptable. Address contamination present in the surrounding area. There are numerous schools, a healthcare facility-“El Encanto”, day-care centers, and parks that are within 2 miles that could be impacted. What effect to baselines will occur from the increased production? What cleanup is needed due to past activities? Any clean-up must be completed before any permit extension be granted.

Response to Comment NOP-21-E

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today’s operation and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and to penalize exceedances with curtailment of facility operations.

DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. Please refer to Master Response on DTSC Soils Investigations and Remediation.

The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions. Further, the proposed Project assessed in this EIR does not call for any soil disturbance (onsite or offsite) nor any changes that would affect the existing soil conditions; therefore, no further soils analysis is required for CEQA purposes. The proposed Project would generate no significant environmental impacts, there is no substantial evidence to trigger toenail or urine samples in this CEQA evaluation beyond sampling conducted by DTSC. The detailed DTSC soils sampling only “fingerprints” previous soils contamination to the “Quemetco Impacted Area,” and, as discussed in Section 3.4

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of the EIR, has been remediated. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. This does not include screening or sampling toenails or urine.

The criteria for evaluating each environmental topic area varies with health risk modelling based on a 10-kilometer (which is equivalent to 6.2 miles) grid at the longest distance and 0.25 mile of a school at the shortest distance. For this reason, the schools mentioned were included within the scope of the HRA.

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Chapter 4 – Environmental Impact Analysis of the EIR analyzed the following environmental topic areas to determine if potentially significant impacts would occur from the proposed Project: air quality and GHG emissions (including air toxics), energy, hazardous materials, hydrology and water quality, and transportation impacts. However, the analysis concluded that the proposed Project's potential impacts would be less than significant such that no mitigation measures or alternatives analysis are required.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.” As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. The scope of the EIR does not include sampling from children's toenails and urine as a method for assessing health risks. The HRAs conducted (described above) follow South Coast AQMD's required methodology for assessing health risks.

Comment NOP-21-F

NOP-21-F

◆ Potential impacts/changes due to a conversion from calcined coke to that of petroleum coke must be evaluated. “Petcoke” can contain vanadium, a toxic metal. Vanadium is toxic in tiny quantities 0.8 micrograms/cubic meter of air according to EPA and also can be high in sulfur. What are the results of the source tests required by SCAQMD to determine whether all emissions of pollutants from the air pollution control system would be different or worse from using petcoke instead of calcined coke in the reverberatory furnace and electric resistance heated slag reduction furnace. (1-15).

Response to Comment NOP-21-F

The characteristics of calcined coke and petroleum coke are described in Chapter 2 and Chapter 3. The assessment of potential air emissions based on the use of petroleum coke in addition to or in lieu of calcined coke as a smelting reagent have been assessed in Section 4.2 and Appendix D of the EIR. As described in Section 4.2, Quemetco obtained a research permit to test the use of petroleum coke in lieu of or in addition to calcined coke as a smelting reagent in the furnaces. The results of this research permit are presented in Section 4.2 and show that the change in coke materials as a smelting reagent would not change facility emissions from the lead smelting processes nor cause the facility to exceed its air permit conditions of the applicable air impact thresholds presented in this EIR.

The comment states that vanadium is present in petroleum coke, but does not cite a source to support this statement. Vanadium trioxide might be in petroleum coke at 0 to 0.5 % range. For example, the SDS for petroleum coke from Marathon lists 100% petroleum coke by weight, with a potential 1-6% of sulfur compounds by weight, and trace amounts (less than 0.1% by volume) of polycyclic hydrocarbons but the SDS does not identify any vanadium compounds (<https://www.marathonbrand.com/content/documents/brand/sds/0109MAR019.pdf>). The SDS for petroleum coke from Phillip 66 Company shows 100% petroleum coke by weight with no other potential compounds listed (Phillips 66, 2019). The generic petroleum coke SDS lists 100% petroleum coke by weight, with a potential 1-4.6% of sulfur compounds by weight, and trace amounts (typ. 0.55% by weight) of vanadium trioxide (Hickman, Williams & Co., 2012-2013). If vanadium trioxide did exist at 0.5% of the petroleum coke (by weight) it would pass through the rotary/kiln feed dryer baghouse (at least 99% efficient) and through the WESP prior to exhausting to the atmosphere via the WESP stack. Based on current permit conditions, coke addition is limited to approximately 2.7% of total furnace feed, the worst-case vanadium emissions could potentially be 0.000844 pounds per hour. Given the very low maximum hourly emission rate that could potentially result from a compound that “might” be present in petroleum coke, and the low OEHHA-published Acute Inhalation Risk Factor for vanadium, there is a very low probability that vanadium could potentially contribute to acute risk. These low risk factors are based on the 99% efficiency of the rotary/kiln feed dryer baghouse and the 99% efficiency of the WESP. Additionally, vanadium trioxide is a particulate; the rotary/kiln feed dryer baghouse is designed to capture particulates which would include vanadium trioxide. Further, Quemetco purchases petroleum coke from Phillips 66 who reports no vanadium trioxide in its petroleum coke SDS (Phillips 66, 2019). For these reasons, the research permit did not test for vanadium.

Vanadium is on the acute list for Rule 1401, but not on the cancer or chronic list for Rule 1401. The hourly feed rate is not changing, and therefore a change in the acute (short term) risk impact is not expected. Additionally, vanadium either drops out through the slag or is volatilized and captured in air pollution control equipment including the rotary/kiln feed dryer baghouse (which is designed to capture particulates which would include vanadium trioxide), the WESP. For these reasons, the potential presence of vanadium in petroleum coke would not impact potential health risks.

Sulfur is converted into SO₂ in the furnaces and is captured by the SO₂ scrubber and WESP (refer to Figure 2-7); any potential for release of SO₂ is monitored by SO₂ CEMS to ensure compliance with permit limits. Similar to vanadium, any additional SO₂ in the smelting reagent would be at a very low percentage of petroleum (by weight) and would pass through the

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rotary/kiln feed dryer baghouse (at least 99% efficient) and through the WESP prior to exhausting to the atmosphere via the WESP stack. SO₂ is listed as having the potential for contributing to acute health risk, but not for chronic or cancer risk. Because of the additional hours of furnace feeding activity will take place, SO₂ emissions may increase slightly, but would be well below the 150 lbs/day CEQA significance threshold listed in Table 4.2-2. For these reasons, the potential presence of sulfur in petroleum coke would not impact potential health risks.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the potential net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Comment NOP-21-G

NOP-20-G

◆ In the CEQA checklist in the NOP, "Geology" is determined to be "Less than Significant". Geology must be considered "Potentially Significant". Seismic hazards must be evaluated utilizing the most recent seismic research in the Southern California region. Hazardous materials are located on site. Should containment vessels fail or ground fracturing occur due to earthquakes, contaminants could be released to the surrounding area, San Jose Creek, or subsurface groundwater reservoirs.

Response to Comment NOP-21-G

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [" 'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the

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environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions are described in detail in Chapter 3. The referenced seismic risks would be part of the environmental baseline for the proposed Project.

The proposed Project’s effects on geology and soil resources were analyzed in the NOP/IS which concluded that the proposed Project would result in less than significant impacts. Therefore, further analysis of geology and soil resources is not required and was not conducted in the EIR.

The geology and soils section of the Appendix G environmental checklist focuses on impacts at the project site or nearby geologic resources based on physical development that causes soil disturbances, such as grading and excavation, and impacts caused by locating a project on certain soils or in certain seismic areas. As explained in the NOP/IS, the proposed Project does not call for any physical development activities that would move or disturb soil. In addition, the facility has been located on the same site since 1959. As a result, there are no geologic resources that would potentially be impacted by the proposed Project. The comment does not raise any geology or soil resources issues which were not previously analyzed or considered.

The comment also mentions the potential for ruptures and releases related to seismic activity, which is discussed in Section VII: Geology and Soils of the NOP/IS (see Appendix A of the EIR) and Section 3.4 of the EIR. The comment also mentions to the potential for hazard accidents and release as well as soil, waterways and groundwater contamination which are discussed in Section 4.4: Hazards and Hazardous Materials and Section 4.5: Hydrology and Water Quality of the EIR.

It should also be noted that the facility is strictly regulated by multiple agencies to ensure that hazardous materials are not released, whether from a seismic event or otherwise. The facility maintains: (1) a contingency plan which is approved by the local Certified Program Agency (CUPA) which is Los Angeles County; (2) an Underground Storage Tank Monitoring and Emergency Plan which is approved by Los Angeles County Fire Department and Los Angeles County Public Works Department; and (3) facility staff training procedures regarding hazardous material handling requirements.

Comment NOP-21-H

With 24 hours of production will there be time for maintenance of equipment?

NOP-21-H

Response to Comment NOP-21-H

With the current operations, the facility is a 24-hour operation; with the proposed Project, the facility will continue to be a 24-hour operation. The proposed Project includes eliminating the Compliance Stop Period in which the rotary/kiln feed dryer and reverberatory furnace are required to stop operating for (1) one to (6) six hours per day when the daily throughput limit has been met. Under the proposed Project, the rotary/kiln feed dryer and reverberatory furnace could operate up to 24 hours per day. Under the existing and proposed Project schedules, there are (and will continue to be) times when the facility is closed from one day up to several weeks a year for periodic equipment and facility maintenance. Other housekeeping, compliance and maintenance activities conducted on a daily/weekly basis (such as washing the facility and inspecting air

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pollution control equipment and other safety checks) continue without having to close the facility.

Comment NOP-21-I

The San Gabriel Valley has some of the worst air quality in Southern California. How will the increase in throughput affect local air quality, particularly with respect to nonattainment material thresholds. What changes to air quality, lead deposition in local areas, and the arsenic plume detected to the northwest will occur? The cumulative impacts to air quality in the San Gabriel Valley must be evaluated, including other proposed projects nearby that would be additive. NOP-21-I

Evaluation of air quality impacts to areas along transport routes utilized to bring raw materials to the facility, transport of waste, including hazardous waste, or finished products to other areas must be included. Any offsets required for mitigation should be required to be in the local area—not some distant area such as the coast that experiences better air quality.

Response to Comment NOP-21-I

The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D of the EIR. The EIR also includes an HRA, which analyzes the potential health risks including from lead and arsenic to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D).

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (Year 2014 existing setting) and proposed Project (Year 2019) conditions to determine the potential net increase in health risk (from mobile and stationary sources as described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project's potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project's potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all of the proposed Project's potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures

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are not required. Any potential lead or arsenic emissions would generate less than significant air toxics impacts. Cumulative impacts are addressed in Chapter 4 – Environmental Impact Analysis, Section 4.2.5 AQ-6: Cumulative Air Quality and GHG Impacts. The EIR concludes that either cumulative impacts will not be significant or the proposed Project’s contribution to cumulative impacts would not be cumulatively considerable. For these reasons, neither mitigation measures nor offsets are required. Further, South Coast AQMD’s permit requires compliance with Regulation XIII.

The project would add an estimated 15 truck trips per day to the existing roadway network. This is a small percentage of daily truck and car volumes on nearby roadways, including 7th Street and SR-60, which would be utilized by trucks to access the Project site. Trucks transporting materials to the facility must comply with CARB’s Clean Truck Program, which requires that all trucks operate progressively cleaner engines, culminating in Tier 4 engines by year 2023. Truck trip emissions were included in the air quality analysis and HRA. All potential impacts would be less than significant.

The transportation of hazardous materials to and from the facility is analyzed in Section 4.4 of the EIR. The proposed Project’s potential hazards and hazardous materials impacts are analyzed in light of the complex state and federal regulatory requirements that apply to the facility. Further, the facility maintains: (1) a contingency plan which is approved by the CUPA, which is the Los Angeles County Fire Department; (2) a UST Monitoring and Emergency Plan which is approved by Los Angeles County Fire Department and Los Angeles County Public Works Department; and (3) facility staff training procedures regarding hazardous material handling requirements.

Comment NOP-21-J and NOP-21-K

◆ The need for potable/recycled water must be evaluated. This is a time of drought in Southern California. ^{NOP-21-J}
The water table in the Upper San Gabriel Groundwater basin is at historic lows. In the NOP, the local water agency indicates water is available, while we are being asked to conserve. Where will the needed water for this project come from? What reduction in water will be available for other local uses will be needed?

◆ Will there be any impacts to San Jose Creek or downstream along the San Gabriel River to the coast due ^{NOP-21-K}
to normal operations? Could accidental spills reach those areas or reach groundwater resources.

Response to Comment NOP-21-J and NOP-21-K

Regarding water usage, the proposed Project would use approximately 97,000 gallons of water per day which is evaluated further in Section 4.5 of the EIR. As explained in Section IX of the NOP/IS (see Appendix A of the EIR), the facility is served by the San Gabriel Valley Water Company, which has confirmed that it has sufficient water supplies to serve the proposed Project and anticipated future demand in normal, single-dry, and multiple dry years. Moreover, the Urban Water Management Plan projects an increase in potable and raw water demand from

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industrial users from baseline (2014) conditions to 2040. The proposed Project’s water demand is within these projections.¹⁵ The Urban Water Management Plan also notes the following:

- The proposed Project’s water demand would constitute approximately 0.35% of the total water demand serviced by the SGVWC in 2015.¹⁶ This percentage decreases in projected future years (e.g., 2020, 2025, 2030).
- The Urban Water Management Plan concludes that reliable quantities of projected water supply sources are available to the SGVWC to meet demand through 2040. A single dry year or a multiple dry year period will not compromise the SGVWC’s ability to provide a reliable supply of water to its customers.¹⁷ The groundwater supplies in the Main Basin and Central Basin are deemed reliable.
- The SGVWC has the ability to deliver imported water through a connection with the Metropolitan Water District of Southern California, as well as emergency interconnections with several surrounding water agencies to ensure the reliability of its water supply.¹⁸

Additionally, the facility recycles and reuses its wastewater onsite. The water demand for the proposed Project did not take this into account. As a result, the proposed Project’s actual water demand will likely be less given the facility’s ability to recycle and reuse its own wastewater.

An analysis of the hazardous waste impacts from the proposed Project, including a discussion relative to accidental spills and materials handling, was addressed in the NOP/IS (see Appendix A of the EIR) and Section 4.4 of the EIR. An analysis of groundwater effects of the proposed Project is located in Section 3.5 and 4.5 of the EIR. Based on this analysis as well as the HRA in Section 4.2 which shows no potentially significant air toxics impacts from the proposed Project on waterways or area soils, any potential impacts from the proposed Project on area creeks would be less than significant. The analysis of hazardous waste and hazardous materials in the NOP/IS and the EIR concluded that all potential impacts would be less than significant; no mitigation measures would be required.

Comment NOP-21-L

- Elements released by lead/acid battery recycling include arsenic, antimony, barium and cadmium (UNEP, 2003). These substances may form part of the waste and emissions generated at various stages of the recycling process. (UNEP, 2003).

¹⁵ San Gabriel Valley Water Company 2015 Urban Water Management Plan, Tables 4-1 and 4-2 (available at https://www.sgvwater.com/wp-content/uploads/2018/09/Volume-I-FINAL-AMENDED_2015-UWMP_SGVWC_LACD.pdf).

¹⁶ SGVWC Urban Water Management Plan Tables 4-1, 6-8, and 6-9.

¹⁷ SGVWC Urban Water Management Plan Section 7.3.

¹⁸ SGVWC UWMP Sections 6.1 and 6.7.3.

Response to Comment NOP-21-L

The proposed Project’s potential air quality impacts are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D.1). The HRA modeling includes arsenic, antimony, and cadmium. Barium is not on the list of South Coast AQMD’s Rule 1401 toxic compounds because Barium is not on the OEHHA list of compounds that need to be evaluated in an AB2588 HRA. Barium has not been assigned an acute, chronic or cancer risk assessment value by OEHHA. The comment does not cite its source with enough specificity to enable review of the reference and therefore could not be evaluated for relevance.

The EIR evaluates the proposed Project’s potential solid and hazardous waste impacts in the NOP/IS Section XVI and hazards and hazardous materials impacts in the EIR Section 3.4 and 4.5. All potential impacts from the proposed Project were found to be less than significant; therefore, mitigation measures are not required.

Comment NOP-21-M

Cadmium and antimony have been reported in the surrounding areas by a USC study. These materials ^{NOP-21-M} are commonly associated by lead/acid battery recycling. Cadmium affects the human respiratory system, kidneys, the gastrointestinal system, and skeletal system. Antimony can irritate eyes and lungs and can cause heart and lung problems, stomach pain, diarrhea, vomiting, and stomach ulcers. Results of studies conducted in the local areas that indicate presence of these materials must be discussed in the DEIR.

Response to Comment NOP-21-M

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions are described in detail in Chapter 3.

The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). The HRA includes an evaluation of cadmium and antimony; the HRA found that all of the Project’s potential health risks impacts would be less than significant, including potential health risks from cadmium and antimony.

The HRA followed the South Coast AQMD methods and guidance and provides substantial evidence that the proposed Project would not generate significant health risk impacts. The results of the USC studies referenced in this comment were not included in the EIR as they do not provide information which aligns with South Coast AQMD’s obligations to evaluate the potential environmental impacts of the proposed Project compared to baseline conditions, particularly given that the proposed Project’s health risks would not be exceed South Coast AQMD’s air toxic thresholds. . For these reasons, these studies were not included in the EIR.

Comment NOP-21-N

♦ There is a concern for social justice about the expansion and even continued operation of this plant which has operated since 1959. Property values are depressed in the area due to health concerns of potential buyers. Should expansion be allowed? Should residents of this area be further subjected to an increase in production or should new processing plants be constructed elsewhere. Can/should residents be compensated in some way? These anxieties should be addressed in the DEIR.

NOP-21-N

Response to Comment NOP-21-N

Please refer to the Master Response on Environmental Justice. While economic or social information may be included in an EIR and presented in whatever form the agency desires, CEQA Guidelines Sections 15064 and 15131 state that economic and social changes resulting from a project shall not be treated as significant effects on the environment. In addition, neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of social or environmental justice or property values when evaluating the environmental effects of the proposed Project.

Under state law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. [Government Code Section 65040.12(e).] Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects. Social justice means the fair access of all people to wealth, opportunities and privileges in a society.

South Coast AQMD adopted an environmental justice initiative to ensure that everyone has the right to equal protection from air pollution and fair access to the decision-making process that works to improve the quality of air within their communities. Environmental justice is program is defined by the South Coast AQMD as the “...equitable environmental policymaking and enforcement to protect the health of all residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution.” One of the South Coast AQMD's top environmental justice priorities is the implementation of ABs 617 and 134 (<http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134>). However, the Quemetco facility and its surrounding community is not currently designated as an AB 617 community eligible for incentive funding. It is important to note however, for communities awarded with incentive funds, the money is allocated for projects or improvements that would provide an environmental benefit for the entire community. As such, financial compensation to individual residents is not a feature of the incentive funding structure for AB 617 communities.

While neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of social or environmental justice or property values when evaluating the environmental effects of the proposed Project, the South Coast AQMD considers disproportionate impacts on disadvantaged communities as related to environmental justice by evaluating the proposed Project's potential public health and environmental impacts during the CEQA process including conducting a health risk assessment.

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The EIR includes an extensive analysis of the proposed Project’s potential impacts on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts. In addition, public health impacts associated with the proposed Project were analyzed in an HRA (see Section 4.2 and Appendix D of the EIR). Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

The analysis of all environmental topic areas evaluated in the NOP/IS and the EIR for the proposed Project were concluded to have either less than significant impacts or no impacts. Therefore, the proposed Project would have less than significant impacts to public health.

CalEnviroScreen was developed by OEHHA to identify communities facing toxic exposure and that are vulnerable to pollution and environmental hazards. It was designed to help implement SB 535, which requires at least 25 percent of GHG reduction funds collected under AB 32’s Cap-and-Trade program to be allocated to projects that benefit disadvantaged communities, with at least 10 percent for projects located within these communities. To accomplish its purpose, the tool uses environmental, health, and socioeconomic data. While this economic and social effects data can be included in the EIR, the CEQA Guidelines state that economic or social effects of a project shall not be treated as significant effects on the environment (CEQA Guidelines Sections 15064 and 15131). Moreover, the economic and social effects data in CalEnviroScreen are not intended to be used for determining significance under CEQA.

The EIR also analyzes potential localized impacts from the proposed Project using the South Coast AQMD’s Localized Significance Thresholds (“LST”). The LSTs were developed as one of the South Coast AQMD’s Environmental Justice Program Enhancements (specifically Enhancement I-4). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest residence or sensitive receptor, taking into consideration ambient concentrations in each source receptor area, project size, distance to the sensitive receptor, etc.¹⁹ LSTs were developed in response to environmental justice concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities.²⁰

Also, in addition to the LSTs, which analyze whether a project would exceed applicable air quality standards, the proposed Project is also subject to South Coast AQMD Rule 1420.1, which applies solely to the existing facility, and establishes strict limits on toxic emission concentrations that provide the greatest protection to the community. The commenter is referred to the South Coast AQMD Board materials, including staff reports, for information regarding the adoption and amendment of Rule 1420.1.

The commenter questions whether residents can or should be compensated for alleged depressed property values due to public health concerns. As stated above, neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of social effects or environmental justice or

¹⁹ South Coast AQMD LST Fact Sheet (available at <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/localized-significance-thresholds-fact-sheet.pdf>).

²⁰ Id.

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property values when evaluating the potential environmental effects of the proposed Project. The South Coast AQMD considers disproportionate impacts on disadvantaged communities as related to environmental justice by evaluating the proposed Project’s potential public health and environmental impacts. As presented in this EIR Chapter 4 – Environmental Impacts Analysis includes an extensive public health evaluation through HRA modeling of air toxics (Section 4.2 and Appendix D) and hazards assessment (Section 4.4); all impacts would be less than significant and no mitigation measures are required.

Comment NOP-21-O

- ◆ Traffic studies must be completed at peak hours and off-peak hours to determine impact to local free-ways, nearby on-ramps/off-ramps, as well as to local streets. Seventh St. is heavily traveled at all times, and off-ramps to/from the 60 freeway are congested at all hours with common backup. NOP-21-O

Response to Comment NOP-21-O

Although the NOP/IS concluded that the proposed Project’s transportation impacts would not have potentially significant impacts, the South Coast AQMD, in response to comment received relative to the environmental topic of traffic and transportation, committed to conducting a further analysis of the proposed Project’s potential transportation impacts which can be found in Section 3.6 and Section 4.6 of the EIR. The proposed Project would add an estimated 15 truck trips per day to the existing roadway network (see Table 2-1 of the EIR) with a small percentage of daily truck and car volumes on nearby roadways, including 7th Street and SR-60, which would be utilized by trucks to access the Project site All transportation impacts would be less than significant and no mitigation measures are required.

Comment NOP-21-P

- ◆ Will trucks delivering raw materials or those transporting waste or finished products meet requirements for trucks traveling the California highways? Residents expressed concern about whether trucks are meeting California standards, especially those coming from Mexico. NOP-21-P

Response to Comment NOP-21-P

Trucks transporting materials to the facility must comply with CARB’s Clean Truck Program, which requires that all trucks operate progressively cleaner engines, culminating in year 2010 engines and newer engines by the beginning of year 2023. Assurance of compliance with the Clean Truck Program resides with the owner of the truck fleet and CARB. Truck trip emissions were included in the air quality analysis and HRA (Section 4.2 and Appendix D of the EIR).

Comment NOP-21-Q

- ◆ If the plant is in violation, will it be shut down immediately or will it be allowed continue to operate in violation of regulations. This should be addressed in the DEIR. What regulations/laws would be in effect? NOP-21-Q

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Response to Comment NOP-21-Q

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded 0.120 µg/m³ over a 30-day rolling average. If there is a violation of a permit condition or rule requirement, Quemetco activates the facility’s South Coast AQMD-approved compliance plan immediately upon becoming aware of the exceedance and initiates a 50% process curtailment as required by South Coast AQMD Rule 1420.1. The curtailment period continues for a period of 30 days from the date of occurrence. An in-depth discussion of the applicable laws and regulations, DTSC and South Coast AQMD violations and their outcomes, and the NOV process can be found in Section 3.2, Chapter 3 – Environmental Setting and Appendix C of the EIR.

Comment NOP-21-R

Again, we thank you for the opportunity for commenting on the NOP. If you have any questions, feel free to contact me. NOP-21-R

Response to Comment NOP-21-R

This comment contains closing remarks which do not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

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Comment Letter NOP-22 Bavi Bavicisumab

Comment NOP-22

Pollution 10/2018 by t.lohff@gmail.com

In 1960 the San Jose creek was pristine. I played and swam there with fish, frogs and birds. Not five years later the creek was a cesspool of opaque brown water and all life was killed. Quemetco was a shack coated with sulfur and stinking of metal. Today the life is still minimal although the water looks clean. And Quemetco is ten times the size.

NOP-22-A

For tens of years Quemetco has been permitted to burn 1.2 million pounds of batteries a day. This resulted in so much pollution the Valley would not recover until Quemetco shut down for seven days. When Quemetco started again, it only took half a day to fill the valley with pollution. Odd, because the scientists at the SCAQMD assured the community was in no danger because their dispersion modeling proved the pollutants are disbursed. Turns out the dispersion modeling has no relation to the real world. I remember the seventies when for only a handful of days a year one could see the valley floor. The tops of the mountains were frequently visible, but not the valley floor. Since Quemetco shut down to install the WESP the scene is reversed. Often now the valley floor is visible for all but a handful of days a year. Indeed even when the mountain tops are obscured the valley floor is still visible. Keep in mind the SCAQMD thought there was no way a facility would get a cancer burden of 1, and yet at one point Quemetco achieved a cancer burden of over 1.5.

NOP-22-B

I urge the SCAQMD to learn from their mistakes and not to repeat them as lives are at stake.

NOP-22-C

One rainy day I passed by Quemetco and it looked as though the whole place was on fire. There were emissions coming from the ground up. So I called the fire department and said Quemetco was on fire. Five minutes later the fire department called me back and said Quemetco was not on fire, they always look like that. I agree, late night, and rainy days the place is often smoking from the ground up. But whenever the SCAQMD is conducting source testing there are no visible emissions, and these are the test results used to prove how little Quemetco pollutes. Why don't you do source testing when Quemetco is smoking from the ground up the way they always look?

NOP-22-D

Let's say Quemetco emits a lethal plume of 1) Lead, 2) Arsenic or 3) VOC's and someone drops dead.

NOP-22-E

What is the time frame before the SCAQMD determines this plume came from Quemetco and makes them stop? I would like a minimum and maximum time for each of toxins above.

Assume Quemetco only emits this plume for less than 5 minutes, will the SCAQMD even notice?

According to Quemetco ground zero for their pollutants is just east of 4th and Lomitas. Why are there are no fence line monitors to the west of Quemetco and only one on the south and that one is at the east most point. Keep in mind most of the population around Quemetco is to the south and west.

NOP-22-F

The cleanup of Vernon is under way, yet the tons of lead Quemetco has admitted to emitting into the air still remains in our community and the SCAQMD knows that every train and truck re-entrains this lead into our air. Why does the SCAQMD do nothing about this airborne toxin?

NOP-22-G

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Has anyone at the SCAQMD determined what Quemetco's maximum capacity is? For years the community has complained about Quemetco looking like they are exceeding their permitted amount. NOP-22-H
And for years we have complained about Quemetco's expansion, but the SCAQMD granted every expansion request. I request a throughput capacity report on the individual units and summery capacity report.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

SCAQMD Executive Officer, Wayne Nastri worked as a Quemetco consultant for decades. He worked to develop strategies that kept Quemetco in compliance with rules and regulations of regulatory agencies and was instrumental in the Quemetco strategy to close down Quemetco’s competition, Exide Technologies, and reroute the processing of those batteries to Quemetco. Can you please explain in detail in the EIR how Mr. Nastri serving as the head of the Lead Agency on this project is not a conflict of interest? How will Mr Nastri’s intimate knowledge of the inner workings of Quemetco benefit the community and efforts to stop this bad idea of a proposal?

NOP-22-I

Attached is data concerning dangerously elevated blood lead levels of Quemetco employees. Please comprise a complete risk assessment that includes the projected increases in blood lead levels with the increase in amount of processed material in the EIR.

NOP-22-J

Annual Blood Lead Level Distributions of Quemetco Battery Recycling Facility Workers Reported to CDPH, 1987 – 2017 (Each worker counted once per year at their highest BLL) 04/04/2018, Occupational Lead Poisoning Prevention Program, CDPH

NOP-22-K

* Cell sizes with 10 or fewer people replaced with “<11” per CA Dept. of Health Care Services data guidelines **

Cell size is masked to prevent calculation of smaller cell sizes in the row

Year	Blood Lead Level (BLL), µg/dL			BLL Range, 40+ (highest BLL if < 11 workers)		Total
<10	10 - 24	25 - 39	40+			
1987	0	0	94	28	122	40 – 55 µgdL
1988	0	0	107	16	123	40 – 52 µgdL
1989	0	0	84	<11	**	49 µgdL
1990	0	0	0	<11	<11	51 µgdL
1991	0	0	54	<11	**	45 µgdL
1992	0	0	80	<11	**	53 µgdL
1993	0	<11	68	<11	**	44 µgdL
1994	0	<11	49	<11	**	43 µgdL
1995	0	<11	29	<11	**	55 µgdL
1996	27	174	26	0	227	--
1997	26	182	27	<11	**	46 µgdL
1998	89	169	29	<11	**	42 µgdL
1999	17	152	23	<11	**	48 µgdL
2000	38	149	27	<11	**	47 µgdL
2001	38	176	29	<11	**	52 µgdL
2002	67	177	18	0	262	--
2003	53	150	<11	0	**	--
2004	46	149	<11	0	**	

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2005	46	152	<11	0	**	--
2006	66	148	11	0	225	--
2007	56	166	12	0	234	--
2008	70	162	<11	0	**	--
2009	68	151	13	0	232	--
2010	83	149	<11	0	**	--
2011	89	149	<11	0	**	--
2012	89	148	<11	0	**	--
2013	100	141	<11	0	**	--
2014	131	124	<11	0	**	--
2015	175	135	<11	0	**	--
2016	145	127	<11	0	**	--
2017	145	111	<11	0	**	--

Comment NOP-22-A

In 1960 the San Jose creek was pristine. I played and swam there with fish, frogs and birds. Not five years later the creek was a cesspool of opaque brown water and all life was killed. Quemetco was a shack coated with sulfur and stinking of metal. Today the life is still minimal although the water looks clean. And Quemetco is ten times the size.

NOP-22-A

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Response to Comment NOP-22-A

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.” The EIR evaluated whether the proposed Project could cause a significant effect on the environment compared to the existing physical conditions in the environment at the time the NOP was published (known as baseline conditions) in accordance with CEQA Guidelines Section 15002(g) and 15125. CEQA Guidelines and case law provides no support for establishing a baseline year retroactive to 1960.

The NOP/IS analyzed the proposed Project’s potential impacts to biological resources and found them to be less than significant, therefore, the scope of the EIR is not required to analyze it further. The comment does not raise any biological resource issues which were not previously analyzed or considered.

Comment NOP-22-B & NOP-22-C

For tens of years Quemetco has been permitted to burn 1.2 million pounds of batteries a day. This resulted in so much pollution the Valley would not recover until Quemetco shut down for seven days. When Quemetco started again, it only took half a day to fill the valley with pollution. Odd, because the scientists at the SCAQMD assured the community was in no danger because their dispersion modeling proved the pollutants are disbursed. Turns out the dispersion modeling has no relation to the real world. I remember the seventies when for only a handful of days a year one could see the valley floor. The tops of the mountains were frequently visible, but not the valley floor. Since Quemetco shut down to install the WESP the scene is reversed. Often now the valley floor is visible for all but a handful of days a year. Indeed even when the mountain tops are obscured the valley floor is still visible. Keep in mind the SCAQMD thought there was no way a facility would get a cancer burden of 1, and yet at one point Quemetco achieved a cancer burden of over 1.5. NOP-22-B

I urge the SCAQMD to learn from their mistakes and not to repeat them as lives are at stake. NOP-22-C

See also Response to Comment NOP-22-A. The existing operations, the air pollution control systems, the characteristics of the proposed Project, and the definition of baseline are described in Chapter 1 – Project Description of the NOP/IS and Chapter 2 – Proposed Project of the EIR. Quemetco has made several major improvements to its operations since 2008 which included enclosing the battery wrecker building and installing the WESP, LOTOX[®] and RTO; these improvements have reduced the facility’s overall air pollutant emissions. The currently daily battery processing rate is addressed as the baseline condition. The baseline conditions are described in Section 2.6: Project Description and Chapter 3 – Environmental Setting. The proposed Project’s air quality baseline conditions and impacts are described in Section 3.2 and Section 4.2 (and Appendix D), respectively.

The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). Separate HRAs were conducted for the baseline (year 2014) and proposed Project conditions to determine the net increase in health

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risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all of the proposed Project’s potential impacts including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant. Therefore, mitigation measures are not required. For these reasons, the net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The selection of the baseline year 2014 (existing setting) is consistent with CEQA guidelines and case law.

Detailed information regarding Quemetco’s alleged permit violations and settlements are discussed in EIR Section 3.2 and Appendix C. This section reviews regulatory compliance status and permitting history and shows that regulatory and permitting requirements for Quemetco have become more rigorous (e.g., South Coast AQMD Rule 1420.1). In addition, DTSC is addressing historical contamination due to Quemetco’s operations including soil sampling and soil remediation.

Comment NOP-22-D

One rainy day I passed by Quemetco and it looked as though the whole place was on fire. There were emissions coming from the ground up. So I called the fire department and said Quemetco was on fire. Five minutes later the fire department called me back and said Quemetco was not on fire, they always look like that. I agree, late night, and rainy days the place is often smoking from the ground up. But whenever the SCAQMD is conducting source testing there are no visible emissions, and these are the test results used to prove how little Quemetco pollutes. Why don't you do source testing when Quemetco is smoking from the ground up the way they always look? NOP-22-D

Response to Comment NOP-22-D

The comment does not provide any level of detail where the South Coast AQMD staff could research the compliance history to establish if Quemetco was issued a NOC or NOV for Rule 401 – Visible Emissions. Section 3.2 and Appendix C of the EIR present detailed information regarding Quemetco’s alleged permit violations and settlements; there have been no Rule 401 – Visible Emissions permit violations in the past 10 years. Additionally, steam generated from pavement and warm operations buildings on humid days does not qualify as visible emissions nor does Rule 401 provide guidance for interpreting steam from pavement as potential visible

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emissions. The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). All of the proposed Project’s potential environmental impacts would be less than significant.

The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Comment NOP-22-E

Let’s say Quemetco emits a lethal plume of 1) Lead, 2) Arsenic or 3) VOC’s and someone drops dead.

NOP-22-E

What is the time frame before the SCAQMD determines this plume came from Quemetco and makes them stop? I would like a minimum and maximum time for each of toxins above.

Assume Quemetco only emits this plume for less than 5 minutes, will the SCAQMD even notice?

Response to Comment NOP-22-E

See Chapter 2 – Proposed Project, Section 2.4.7: Air Pollution Control Systems of the EIR for descriptions of existing air pollution control equipment, back-up power and air monitoring stations and Section 2.6: Project Description for a description of CEMS monitoring on the WESP stack. Section 3.2 details applicable air quality rules and regulations which apply to Quemetco and specifically South Coast’s Rule 1420.1, which sets stringent lead and arsenic emissions standards specifically for Quemetco, as a secondary lead smelter. Detailed information regarding Quemetco’s alleged permit violations and settlements are discussed in EIR Section 3.2 and Appendix C. When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded $0.120 \mu\text{g}/\text{m}^3$ over a 30-day rolling average. If there is a violation of a permit condition or rule requirement, Quemetco activates the facility’s South Coast AQMD-approved compliance plan immediately upon becoming aware of the exceedance and initiates a 50% process curtailment as required by South Coast AQMD Rule 1420.1. The curtailment period continues for a period of 30 days from the date of occurrence.

Further, if someone from the community notices a plume and calls South Coast AQMD’s toll-free number at 1-800- CUT-SMOG (1-800-288-7664 or submits an online complaint via <https://www.aqmd.gov/home/air-quality/complaints>, a South Coast AQMD inspector will come out to the community to investigate.

Additionally, as described in Section 3.4: Hazards and Hazardous Materials, the facility has prepared an Emergency Response Plan which is filed with and monitored by the Los Angeles

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County Fire Department and details how the emergency responders would coordinate a response with South Coast AQMD and DTSC.

The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks from the proposed Project's emissions of toxic air contaminants such as lead, arsenic, and VOCs (see Section 4.2 and Appendix D).

Comment NOP-22-F

According to Quemetco ground zero for their pollutants is just east of 4th and Lomitas. Why are there are no fence line monitors to the west of Quemetco and only one on the south and that one is at the east most point. Keep in mind most of the population around Quemetco is to the south and west. NOP-22-F

Response to Comment NOP-22-F

Information about South Coast AQMD's offsite downwind air monitoring station at Closet World is located here: <http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>. The air monitor locations were selected by South Coast AQMD based upon facility emission sources and the predominant wind direction, to ensure that monitored values are reflective of the facility's emissions. See Section 2.4.7: Air Pollution Control Systems of the EIR for descriptions of existing air pollution control equipment, including air monitoring stations. Section 3.2 in the EIR presents the windroses for Quemetco to illustrate the prevailing wind patterns around Quemetco. The facility's air monitors are located downwind of Quemetco to ensure capturing the facility's emissions. As shown in the referenced windroses, the prevailing winds are not westerly. If there were air monitors upwind of the facility, they would not necessarily be able to capture the majority Quemetco's operations and would be under-estimating the actual emissions activities for this facility. .

Comment NOP-22-G

The cleanup of Vernon is under way, yet the tons of lead Quemetco has admitted to emitting into the air still remains in our community and the SCAQMD knows that every train and truck re-entrains this lead into our air. Why does the SCAQMD do nothing about this airborne toxin? NOP-22-G

Response to Comment NOP-22-G

Quemetco is an existing operating facility which operates pursuant to existing air permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria.

While Quemetco and Exide are both battery recyclers, Exide's operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Further, the details of Exide's operations, facility design and air pollution control systems were not the same as Quemetco's operations, facility design and air pollution control systems. Exide began operation in the 1920s, several decades earlier than Quemetco.

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Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide's last two full years of operation, 2014 and 2013, Exide's lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to South Coast AQMD and obtained via South Coast AQMD's FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013). Moreover, Exide's past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. For these reasons, information pertaining to the Exide facility and its previous operations are not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Since the proposed Project is for the Quemetco facility located in the City of Industry, the analysis in the EIR focuses on Quemetco and the proposed Project and does not address any facilities that are located in the City of Vernon, which is approximately 17 miles away.

The air quality impacts of the proposed Project are discussed in Section 3.2, Section 4.2 and Appendix D of the EIR. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). Table 3.2-6 reports the facility's emissions reported in years 2014 through 2018; lead emissions are reported in pounds (not tons). As shown in Table 3.2-5, Ambient Air Quality Monitoring Station #85 reporting data for years 2014 through 2019, there have been no exceedances of state, federal or local lead standards during this reporting period. Further review of the Intranet Aerometric Data Analysis & Management (iADAM) database (accessible at <https://www.arb.ca.gov/adam/>) for CARB's annual statewide toxics inventory for lead shows no exceedance of state, federal or local lead thresholds since 1989²¹. Detailed information regarding Quemetco's alleged permit violations and settlements are discussed in EIR Section 3.2 and Appendix C.

Comment NOP-22-H

Has anyone at the SCAQMD determined what Quemetco's maximum capacity is? For years the community has complained about Quemetco looking like they are exceeding their permitted amount. And for years we have complained about Quemetco's expansion, but the SCAQMD granted every expansion request. I request a throughput capacity report on the individual units and summery capacity report. NOP-22-H

Response to Comment NOP-22-H

Quemetco's capacity is currently limited by Condition C1.7 to 600 tons per day of feed material in the rotary/kiln feed dryer and reverberatory furnace as measured by the required Loadrite weighing system (within its existing Title V permit). The facility's capacity has been the same for decades and there have been no expansions prior to 2013, the year when this application was

²¹ Annual Statewide Lead Summary (<https://www.arb.ca.gov/adam/toxics/statepages/pbstate.html>)

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submitted to South Coast AQMD. As explained in the NOP/IS and the EIR proposed Project description, annual throughput is often less than the maximum permitted amount due to variations in operations and maintenance schedules. Quemetco operates under a Title V operating permit issued by South Coast AQMD on May 8, 2018. The permit expires on May 7, 2023. The proposed Project will require modifications to the Title V permit. As such, an application for a Title V permit revision to increase the throughput limit to 750 tpd was submitted to South Coast AQMD in 2013 to modify its Title V air permit and subsequently triggered this CEQA evaluation.

Source tests, air monitoring stations and CEMS on the WESP stack collect data and are reported to ensure facility emissions are meeting permit conditions. On-going source testing is required to be conducted to demonstrate compliance with the air quality permit and Rule 1420.1. Specifically, Rule 1420.1 requires source tests to be performed on all stacks at a minimum of once each year beginning in 2016. All source tests conducted for compliance purposes are governed by a South Coast AQMD-approved source testing methodology (see Table 3.2-8 for Quemetco’s annual reported TAC emissions which are based on source test results and CEMS data). South Coast AQMD Rule 1420.1 is more stringent than Federal Regulation X - NESHAP. Rule 1420.1 also requires Quemetco to prepare annual compliance demonstrations.

Comment NOP-22-I

SCAQMD Executive Officer, Wayne Nastri worked as a Quemetco consultant for decades. He worked to develop strategies that kept Quemetco in compliance with rules and regulations of regulatory agencies and was instrumental in the Quemetco strategy to close down Quemetco’s competition, Exide Technologies, and reroute the processing of those batteries to Quemetco. Can you please explain in detail in the EIR how Mr. Nastri serving as the head of the Lead Agency on this project is not a conflict of interest? How will Mr Nastri’s intimate knowledge of the inner workings of Quemetco benefit the community and efforts to stop this bad idea of a proposal? NOP-22-I

Response to Comment NOP-22-I

The decision to approve or deny permits is made by the South Coast AQMD Executive Officer or designee in accordance with Health and Safety Code Section 42300(a). However, the South Coast AQMD’s Executive Officer, Mr. Wayne Nastri, has recused himself from participating in the review this facility’s permit applications, preparation of the related CEQA documents, and any decision whether to approve or deny the project. Instead, Mr. Nastri has designated Chief Operations Officer Ms. Jill Whynot the authority over whether to approve or deny the project. Therefore, there is no conflict of interest.

Comment NOP-22-J

Attached is data concerning dangerously elevated blood lead levels of Quemetco employees. Please comprise a complete risk assessment that includes the projected increases in blood lead levels with the increase in amount of processed material in the EIR. NOP-22-J

Response to Comment NOP-22-J

The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks from lead and other toxic air contaminants to the surrounding areas from the proposed Project (see Section 4.2).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR (Maximally Exposed Individual Resident) and MEIW (Maximally Exposed Individual Worker) receptors.

The comment makes a claim about elevated worker blood levels; South Coast AQMD cannot verify the accuracy of this claim without more specific data. And as described, the worker exposure estimated in the baseline (existing setting) and proposed Project conditions do not exceed the applicable South Coast AQMD MEIW thresholds.

Quemetco has safety measures and practices in place for their employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for its employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures. As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to their employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, however the screening or testing of any facility's employees' blood is outside the jurisdiction of the South Coast AQMD who manages air permits.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-23 James Flournoy

Comment NOP-23

James I Flournoy
548 N Darlington
So San Gabriel Ca 91770
626-288-1755

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
Attention: Ms. Diana Thai
Dthai@AQMD.Gov
909-396-3443

Oct. 24, 2018

Reference: Notice of Preparation of a Draft Environmental Impact Report Quemetco Capacity Upgrade Project

Dear Ms. Thai,

I am a member of the Sierra Club Task force and agree with their comments with the following comments which are my own.

I was an industrial Building Inspector and have inspected the Quemetco plant.

I was also a Plumbing contractor and worked at Estee Battery in Montebello and other Battery Plants.

I found the Quemetco plant to currently be an outstanding facility.

Having a Battery recycling facility is essential.

Batteries must be diverted from dumping and export to substandard recycling facilities.

Running the current plant with a four hour shutdown is inefficient.

I also consider the shutdown/ startup to be more hazardous than continuous operation.

The plant is in an appropriate location. NIMBY must be deprecated, the plant must be somewhere and near rail should be essential.

Where the 25% would be processed and how safely without the project must be considered.

Specific comments:

Test results are overdue already. Separate lead in motor fuel background from plant emissions.

Seismic Hazards are significant. Source-path -Site must all be considered

The plant sits on a plunging geosyncline which can channel and amplify ground motion.(Site).

Specifically the Channel from the 60/57 freeway area channels Energy from the Southern San Andreas and the Chino branch of the 7.85 Whittier-Elsinore Fault system. The Syncline may also Channel Eastward from the Upper Elysian Park Fault and Whittier-Elsinore crossing the Whittier Narrows and San Andreas Energy traveling down the Whittier Narrows. For a San Andreas event there is the possibility of a "perfect storm" effect of East and West meeting and creating an "interference" in the channel.

The plant is situated above the Puente Hills Thrust fault (Epicenter of 1987 Whittier event source) which can generate a 7.5Mw event. (Source) Near Fault effects, Directivity, heave, Fling, ground waves must be considered.

Even more probabilistic (more frequent) is the Southern San Andreas (Source) which will provide frequent long duration, long period events.

Duration of shaking is a key factor in liquefaction studies.

The PATH(s) of shaking from the San Andreas must be considered using the Southern California Earthquake

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Center (SCEC) Community Velocity Model And other methods.

Amplification of soft soils in the PATH(s) must be considered. Simple Magnitude -Distance numbers (such as the NGA (Next generation attenuation used by the California Building Code) do not consider PATH effects.

Computer Simulations from SCEC such as their "Cybershake" data must be considered.

"Shakeout" and later simulations (from CSU San Diego and others (Lucy Jones SCAG [Southern California Association of Governments] Seismic Safety program) must be considered.

Ground motion profiles / spectrum must be reviewed by A Professional practicing in the Field of Seismology.

The current earthquake bracing program at Quemetco must then be re-evaluated by specialists in Earthquake Engineering (Such as Tom Heaton's group at Cal Tech or the UCLA group).

Sloshing in tanks and tanks must be specifically considered with long period ground motion

Water

The local Aquifer has been pumped down to historic low levels.

There are lawsuits for misappropriation of groundwater.

Local Water companies have not purchased water to recharge the basin when it was available.

Recharge water may not be currently available due to the drought,

Artesian flows in the Whittier Narrows have dried up and long time habitat has died off due to over-

pumping by the Water Companies. Aquatic habitat loss has decimated local stream inhabitants.

The draw down of the water table has increased the flow of the SUPERFUND plumes of contamination.

All of the above must be considered.

The use of Reclaimed water at the site must be evaluated

Will Serve letters from local water agencies must be vetted and fully evaluated. (where are they getting the water and from whom)

There is a Seismic Hazard to the: Wells, especially the tanks, and Pipelines serving the plant.

Any service by non-ductile (cast iron, Asbestos-Concrete (Transite), concrete piping must be disclosed and evaluated. The effect of ground waves on the distribution system must be evaluated.

Since these are used for firefighting they must be considered as "essential services structures" and considered as such.

That said I do not expect water use to increase a significant amount.

Requirements of the Seismic Hazards Mapping Act (SHMA) must be considered. Adopted regulations known as SP-117 A- and the Los Angeles County Department of Public Works GMED Geotechnical Guidelines.

Regulations are required must be brought to the Current Building code and American Society of Civil Engineers standards. (ASCE-7) Updates must be documented.

AS is well known the CBC and ASCE-7 are currently not in sync. The current CBC references ASCE7-10 whereas ASCE-7-16 is current.

County regulations and standards of professional practice require the latest regulations and data (no old earthquake data) be utilized.

There are also updates and Errata to ASCE 7-16 which must be considered.

A new CBC and ASCE-7 will be in force at the time the project is constructed consultants must be familiar with proposed changes and consider them in their reports.

Respectfully submitted

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Rough seismicity not including San Andres can be using the Caltrans ARS application

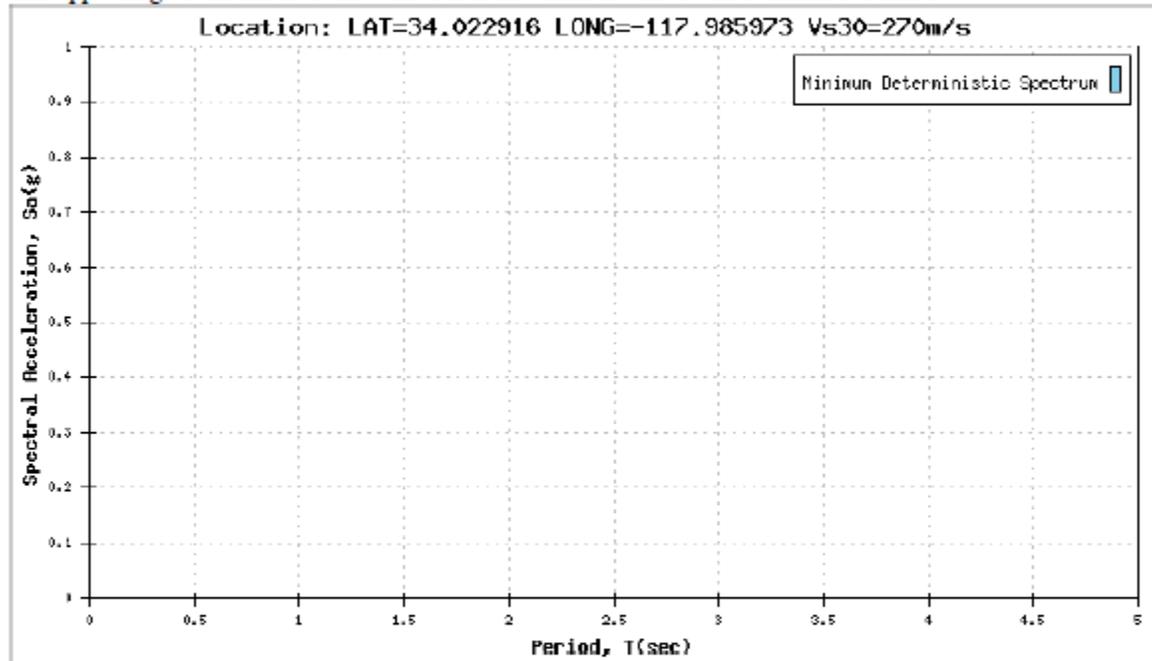
http://dap3.dot.ca.gov/ARS_Online/

Acceleration, Rock, Soil which corresponds to Source, Path and Site (Path is rock)

image is here

http://dap3.dot.ca.gov/ARS_Online/simplechart2.php?id=5&lat=34.02291647&long=-117.98597311&sv=270&deter=true&prob=true&rup_d=352;4.95;;361;9.25;;359;8.93;;323;14.39;;347;14.30;;343;14.05;;337;9.92;;335;12.12;;318;17.10;;327;19.22;;&rup_p=4.95&status=adj&scalex=linear&scaley=linear

The app will give distances to the what CalTrans considers the 10 most hazardous faults



Apply Near Fault Adjustment To:

NOTE: Caltrans SDC requires application of a Near Fault Adjustment factor for sites less than 25 km (Rrup) from the causative fault.

Deterministic Spectrum Using

- Km Elsinore fault zone (Whittier section)
- Km Puente Hills (Coyote Hills)
- Km Puente Hills (Santa Fe Springs)
- Km Sierra Madre fault zone (Sierra Madre D)
- Km Puente Hills (LA)
- Km Elysian Park (Lower CFM)
- Km San Jose
- Km Elysian Park (Upper)
- Km Sierra Madre fault zone (Sierra Madre C)
- Km Sierra Madre fault zone (Sierra Madre E)

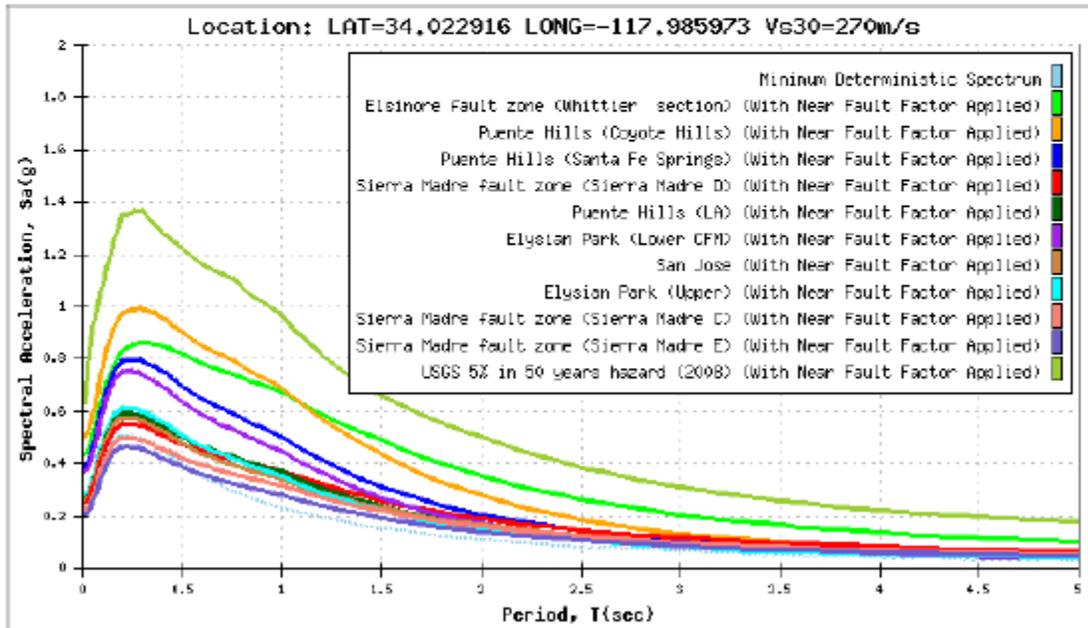
Probabilistic Spectrum Using

- Km (Recommend Performing Deaggregation To Verify)

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Multi Segment events must be considered for Critical Infrastructure- Essential Services Structures
Laguna Salada-Elsinor- Whittier- East Montebello- Alhambra Wash
Sierra Madre
Puente Hills thrust all three segments rupturing toward project

Southern San Andreas would control longer Periods T
Consultants to use current data and methods and consider Paths, Directivity and other required paramaters



Response to Comment Letter NOP-23

Description of Proposed Project

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].)

The proposed Project would increase the throughput permitted at the existing facility, among other limited changes. The proposed Project would occur within the boundaries of the existing facility. There are no components of the proposed Project that would alter the physical structure of the facility or otherwise change operational characteristics (e.g., containment vessels).

As described in Chapter 2 - Project Description, Quemetco currently operates under a permit condition that limits the daily feed rate to the rotary/kiln feed dryer and reverberatory furnace to 600 tpd. This permit condition was originally issued to ensure the facility could operate in compliance with all air pollutant emission regulations. However, it was written prior to

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

installation of several major emissions control improvements at the Quemetco site, including enclosing the battery wrecker building and installing the WESP, LOTOX®, and RTO. With these emission control improvements in place, Quemetco now proposes the Capacity Upgrade Project to increase the daily feed rate limit and allow the facility to recycle more batteries, in order to accommodate the current demand for local and regional lead battery and secondary scrap recycling services.

Also described in Chapter 2, the existing facility’s rotary/kiln feed dryer and reverberatory furnace could process up to 750 tpd but are currently limited in the number of hours per day it can operate that meets the 600 tpd Compliance Stop Period.

Facility Lead Emissions, Ambient Lead Emissions and Air Toxics Assessments

The facility’s air monitoring stations measure ambient lead concentrations at the fenceline to ensure compliance with state, federal and local ambient lead standards. Table 3.2-6 reports the facility’s emissions in years 2014 through 2018; lead emissions are reported in pounds (not tons) and are specifically separated to only account for facility emissions. As shown in Table 3.2-5, Ambient Air Quality Monitoring Station #85 reporting data for years 2014 through 2019, there have been no exceedances of state, federal or local lead standards during this reporting period. Further review of iADAM data for CARB’s annual statewide toxics inventory for lead shows no exceedance of state, federal or local lead thresholds since 1989²².

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project’s air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the proposed Project’s potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the applicable South Coast AQMD thresholds for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the proposed Project’s potential net health risk impact would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

²² Annual Statewide Lead Summary (<https://www.arb.ca.gov/adam/toxics/statepages/pbstate.html>)

Seismic Hazards

The proposed Project's effects on geology and soil resources, including seismic activity, were analyzed in Section VII – Geology and Soils of the NOP/IS (see Appendix A of the EIR) which concluded less than significant impacts. Therefore, further analysis of geology and soil resources is not required and was not conducted in the EIR.

The proposed Project's effects on geology and soil resources were analyzed in the NOP/IS which concluded that the proposed Project would result in less than significant impacts. Therefore, further analysis of geology and soil resources is not required and was not conducted in the EIR.

The geology and soils section of the Appendix G environmental checklist focuses on impacts at the project site or nearby geologic resources based on physical development that causes soil disturbances, such as grading and excavation, and impacts caused by locating a project on certain soils or in certain seismic areas. As explained in the NOP/IS, the proposed Project does not call for any physical development activities that would move or disturb soil. In addition, the facility has been located on the same site since 1959. As a result, there are no geologic resources that would potentially be impacted by the proposed Project. The comment does not raise any geology or soil resources issues which were not previously analyzed or considered.

Moreover, the proposed Project would not change the existing setting relative to the fault lines and seismic activity in the area of the facility. The comment does not raise any onsite geology or soil resources issues which were not previously analyzed or considered.

The comment also mentions the potential for hazard accidents and releases as well as soil, waterways, and groundwater contamination which are discussed in Section 4.4 and Section 4.5 of the EIR. It should also be noted that the facility is strictly regulated by multiple agencies (i.e., DTSC, CalEPA, Los Angeles County Fire Department and Los Angeles County Public Works Department) to ensure that hazardous materials are not released, whether from a seismic event or otherwise.

The facility also maintains: (1) a contingency plan and fire prevention plan which is approved by the CUPA, which is the Los Angeles County Fire Department; (2) an Underground Storage Tank Monitoring and Emergency Plan which is approved by Los Angeles County Fire Department and Los Angeles County Public Works Department; and (3) staff training on procedures for emergency preparedness. The comment does not raise any geology and soils issues which were not previously analyzed or considered nor does it provide evidence that additional seismic modeling (i.e., Caltrans ARS Application) is required for a proposed project with no ground disturbance.

Proposed Project Water Usage

Regarding water usage, the proposed Project would use approximately 97,000 gallons of water per day which is evaluated further in Section 4.5 of the EIR. As explained in Section IX of the NOP/IS (see Appendix A of the EIR), the facility is served by the San Gabriel Valley Water Company, which has confirmed that it has sufficient water supplies to serve the proposed Project. Specifically, the Urban Water Management Plan provides that the SGVWC has water supplies sufficient to meet anticipated future demand and the proposed Project in normal, single-dry, and multiple-dry year scenarios. Moreover, the Urban Water Management Plan projects an increase in potable and raw water demand from industrial users from baseline (2014) conditions

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

to 2040. The proposed Project’s water demand is within these projections.²³ The Urban Water Management Plan also notes the following:

- The proposed Project’s water demand would constitute approximately 0.35% of the total water demand serviced by the SGVWC in 2015.²⁴ This percentage decreases in projected future years (e.g., 2020, 2025, 2030).
- The Urban Water Management Plan concludes that reliable quantities of projected water supply sources are available to the SGVWC to meet demand through 2040. A single dry year or a multiple dry year period will not compromise the SGVWC’s ability to provide a reliable supply of water to its customers.²⁵ The groundwater supplies in the Main Basin and Central Basin are deemed reliable.
- The SGVWC has the ability to deliver imported water through a connection with the Metropolitan Water District of Southern California, as well as emergency interconnections with several surrounding water agencies to ensure the reliability of its water supply.²⁶

Additionally, the facility recycles and reuses its wastewater onsite. The water consumption estimates for the proposed Project were conservative estimates based on the facility’s practice to filter, neutralize and reuse its own wastewater.

²³ San Gabriel Valley Water Company 2015 Urban Water Management Plan, Tables 4-1 and 4-2 (available at https://www.sgvwater.com/wp-content/uploads/2018/09/Volume-I-FINAL-AMENDED_2015-UWMP_SGVWC_LACD.pdf).

²⁴ SGVWC Urban Water Management Plan Tables 4-1, 6-8, and 6-9.

²⁵ SGVWC Urban Water Management Plan Section 7.3.

²⁶ SGVWC UWMP Sections 6.1 and 6.7.3.

Comment Letter NOP-24 USC/University of Southern California – Department of Preventative Medicine, Shohreh Farzan, Jill Johnston and Wendy Gutschow

Comment NOP-24



DEPARTMENT OF PREVENTIVE MEDICINE

October 25, 2018

RE: Comments on Notice of Preparation of a Draft Environmental Impact Report for the Quemetco Capacity Upgrade Project

TO: Barbara Radlein, South Coast Air Quality Management District

NOP-24-A

Battery recycling operations are known to release a toxic mixture of contaminants, including lead (Pb), arsenic (As), cadmium (Cd), manganese (Mn), and antimony (Sb).¹ During the smelting process, the **batteries are cracked, washed, pulverized and melted in a furnace, during which pollutants are released** into the environment. Currently, the highest levels of lead in ambient air are found to be near lead-smelting facilities.² Lead concentrations in shallow soil may reach percentage levels near smelters and may persist indefinitely.³ However, the extent of the contamination in the residential soil in the communities of Hacienda Heights, La Puente and Avocado Heights is still not fully characterized.

Toxic metal pollutants released by smelting operations have been linked to adverse health effects in both children and adults, including neurotoxicity, carcinogenesis and cardiovascular disease (CVD).⁴ Inorganic lead (Pb) is one of the most ubiquitous toxic substances yet it is also an extremely potent neurotoxin. Lead is rapidly absorbed into the blood stream and bioaccumulates in the bones and kidneys. At elevated levels, Pb causes damage to almost all organs and organ systems.⁵ Cognitive deficits, neurodevelopmental delays and psychological impairments are associated with even low levels of Pb exposure.^{6,7} Evidence indicating that even very low levels of Pb exposure may lead to neurodevelopmental and cognitive impairment prompted the Centers for Disease Control to lower the blood level of concern from 10µg/dL down to 5µg/dL and revise the National Ambient Air Quality 3-month average standard from 1.5 µg/m³ down to 0.15 µg/m³.^{8,9} Arsenic is a known human carcinogen that may also increase the risk for adverse CVD and metabolic outcomes, including hypertension and diabetes, as well as impaired lung function.^{10,11,12} Recent studies suggest that As exposure can affect children's vascular health and cognitive development.^{13,14,15} Cadmium (Cd) is rarely naturally occurring, with exposures generally resulting from industrial and agricultural waste pollution. Exposure to Cd has been linked to endometrial, breast and prostate cancer as well as to renal dysfunction and disruption of calcium metabolism, resulting in osteoporosis.^{16,17,18}

Individuals are seldom exposed to one environmental contaminant at a time, particularly when considering industrial sources. It has become increasingly clear that multipollutant exposures may result in synergistic adverse effects or in combination may exert effects at levels that individually do not produce observable impacts.¹⁹ The individual toxicity of metals such as Pb, As, and Cd are well known, but their toxicity in combination has not been studied in detail, although they often co-exist as mixtures at industrial sites. Coexposure to Pb, As and Hg in animals can exert synergistic effects on organ toxicity and multiple measures of oxidative stress, including reactive oxygen species (ROS) production and levels of glutathione and oxidized glutathione disulfide.²⁰ The importance of characterizing multipollutant exposures in children is just beginning to be recognized in epidemiological studies. Several studies have supported the idea that early life exposures to metal mixtures may lead to more profound

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

neurodevelopmental deficits.^{21 22 23} Disproportionate exposure to toxic chemicals is a burden faced by working poor communities of color across the United States.²⁴ The majority people of color communities near Quemetco are among the top 15% most environmentally burdened census tracts in the state of California, according to CalEnviroScreen 3.0. The surrounding census tracts sit in the top 2% of census tracts facing toxic releases into the environment.

To characterize the environmental performance, we did a preliminary search of the following databases:

NOP-24-B

- AQMD's Notice to Comply Inquiry System: http://www3.aqmd.gov/webappl/nov/nov.aspx?notice_type=nc
- AQMD Notice of Violation Inquiry System: http://www3.aqmd.gov/webappl/nov/nov.aspx?notice_type=NOV
- DTSC's EnviroStar profile on Quemetco, Enforcement/Inspections list https://www.envirostor.dtsc.ca.gov/public/eeerp_profile_report?global_id=3001019

NOP-24-C

Quemetco incurred multiple VIOLATIONS from AQMD over the past 10 years. Dates listed are the violation date and in parenthetically, the disposition date. Violations received by Quemetco from AQMD total 13, including 4 years during which AQMD did not submit any report of violations.

- Rule 3002 related to the Title V permit: 3 violations, all three of which were not assigned dispositions until 2-3 years after the initial violations. 4/2014(2018), 9/2014(2017), 2015(2017). Title V Permit: it is not evident that Quemetco was held accountable by AQMD on an annual basis (as per Title V of the Clean Air Act). For example, in 2014 and 2015 Quemetco was found to be in violation of their Title V permit both in equipment operations, as well as Section E, Conditions 2 and 4, however, AQMD confirmed dispositions on those violations in 2017.
- Rule 1420.1, Emissions standard for lead from large lead-acid battery recycling facilities
 - Benzene hourly limit exceeded 3/2015(2018), 5/6/2015(2018), 5/12/2015(2018)
 - Arsenic emissions exceeded 11/2014(9/2017), 11/2017(no disposition date). This is particular is concerning because the disposition from the 2014 violation was not given until 9/2017, two months later in November 2017, the rule was violated again and no disposition has been given or posted as of this current date (10/17/2018), follow up status is "in compliance."
 - Discharge of lead and arsenic emissions due to shutdown of emissions control device: 5/2017(no disposition given), follow up status "in compliance"
- Rule 2004 related to NOx and SOx emissions 2004, rule establishing requirements under the RECLAIM program
 - QCER was inaccurate for major source SOx and total SOx emissions (4/2017), in compliance, no disposition

Quemetco has also been cited multiple times over the past 10 years for COMPLIANCE. It should be noted that there were 4 years during which Quemetco was not cited by AQMD, the same four years that they did not receive any violations (2011, 2012, 2016, 2018). Violations of COMPLIANCE can best be summarized by stating that the majority of such citations found Quemetco out of compliance with Rules 2004: RECLAIM program; 2011, and 2012: Requirements for monitoring, reporting and recordkeeping for SOx and NOx respectively. Lastly, as also found among Quemetco's VIOLATIONS, they were out of compliance in 2017 for failure to submit a compliance plan according to Rule 1420.

Of particular note in the compliance citations are the following:

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

- At the end of 2009 and into 2010, AQMD citation related to not being in compliance for emissions reporting from 2008.
- As stated above, multiple citations were related to lack of reporting data of NOx and SOx emissions, and having software that calculated said emissions that was out of compliance.

AQMD Inconsistently Inspected Quemetco. Evidence of this in the citations and violations found includes lack of violations, citations, reinspections, and notices issued in the years: 2011, 2012, 2016, and 2018. Several things become apparent when reviewing not only the citations themselves, but the years during which notices of violation and compliance were NOT given by the AQMD. Upon inspection of years prior and years after these dormant years, violations were such that continued follow up may have been warranted. Furthermore, in several instances when repeated violations occurred in close succession, (see 2015 violations of which 3 out of 4 violations were given in regard to Rule 1420.1 for Benzene Hourly Limits), dispositions for all three violations were not issued until 3 years later in 2018. Following the 3 Benzene violations in mid 2015, in 2016 the AQMD did not seem to issue any citations or violations. This example is of one of several that establishes a pattern of inconsistent inspection reports.

Quemetco violations from DTSC, found in Envirostar system. To summarize the past few years, it is significant to note that every year since 2013, Quemetco has receive one or more violations per year when their facility has been inspected by DTSC. Such violations include Class 1, Class 2, and Minor violations. Multiple violations include having areas of the facility that were not in compliance and could lead to a release of hazardous waste. Additionally, NOP-24-D Quemetco has been consistently found to have sections of their facility lacking in hazardous waste detection systems, or backup systems in place that detect the release of hazardous waste if primary systems fail.

Sincerely,

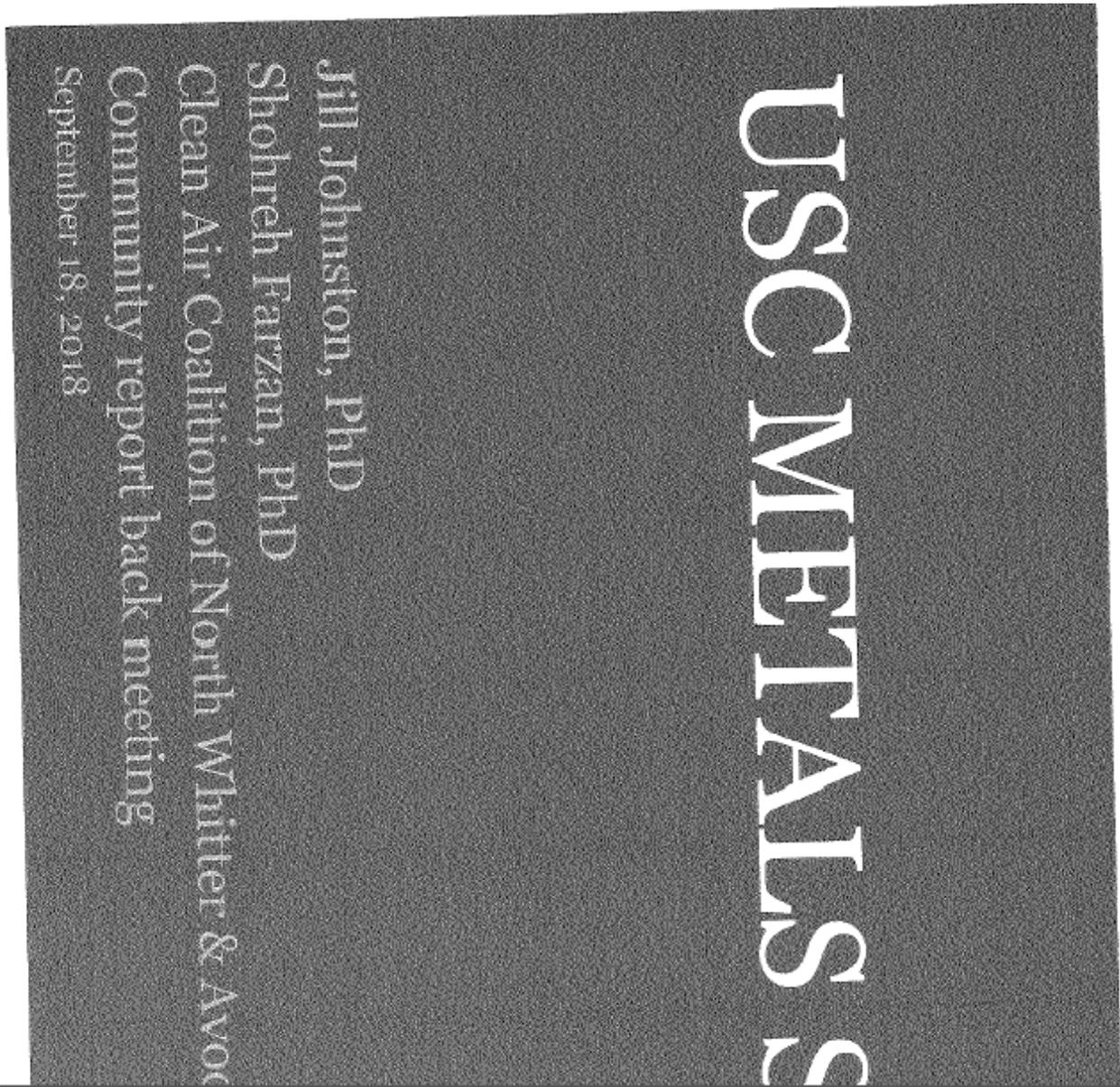


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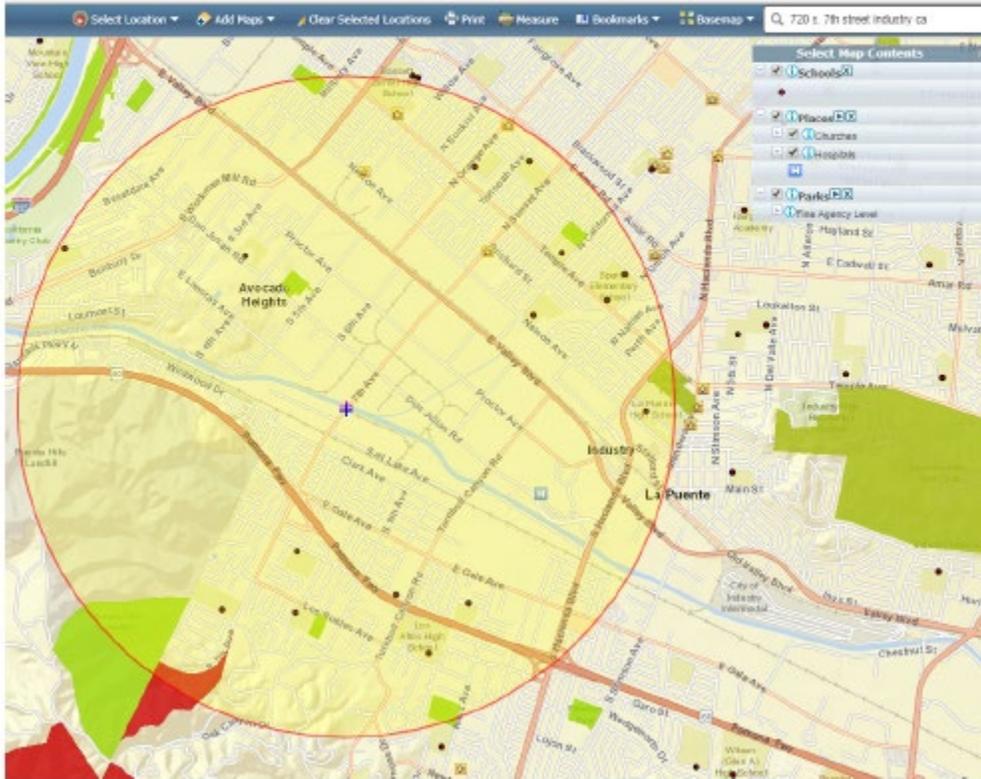
Wendy Gutschow, MSW
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Sensitive Receptors:

Using the EPA’s EJScreen Mapping tool, within a 1.75 mile radius from the Quemetco there are: 15 schools, 6 parks, 1 hospital, and 4 churches. If the radius is extended to 2 miles, an additional 3 schools, 4 churches, and 2 parks can be found.



Using the EPA EJ Screen tool, sensitive receptors around Quemetco are identified.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

AQMD NOTICE TO COMPLY INQUIRY SYSTEM

2008

No records Found

2009

3 records found

Notice No.	Fac ID	Company Name	Violation Date	Re-inspection Date	Status																		
<u>D04823</u>	8547	QUEMETCO INC	10/20/2009																				
<table border="0"> <tr> <td>Facility ID</td> <td>8547</td> </tr> <tr> <td>Company Name</td> <td>QUEMETCO INC</td> </tr> <tr> <td>Address</td> <td></td> </tr> <tr> <td>Violation Description</td> <td>Submit Accurate QCER from this date 10/20/2009 and onward.</td> </tr> <tr> <td>Equipment Description</td> <td></td> </tr> <tr> <td>Status</td> <td></td> </tr> <tr> <td>Re-inspection Date</td> <td></td> </tr> </table> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2004</td> <td>Requirements</td> </tr> </tbody> </table>						Facility ID	8547	Company Name	QUEMETCO INC	Address		Violation Description	Submit Accurate QCER from this date 10/20/2009 and onward.	Equipment Description		Status		Re-inspection Date		Rule No.	Rule Description	2004	Requirements
Facility ID	8547																						
Company Name	QUEMETCO INC																						
Address																							
Violation Description	Submit Accurate QCER from this date 10/20/2009 and onward.																						
Equipment Description																							
Status																							
Re-inspection Date																							
Rule No.	Rule Description																						
2004	Requirements																						
<u>D24114</u>	8547	QUEMETCO INC	12/3/2009																				
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Equipment Description																							
Status																							
Re-inspection Date																							
Rule No.	Rule Description																						
2011	Requirements of MRR for SOx Emissions (RECLAIM)																						
<u>D24112</u>	8547	QUEMETCO INC	11/20/2009	12/3/2009	In Compliance																		

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Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Facility ID	8547						
Company Name	QUEMETCO INC						
Address	720 S 7TH CITY OF INDUSTRY, CA 91746						
Violation Description	SUBMIT ALL DOCUMENTATION NECESSARY TO VERIFY RECLAIM DATA FOR 2008 SUBMITTED TO AQMD. INCLUDE CALCULATIONS AND EMISSION FACTORS USED FOR 2008.						
Equipment Description							
Status	In Compliance						
Re-inspection Date	12/3/2009						
	<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>Requirements of MRR for SOx Emissions (RECLAIM)</td> </tr> <tr> <td>2012</td> <td>Requirements of MRR for NOx Emissions (RECLAIM)</td> </tr> </tbody> </table>	Rule No.	Rule Description	2011	Requirements of MRR for SOx Emissions (RECLAIM)	2012	Requirements of MRR for NOx Emissions (RECLAIM)
Rule No.	Rule Description						
2011	Requirements of MRR for SOx Emissions (RECLAIM)						
2012	Requirements of MRR for NOx Emissions (RECLAIM)						

2010

6 records found

Notice No.	Fac ID	Company Name	Violation Date	Re-inspection Date	Status																				
<u>D24135</u>	8547	QUEMETCO INC	1/12/2010																						
		<table border="1"> <tr> <td>Facility ID</td> <td>8547</td> </tr> <tr> <td>Company Name</td> <td>QUEMETCO INC</td> </tr> <tr> <td>Address</td> <td>720 S 7TH CITY OF INDUSTRY, CA 91746</td> </tr> <tr> <td>Violation Description</td> <td>FOR RECLAIM 2008 AUDIT, SUBMIT IN EXCEL FORMAT THE 15 MIN NOX & SOX DATA FOR 4 QTRS IN 2008. SUBMIT IN DETAIL THE PROCEDURE USED TO CALCULATE MISSING DATA FOR NOX & SOX IN 2008.</td> </tr> <tr> <td>Equipment Description</td> <td></td> </tr> <tr> <td>Status</td> <td></td> </tr> <tr> <td>Re-inspection Date</td> <td></td> </tr> <tr> <td></td> <td> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2004</td> <td>Requirements</td> </tr> </tbody> </table> </td> </tr> </table>	Facility ID	8547	Company Name	QUEMETCO INC	Address	720 S 7TH CITY OF INDUSTRY, CA 91746	Violation Description	FOR RECLAIM 2008 AUDIT, SUBMIT IN EXCEL FORMAT THE 15 MIN NOX & SOX DATA FOR 4 QTRS IN 2008. SUBMIT IN DETAIL THE PROCEDURE USED TO CALCULATE MISSING DATA FOR NOX & SOX IN 2008.	Equipment Description		Status		Re-inspection Date			<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2004</td> <td>Requirements</td> </tr> </tbody> </table>	Rule No.	Rule Description	2004	Requirements			
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2004	Requirements																								
<u>D24142</u>	8547	QUEMETCO INC	1/12/2010																						

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description Submit accurate APEP in year 2010 and subsequent compliance years. Submit accurate QCER in compliance year 2010 and subsequent compliance years. Equipment Description Status Re-inspection Date</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2004</td> <td>Requirements</td> </tr> <tr> <td>2012</td> <td>Requirements of MRR for NOx Emissions (RECLAIM)</td> </tr> </tbody> </table>						Rule No.	Rule Description	2004	Requirements	2012	Requirements of MRR for NOx Emissions (RECLAIM)		
Rule No.	Rule Description												
2004	Requirements												
2012	Requirements of MRR for NOx Emissions (RECLAIM)												
<u>D24138</u>	8547	QUEMETCO INC	5/21/2010	6/18/2010	Due date extended								
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description SUBMIT CEMS DATA FROM WESP FOR PERIOD 10/6 - 11-7/2008. SUBMIT DATA HOW NOX EMISSIONS CALCULATED FOR ICE D165 FOR 4TH QTR 2008 Equipment Description Status Due date extended Re-inspection Date 6/18/2010</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>Requirements of MRR for SOx Emissions (RECLAIM)</td> </tr> <tr> <td>2012</td> <td>Requirements of MRR for NOx Emissions (RECLAIM)</td> </tr> </tbody> </table>						Rule No.	Rule Description	2011	Requirements of MRR for SOx Emissions (RECLAIM)	2012	Requirements of MRR for NOx Emissions (RECLAIM)		
Rule No.	Rule Description												
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2012	Requirements of MRR for NOx Emissions (RECLAIM)												
<u>D04828</u>	8547	QUEMETCO INC	9/14/2010	1/5/2011	In Compliance								
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description Make correction to CEMS software to properly calculate the mass emissions of SOx & submit recalculated mass emissions of SOx for 10/6/08-12/31/09, Fix CY 2010 as well & recertify the necessary QCERs, correct DAS software to identify issues on attachment, su Equipment Description Status In Compliance Re-inspection Date 1/5/2011</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2004</td> <td>Requirements</td> </tr> <tr> <td>2011</td> <td>Requirements of MRR for SOx Emissions (RECLAIM)</td> </tr> <tr> <td>2012</td> <td>Requirements of MRR for NOx Emissions (RECLAIM)</td> </tr> </tbody> </table>						Rule No.	Rule Description	2004	Requirements	2011	Requirements of MRR for SOx Emissions (RECLAIM)	2012	Requirements of MRR for NOx Emissions (RECLAIM)
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2011	Requirements of MRR for SOx Emissions (RECLAIM)												
2012	Requirements of MRR for NOx Emissions (RECLAIM)												

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Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

2011

No records found

2012

No records found

2013

1 records found

Notice No.	Fac ID	Company Name	Violation Date	Re-inspection Date	Status																		
<u>E22653</u>	8547	QUEMETCO INC	11/6/2013																				
<table border="0"> <tr> <td>Facility ID</td> <td>8547</td> </tr> <tr> <td>Company Name</td> <td>QUEMETCO INC</td> </tr> <tr> <td>Address</td> <td>720 S 7TH CITY OF INDUSTRY, CA 91746</td> </tr> <tr> <td>Violation Description</td> <td>SUBMIT REVISED MONTHLY AMBIENT AIR MONITORING REPORTS FOR THE PERIOD JULY 2011 THROUGH SEPTEMBER 2013 AND INCLUDE THE 30 DAY AVERAGES FOR EACH DAY, EACH SAMPLER, WITHIN THE REPORTING PERIOD.</td> </tr> <tr> <td>Equipment Description</td> <td></td> </tr> <tr> <td>Status</td> <td></td> </tr> <tr> <td>Re-inspection Date</td> <td></td> </tr> </table> <table border="1" style="margin-top: 10px;"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420</td> <td>Emissions Standard for Lead</td> </tr> </tbody> </table>						Facility ID	8547	Company Name	QUEMETCO INC	Address	720 S 7TH CITY OF INDUSTRY, CA 91746	Violation Description	SUBMIT REVISED MONTHLY AMBIENT AIR MONITORING REPORTS FOR THE PERIOD JULY 2011 THROUGH SEPTEMBER 2013 AND INCLUDE THE 30 DAY AVERAGES FOR EACH DAY, EACH SAMPLER, WITHIN THE REPORTING PERIOD.	Equipment Description		Status		Re-inspection Date		Rule No.	Rule Description	1420	Emissions Standard for Lead
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Equipment Description																							
Status																							
Re-inspection Date																							
Rule No.	Rule Description																						
1420	Emissions Standard for Lead																						

2014

No records found

2015

1 records found

Notice No.	Fac ID	Company Name	Violation Date	Re-inspection Date	Status
<u>E28733</u>	8547	QUEMETCO INC	1/1/2015	2/1/2017	In Compliance

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Facility ID	8547				
Company Name	QUEMETCO INC				
Address	720 S 7TH CITY OF INDUSTRY, CA 91746				
Violation Description	Use MDP to obtain fuel usage for LGS when valid data is not obtained (i.e. when a meter resets).				
Equipment Description	D165 and R219 equipment				
Status	In Compliance				
Re-inspection Date	2/1/2017				
	<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Rule No.	Rule Description		
Rule No.	Rule Description				

2016

No records found

2017

2 records found

Notice No.	Fac ID	Company Name	Violation Date	Re-inspection Date	Status																				
<u>E36751</u>	8547	QUEMETCO INC	5/3/2017	6/2/2017	In Compliance																				
					<table border="1"> <tr> <td>Facility ID</td> <td>8547</td> </tr> <tr> <td>Company Name</td> <td>QUEMETCO INC</td> </tr> <tr> <td>Address</td> <td>720 S 7TH CITY OF INDUSTRY, CA 91746</td> </tr> <tr> <td>Violation Description</td> <td>Submit a complete Compliance Plan per 1420.1(g)(3)</td> </tr> <tr> <td>Equipment Description</td> <td></td> </tr> <tr> <td>Status</td> <td>In Compliance</td> </tr> <tr> <td>Re-inspection Date</td> <td>6/2/2017</td> </tr> <tr> <td></td> <td> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table> </td> </tr> </table>	Facility ID	8547	Company Name	QUEMETCO INC	Address	720 S 7TH CITY OF INDUSTRY, CA 91746	Violation Description	Submit a complete Compliance Plan per 1420.1(g)(3)	Equipment Description		Status	In Compliance	Re-inspection Date	6/2/2017		<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>	Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities
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Company Name	QUEMETCO INC																								
Address	720 S 7TH CITY OF INDUSTRY, CA 91746																								
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Status	In Compliance																								
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<u>E09436</u>	8547	QUEMETCO INC	7/30/2017	6/26/2018	In Compliance																				

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Facility ID	8547						
Company Name	QUEMETCO INC						
Address	720 S 7TH CITY OF INDUSTRY, CA 91746						
Violation Description	1. report SOX emissions from Rule 219 exempt equipment to the District Central Station by the end of quarterly reconciliation 2. report NOx emissions from Rule 219 exempt equipment to the District Central Station by the end of quarterly reconciliation.						
Equipment Description							
Status	In Compliance						
Re-inspection Date	6/26/2018						
	<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>Requirements of MRR for SOx Emissions (RECLAIM)</td> </tr> <tr> <td>2012</td> <td>Requirements of MRR for NOx Emissions (RECLAIM)</td> </tr> </tbody> </table>	Rule No.	Rule Description	2011	Requirements of MRR for SOx Emissions (RECLAIM)	2012	Requirements of MRR for NOx Emissions (RECLAIM)
Rule No.	Rule Description						
2011	Requirements of MRR for SOx Emissions (RECLAIM)						
2012	Requirements of MRR for NOx Emissions (RECLAIM)						

2018

No records found

NOTICE OF VIOLATION INQUIRY SYSTEM

2008

1 record found

Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition
<u>P51517</u>	8547	QUEMETCO INC	6/16/2009	7/2/2008	12/30/2009	Closed Case

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Facility ID	8547		
Company Name	QUEMETCO INC		
Address	720 S 7TH CITY OF INDUSTRY, CA 91746		
Violation Description	Failure to conduct a source no later than July 1, 2008, condition D182.4, at WKSP stack, S159.		
Equipment Description			
Follow Up Status	In Compliance		
Disposition	Closed Case		
Disposition Date	12/30/2009		
<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> </tbody> </table>		Rule No.	Rule Description
Rule No.	Rule Description		

2009

1 record found

Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition																						
<u>P51519</u>	8547	QUEMETCO INC	8/28/2009	8/5/2009	5/7/2010	Closed Case																						
<table border="1"> <tr> <td>Facility ID</td> <td>8547</td> </tr> <tr> <td>Company Name</td> <td>QUEMETCO INC</td> </tr> <tr> <td>Address</td> <td>720 S 7TH CITY OF INDUSTRY, CA 91746</td> </tr> <tr> <td>Violation Description</td> <td>FAILURE TO MAINTAIN & OPERATE A DIRECT MONITORING DEVICE FOR EACH MAJOR SOX SOURCE TO CONTINUANCELY MEASURE THE CONCENTRATION OF SOX EMISSIONS. FAILURE TO SUBMIT A REPORT TO THE EXECUTIVE OFFICER WITHIN 96 HOURS AFTER THE DEVICE BEACME NON-OPERATIONAL.</td> </tr> <tr> <td>Equipment Description</td> <td></td> </tr> <tr> <td>Follow Up Status</td> <td>In Compliance</td> </tr> <tr> <td>Disposition</td> <td>Closed Case</td> </tr> <tr> <td>Disposition Date</td> <td>5/7/2010</td> </tr> <tr> <td colspan="2"> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>Requirements of MRR for SOX Emissions (RECLAIM)</td> </tr> </tbody> </table> </td> </tr> </table>							Facility ID	8547	Company Name	QUEMETCO INC	Address	720 S 7TH CITY OF INDUSTRY, CA 91746	Violation Description	FAILURE TO MAINTAIN & OPERATE A DIRECT MONITORING DEVICE FOR EACH MAJOR SOX SOURCE TO CONTINUANCELY MEASURE THE CONCENTRATION OF SOX EMISSIONS. FAILURE TO SUBMIT A REPORT TO THE EXECUTIVE OFFICER WITHIN 96 HOURS AFTER THE DEVICE BEACME NON-OPERATIONAL.	Equipment Description		Follow Up Status	In Compliance	Disposition	Closed Case	Disposition Date	5/7/2010	<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>Requirements of MRR for SOX Emissions (RECLAIM)</td> </tr> </tbody> </table>		Rule No.	Rule Description	2011	Requirements of MRR for SOX Emissions (RECLAIM)
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Address	720 S 7TH CITY OF INDUSTRY, CA 91746																											
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2010

1 record found

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Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition																						
<u>P49163</u>	8547	QUEMETCO INC	2/23/2012	1/1/2010	8/29/2013	Closed Case																						
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Address	720 S 7TH CITY OF INDUSTRY, CA 91746																											
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Rule No.	Rule Description																											
2004	Requirements																											

2011

No records found

2012

No records found

2013

Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition
<u>P64402</u>	8547	QUEMETCO INC	12/10/2015	4/1/2013	9/13/2017	Closed Case

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Facility ID	8547				
Company Name	QUEMETCO INC				
Address	720 S 7TH CITY OF INDUSTRY, CA 91746				
Violation Description	The fuel meter for NOx Large source D165 was not non-resettable and tamper proof				
Equipment Description	natural gas-fired engine D165				
Follow Up Status	In Compliance				
Disposition	Closed Case				
Disposition Date	9/13/2017				
	<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Rule No.	Rule Description		
Rule No.	Rule Description				

2014

3 records found

Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition																						
<u>P61067</u>	8547	QUEMETCO INC	5/16/2014	4/5/2014	9/13/2017	Closed Case																						
		<table border="1"> <tr> <td>Facility ID</td> <td>8547</td> </tr> <tr> <td>Company Name</td> <td>QUEMETCO INC</td> </tr> <tr> <td>Address</td> <td></td> </tr> <tr> <td>Violation Description</td> <td>FAILURE TO OPERATE ALL EQUIPMENT AT A TITLE V FACILITY IN COMPLIANCE AT ALL TIMES WITH ALL TERMS, REQUIREMENTS AND CONDITIONS SPECIFIED IN THE TITLE V PERMIT.</td> </tr> <tr> <td>Equipment Description</td> <td></td> </tr> <tr> <td>Follow Up Status</td> <td></td> </tr> <tr> <td>Disposition</td> <td>Closed Case</td> </tr> <tr> <td>Disposition Date</td> <td>9/13/2017</td> </tr> <tr> <td></td> <td> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>3002</td> <td>Requirements (Title V)</td> </tr> </tbody> </table> </td> </tr> </table>	Facility ID	8547	Company Name	QUEMETCO INC	Address		Violation Description	FAILURE TO OPERATE ALL EQUIPMENT AT A TITLE V FACILITY IN COMPLIANCE AT ALL TIMES WITH ALL TERMS, REQUIREMENTS AND CONDITIONS SPECIFIED IN THE TITLE V PERMIT.	Equipment Description		Follow Up Status		Disposition	Closed Case	Disposition Date	9/13/2017		<table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>3002</td> <td>Requirements (Title V)</td> </tr> </tbody> </table>	Rule No.	Rule Description	3002	Requirements (Title V)				
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<u>P49173</u>	8547	QUEMETCO INC	7/31/2014	7/23/2014	9/13/2017	Closed Case																						

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<p>Facility ID 8547</p> <p>Company Name QUEMETCO INC</p> <p>Address 720 S 7TH CITY OF INDUSTRY, CA 91746</p> <p>Violation Description DISCHARGING INTO THE ATMOSPHERE ARSENIC EMISSIONS EXCEEDING 10.0 NANOGRAMS PER CUBIC METER AVERAGED OVER A 24 HR. TIME PERIOD AT MONITORING STATION #1, SAMPLER B.</p> <p>Equipment Description</p> <p>Follow Up Status</p> <p>Disposition Closed Case</p> <p>Disposition Date 9/13/2017</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities
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1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities									
<u>P61071</u>	8547	QUEMETCO INC	11/5/2014	9/10/2014	9/13/2017	Closed Case				
<p>Facility ID 8547</p> <p>Company Name QUEMETCO INC</p> <p>Address 720 S 7TH CITY OF INDUSTRY, CA 91746</p> <p>Violation Description FAILURE TO OPERATE ALL EQUIPMENT AT A TITLE V FACILITY IN COMPLIANCE AT ALL TIMES WITH ALL TERMS, REQUIREMENTS AND CONDITIONS SPECIFIED IN THE TITLE V PERMIT, SPECIFICALLY SECTION E, CONDITIONS 2 AND 4.</p> <p>Equipment Description</p> <p>Follow Up Status</p> <p>Disposition Closed Case</p> <p>Disposition Date 9/13/2017</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>3002</td> <td>Requirements (Title V)</td> </tr> </tbody> </table>							Rule No.	Rule Description	3002	Requirements (Title V)
Rule No.	Rule Description									
3002	Requirements (Title V)									

2015

4 records found

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Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition						
<u>P52406</u>	8547	QUEMETCO INC	9/18/2015	6/1/2015	9/13/2017	Closed Case						
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description FAILURE TO OBTAIN A TITLE V PERMIT REV. THAT ALLOWDS SUCH MOD. TO EQUIP. PRIOR TO CONSTRUCTING/MODIFYING EQUIP. LOC. AT A TITLE V FACILITY, SPECIFICALLY, MODIFYING/ALTERING DEVICE C161, THE REGENERATIVE THERMAL OXIDIZER, BY THE ADDITION OF A PUFF CHAMBER. Equipment Description Follow Up Status In Compliance Disposition Closed Case Disposition Date 9/13/2017</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>201</td> <td>Permit To Construct</td> </tr> <tr> <td>3002</td> <td>Requirements (Title V)</td> </tr> </tbody> </table>							Rule No.	Rule Description	201	Permit To Construct	3002	Requirements (Title V)
Rule No.	Rule Description											
201	Permit To Construct											
3002	Requirements (Title V)											
<u>P61079</u>	8547	QUEMETCO INC	6/12/2015	3/25/2015	4/19/2018 7:00:00 AM	Closed Case						
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description VIOLATION OF R1420.1(f)(2)(C)(i) BENZENE HRLY LIMIT BASED ON SOURCE TEST #15-323 CONDUCTED BY S.C.A.Q.M.D. (COPY HERE ATTACHED) ON 3/25/15, WHERE THE AVERAGE OF THE THREE RUNS SHOWED BENZENE EMISSIONS FROM THE WET ELECTROSTATIC PRECIPITATOR WERE 0.1087 LBS OF BENZENE PER HR., WHEREAS THE RULE 1420.1 LIMIT IS 0.0514 LBS OF BENZENE PER HR. Equipment Description Follow Up Status Disposition Closed Case Disposition Date 4/19/2018</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities		
Rule No.	Rule Description											
1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities											
<u>P61080</u>	8547	QUEMETCO INC	6/12/2015	5/6/2015	4/19/2018 7:00:00 AM	Closed Case						

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<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description VIOLATION OF R1420.1(f)(2)(C)(i) BENZENE HRLY. LIMIT BASED ON SOURCE TEST #15-325 CONDUCTED BY S.C.A.Q.M.D. (COPY HERE ATTACHED) ON 5/6&7/15, Equipment Description WHERE THE AVERAGE OF THREE RUNS SHOWED BENZENE EMISSIONS FROM THE WET ELECTRO-STATIC PRECIPITATOR WERE 0.0740 LBS OF BEZENE PER HR, WHEREAS THE R1420.1 LIMIT IS 0.0514 LBS OF BEZENE PER HR. Follow Up Status Disposition Closed Case Disposition Date 4/19/2018</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities
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<u>P61081</u>	8547	QUEMETCO INC	6/12/2015	5/12/2015	4/19/2018 7:00:00 AM	Closed Case				
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description VIOLATION OF R1420.1(f)(2)(C)(i) BENZENE HRLY LIMIT BASED ON SOURCE TEST #15-325 CONDUCTED BY S.C.A.Q.M.D. (COPY HERE ATTACHED) ON 5/12/15, Equipment Description WHERE THE AVERAGE OF THREE RUNS SHOWED BENZENE EMISSIONS FROM THE WET ELECTRO-STATIC PRECIPITATOR WERE 0.2058 LBS OF BENZENE PER HR., WHEREAS THE R1420.1 LIMIT IS 0.0514 LBS OF BENZENE PER HR. Follow Up Status Disposition Closed Case Disposition Date 4/19/2018</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities
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2016
 No records found

2017
 4 records found

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Notice No.	Fac ID	Company Name	Notice Issue Date	Violation Date	Disposition Date	Disposition				
<u>P64422</u>	8547	QUEMETCO INC	6/13/2018	4/25/2017						
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description The compliance year 2017 1st quarter Q/CER was inaccurate for major source SOx emissions and total SOx emissions. Equipment Description Follow Up Status In Compliance Disposition Disposition Date</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>2004</td> <td>Requirements</td> </tr> </tbody> </table>							Rule No.	Rule Description	2004	Requirements
Rule No.	Rule Description									
2004	Requirements									
<u>P52418</u>	8547	QUEMETCO INC	7/14/2017	5/3/2017						
<p>Facility ID 8547 Company Name QUEMETCO INC Address 720 S 7TH CITY OF INDUSTRY, CA 91746 Violation Description failure to notify of an unplanned shutdown of an emission control device, discharging ambient air concentrations of lead and arsenic in excess of limit at fence line monitoring station #2. Equipment Description Follow Up Status In Compliance Disposition Disposition Date</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities
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1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities									
<u>P52420</u>	8547	QUEMETCO INC	2/8/2018	11/1/2017						

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<p>Facility ID 8547</p> <p>Company Name QUEMETCO INC</p> <p>Address 720 S 7TH CITY OF INDUSTRY, CA 91746</p> <p>Violation Description discharge of emissions into the atmosphere contributing to an ambient air concentration of arsenic that exceeds 10 nanograms/m3 averaged over a 24-hr time period measured at fence line monitoring station #1.</p> <p>Equipment Description</p> <p>Follow Up Status In Compliance</p> <p>Disposition</p> <p>Disposition Date</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities		
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<u>P67052</u>	8547	QUEMETCO INC	7/27/2018	5/3/2017								
<p>Facility ID 8547</p> <p>Company Name QUEMETCO INC</p> <p>Address 720 S 7TH CITY OF INDUSTRY, CA 91746</p> <p>Violation Description failure to maintain continuous negative pressure for enclosures, continuous operation of enclosure digital differential pressure monitoring systems; exceeding 1,3-butadiene lbs/hr limit during November 2017 source testing</p> <p>Equipment Description enclosures, WESP</p> <p>Follow Up Status Pending</p> <p>Disposition</p> <p>Disposition Date</p> <table border="1"> <thead> <tr> <th>Rule No.</th> <th>Rule Description</th> </tr> </thead> <tbody> <tr> <td>1420.1</td> <td>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</td> </tr> <tr> <td>40 CFR</td> <td>CFR</td> </tr> </tbody> </table>							Rule No.	Rule Description	1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities	40 CFR	CFR
Rule No.	Rule Description											
1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities											
40 CFR	CFR											

2018

No records found

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Responses to Comment Letter NOP-24

Comment NOP-24-A

TO: Barbara Radlein, South Coast Air Quality Management District

NOP-24-A

Battery recycling operations are known to release a toxic mixture of contaminants, including lead (Pb), arsenic (As), cadmium (Cd), manganese (Mn), and antimony (Sb).¹ During the smelting process, the **batteries are cracked, washed, pulverized and melted in a furnace, during which pollutants are released** into the environment. Currently, the highest levels of lead in ambient air are found to be near lead-smelting facilities.² Lead concentrations in shallow soil may reach percentage levels near smelters and may persist indefinitely.³ However, the extent of the contamination in the residential soil in the communities of Hacienda Heights, La Puente and Avocado Heights is still not fully characterized.

Toxic metal pollutants released by smelting operations have been linked to adverse health effects in both children and adults, including neurotoxicity, carcinogenesis and cardiovascular disease (CVD).⁴ Inorganic lead (Pb) is one of the most ubiquitous toxic substances yet it is also an extremely potent neurotoxin. Lead is rapidly absorbed into the blood stream and bioaccumulates in the bones and kidneys. At elevated levels, Pb causes damage to almost all organs and organ systems.⁵ Cognitive deficits, neurodevelopmental delays and psychological impairments are associated with even low levels of Pb exposure.^{6, 7} Evidence indicating that even very low levels of Pb exposure may lead to neurodevelopmental and cognitive impairment prompted the Centers for Disease Control to lower the blood level of concern from 10µg/dL down to 5µg/dL and revise the National Ambient Air Quality 3-month average standard from 1.5 µg/m³ down to 0.15 µg/m³.^{8, 7, 9} **Arsenic** is a known human carcinogen that may also increase the risk for adverse CVD and metabolic outcomes, including hypertension and diabetes, as well as impaired lung function.^{10, 11, 12} Recent studies suggest that As exposure can affect children's vascular health and cognitive development.^{13, 14, 15} **Cadmium** (Cd) is rarely naturally occurring, with exposures generally resulting from industrial and agricultural waste pollution. Exposure to Cd has been linked to endometrial, breast and prostate cancer as well as to renal dysfunction and disruption of calcium metabolism, resulting in osteoporosis.^{16, 17, 18}

Individuals are seldom exposed to one environmental contaminant at a time, particularly when considering industrial sources. It has become increasingly clear that multipollutant exposures may result in synergistic adverse effects or in combination may exert effects at levels that individually do not produce observable impacts.¹⁹ The individual toxicity of metals such as Pb, As, and Cd are well known, but their toxicity in combination has not been studied in detail, although they often co-exist as mixtures at industrial sites. Coexposure to Pb, As and Hg in animals can exert synergistic effects on organ toxicity and multiple measures of oxidative stress, including reactive oxygen species (ROS) production and levels of glutathione and oxidized glutathione disulfide.²⁰ The importance of characterizing multipollutant exposures in children is just beginning to be recognized in epidemiological studies. Several studies have supported the idea that early life exposures to metal mixtures may lead to more profound

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neurodevelopmental deficits.^{21, 22, 23} Disproportionate exposure to toxic chemicals is a burden faced by working poor communities of color across the United States.²⁴ The majority people of color communities near Quemetco are among the top 15% most environmentally burdened census tracts in the state of California, according to CalEnviroScreen 3.0. The surrounding census tracts sit in the top 2% of census tracts facing toxic releases into the environment.

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*)

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(2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions are described in detail in Chapter 3.

The proposed Project’s potential air quality impacts are discussed in Section 4.2 and Appendix D of the EIR. The EIR also includes an HRA that evaluated existing and potential toxic emissions for multiple pollutants which include, but are not limited to, lead, arsenic, cadmium, benzene, 1,3-butadiene, manganese, mercury, nickel, copper, zinc, H₂S, beryllium, selenium, and silver from the proposed Project, following the recommended methodology and guidance from the South Coast AQMD (see Section 4.2 and Appendix D). The HRA evaluated health the proposed Project’s potential risk impacts to the surrounding community, including sensitive receptors (i.e., residences, schools, day care centers, etc.) and worker receptors.

The NOP/IS analyzed the proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste, and found them to be less than significant, therefore, they are not analyzed further in the EIR. The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required. Therefore, the proposed Project would not result in significant impacts on the overburdened community as alleged by the commenter.

CalEnviroScreen is a screening tool used to help identify communities disproportionately burdened by multiple sources of pollution and with population characteristics that make them more sensitive to pollution. CalEnviroScreen 3.0 has been replaced by Draft CalEnviroScreen 4.0 as of February 2021. There are currently no requirements or procedures in CEQA to evaluate potential environmental justice impacts, and thus make use of CalEnviroScreen under CEQA. Refer to Master Comment on Environmental Justice.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required for CEQA purposes.

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To characterize the environmental performance, we did a preliminary search of the following databases:

NOP-24-B

- AQMD's Notice to Comply Inquiry System: http://www3.aqmd.gov/webappl/nov/nov.aspx?notice_type=nc
- AQMD Notice of Violation Inquiry System: http://www3.aqmd.gov/webappl/nov/nov.aspx?notice_type=NOV
- DTSC's EnviroStar profile on Quemetco, Enforcement/Inspections list https://www.envirostor.dtsc.ca.gov/public/eerp_profile_report?global_id=3001019

NOP-24-C

Quemetco incurred multiple VIOLATIONS from AQMD over the past 10 years. Dates listed are the violation date and in parenthetically, the disposition date. Violations received by Quemetco from AQMD total 13, including 4 years during which AQMD did not submit any report of violations.

- Rule 3002 related to the Title V permit: 3 violations, all three of which were not assigned dispositions until 2-3 years after the initial violations. 4/2014(2018), 9/2014(2017), 2015(2017). Title V Permit: it is not evident that Quemetco was held accountable by AQMD on an annual basis (as per Title V of the Clean Air Act). For example, in 2014 and 2015 Quemetco was found to be in violation of their Title V permit both in equipment operations, as well as Section E, Conditions 2 and 4, however, AQMD confirmed dispositions on those violations in 2017.
- Rule 1420.1, Emissions standard for lead from large lead-acid battery recycling facilities
 - Benzene hourly limit exceeded 3/2015(2018), 5/6/2015(2018), 5/12/2015(2018)
 - Arsenic emissions exceeded 11/2014(9/2017), 11/2017(no disposition date). This is particular is concerning because the disposition from the 2014 violation was not given until 9/2017, two months later in November 2017, the rule was violated again and no disposition has been given or posted as of this current date (10/17/2018), follow up status is "in compliance."
 - Discharge of lead and arsenic emissions due to shutdown of emissions control device: 5/2017(no disposition given), follow up status "in compliance"
- Rule 2004 related to NOx and SOx emissions 2004, rule establishing requirements under the RECLAIM program
 - QCER was inaccurate for major source SOx and total SOx emissions (4/2017), in compliance, no disposition

Quemetco has also been cited multiple times over the past 10 years for COMPLIANCE. It should be noted that there were 4 years during which Quemetco was not cited by AQMD, the same four years that they did not receive any violations (2011, 2012, 2016, 2018). Violations of COMPLIANCE can best be summarized by stating that the majority of such citations found Quemetco out of compliance with Rules 2004: RECLAIM program; 2011, and 2012: Requirements for monitoring, reporting and recordkeeping for SOx and NOx respectively. Lastly, as also found among Quemetco's VIOLATIONS, they were out of compliance in 2017 for failure to submit a compliance plan according to Rule 1420.

Of particular note in the compliance citations are the following:

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- At the end of 2009 and into 2010, AQMD citation related to not being in compliance for emissions reporting from 2008.
- As stated above, multiple citations were related to lack of reporting data of NOx and SOx emissions, and having software that calculated said emissions that was out of compliance.

AQMD inconsistently inspected Quemetco. Evidence of this in the citations and violations found includes lack of violations, citations, reinspections, and notices issued in the years: 2011, 2012, 2016, and 2018. Several things become apparent when reviewing not only the citations themselves, but the years during which notices of violation and compliance were NOT given by the AQMD. Upon inspection of years prior and years after these dormant years, violations were such that continued follow up may have been warranted. Furthermore, in several instances when repeated violations occurred in close succession, (see 2015 violations of which 3 out of 4 violations were given in regard to Rule 1420.1 for Benzene Hourly Limits), dispositions for all three violations were not issued until 3 years later in 2018. Following the 3 Benzene violations in mid 2015, in 2016 the AQMD did not seem to issue any citations or violations. This example is of one of several that establishes a pattern of inconsistent inspection reports.

Response to Comment NOP-24-B and Comment NOP-24-C

The South Coast AQMD Rules and regulations, which are applicable to the facility, will continue to apply to the proposed Project. The facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits. South Coast AQMD provides public access to these records through its webportal - Facility Information Detail (F.I.N.D.) and Quemetco's permit information (including NOV's and NOCs) is located here (<https://xappprod.aqmd.gov/find//facility/AQMDsearch?facilityID=8547>) under facility ID 8547.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

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Comment NOP-24-D

Quemetco violations from DTSC, found in Envirostar system. To summarize the past few years, it is significant to note that every year since 2013, Quemetco has receive one or more violations per year when their facility has been inspected by DTSC. Such violations include Class 1, Class 2, and Minor violations. Multiple violations include having areas of the facility that were not in compliance and could lead to a release of hazardous waste. Additionally, **NOP-24-D** Quemetco has been consistently found to have sections of their facility lacking in hazardous waste detection systems, or backup systems in place that detect the release of hazardous waste if primary systems fail.

Response to Comment NOP-24-D

Section 3.2 and Appendix C of the EIR summarize the applicable DTSC rules and regulations (which apply to the facility and will continue to apply to the proposed Project) the facility's compliance history, including current compliance status and that all violations have been either resolved or in final stages of resolution. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

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Comment Letter NOP-25 Avocado Heights Community Advocate, Don Moss

From: Don Moss [mailto:d.moss@roadrunner.com]

Comment NOP-25

Sent: Thursday, October 25, 2018 11:37 AM

To: Diana Thai <dthai@aqmd.gov>; 'Rehman, Waqas' <WRehman@bos.lacounty.gov>; 'Chen, Cindy' <cchen@bos.lacounty.gov>; 'Moreno, Andrea' <amoreno@bos.lacounty.gov>; fbriones@bos.lacounty.gov; lyokomizo@bos.lacounty.gov

Subject: RE: NOP Quemetco Capacity Upgrade Project

Hello Ms. Thai:

Please include this addendum to my commentary regarding the project. Thank you.

Greenhouse Gas Emissions

Conditions must be added to the operation of this facility, if a permit is approved, to require that the full volume of transportation traffic required for the desired percentage increase of through put be provided by zero emissions vehicles. In the event that Quemetco or its providers are unwilling to utilize zero emissions vehicles, then the increase in through put must be delayed until the zero emissions vehicles are acquired and in use by all parties necessary for this volume increase request. No grace periods may be negotiated regarding this issue as zero emission vehicle technology currently exists. NOP-25-A

Don C. Moss
Avocado Heights Community Advocate

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Notification Process

The current legal process to notify of all those affected by or having the potential to be affected by hazardous discharges from the Quemetco facility has not been followed by SCAQMD herein. NOP-25-B

A USPS mailing to each address within the largest historically published “computer generated discharge plume” area must be sent out regarding any changes to the Quemetco operation. However, ACAQMD has allowed very selective mailings to be sent to an extremely small area instead. This failing must be corrected before this NOP process moves forward. This observer’s recollections include the published discharge plume reaching as far as South El Monte to the west, beyond Nelson Ave. to the north, beyond Hacienda Blvd. to the east and beyond Los Robles Ave. to the south. There is no excuse not to notify this entire area as physical monitoring of Quemetco’s discharges has never occurred more than a few feet beyond the plant’s basic footprint. NOP-25-C

Further violations of legal requirements to notify the affected community exist in the fact that SCAQMD as well as DTSC and the Water Board has arbitrarily anointed a local club as the “Voice of the Community” for the Quemetco issue rather than hosting true community meetings with mailed notifications to the entire affected area. The approach that a local club shall be the gate keeper for

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information to the community and back to SCAQMD has been instituted for the sole purpose of reducing the work load of the regulatory agencies that the notification process requires by law. This narrow approach clearly violates the legal requirement to notify all the affected community members.

Potential Significant Impacts

Air, water and soil contamination from Quemetco's historical operations have been clearly identified through previous application processes. Accordingly, conditions for this permit if it is approved must include on-going remediation of those contaminants. NOP-25-E

Conditions regarding discharges into the air must include 24/7 active scrubbing using the very latest technology available. Conditions must include these scrubbing systems be upgraded when newer technologies are proven and not wait until the next permit process to once again argue for maximum clean-up of discharges. NOP-25-F

Active Monitoring Points, operating 24/7, must be installed outside of the physical plant along 8 points of the compass beginning at the distance of ¼ mile, again at ½ mile, then at ½ mile increments until the last active testing points are placed beyond the largest historically published estimated discharge plume area. When the outer most monitoring points on any established point of the compass detect discharges attributable to Quemetco, by using the chemical properties of the discharges, another active monitoring point must be added along that point of the compass at ½ mile distance. This is the only way to identify and provide for control of hazardous discharges from this facility.

Conditions regarding contaminated water aquifers serving the local area must include Quemetco contributing financially to the local water clean-up programs in perpetuity. NOP-25-G

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NOP-25-H

Conditions regarding contaminated soils, as far away from the physical plant as independent testing identifies, must include an on-going remediation program until all contamination has been rendered below safe levels. The focus of such a program must not be negotiated to dilute its effectiveness as has occurred in the past – such as claiming lead in the soils was caused by lead based paint chips and automobile exhausts from the long gone days of leaded gasolines.

Conditions providing for automatic citations for violations of maximum discharge values must be included in this process if the permit is approved. No more negotiated compliance! Such instances of negotiated compliance include periodic testing only, averaging the test results, etc. It must be noted herein that SCAQMD gleefully generated automatic violation citations to a local rubbish company as a result of an SCAQMD employee training a local club how to game its system by using a phone tree to generate multiple, simultaneous claims of odors from the local rubbish company's MRF. This activity went on for months. Racking up thousands of dollars in totally bogus fines without any actions by SCAQMD to assess the validity of the claims. Such actions would include the home address of the complainants and whether they lived a substantial distance away and upwind from the facility. This comment is verifiable via court records as well as internal SCAQMD documents. Bottom line: Any amount of hazardous discharge above legal limits qualifies for automatic citation for violation of the permit!

Conditions providing for all monitoring points to operate 24/7 regardless of plant operation schedule must be implemented. Such locations include the plant processes discharge stacks, open air processing locations, et al. within the physical plant and outside of the plant as noted above. This is required because discharges from this facility may be generated by weather activity as well as manufacturing processes.

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Thank you for your assistance including this commentary in the NOP process.

NOP-25-K

Don C. Moss
Avocado Heights Community Advocate

Responses to Comment Letter NOP-25

Comment NOP-25-A

Conditions must be added to the operation of this facility, if a permit is approved, to require that the full volume of transportation traffic required for the desired percentage increase of through put be provided by zero emissions vehicles. In the event that Quemetco or its providers are unwilling to utilize zero emissions vehicles, then the increase in through put must be delayed until the zero emissions vehicles are acquired and in use by all parties necessary for this volume increase request. No grace periods may be negotiated regarding this issue as zero emission vehicle technology currently exists. NOP-25-A

The GHG emission impacts of the proposed Project, which includes the GHG emissions from the proposed throughput increase as well as from the increased use of trucks, are analyzed in Section 4.2 and Appendix D of the EIR. The analysis of the GHG emissions in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Comments NOP-25-B and NOP-25-C

The current legal process to notify of all those affected by or having the potential to be affected by hazardous discharges from the Quemetco facility has not been followed by SCAQMD herein. NOP-25-B

A USPS mailing to each address within the largest historically published "computer generated discharge plume" area must be sent out regarding any changes to the Quemetco operation. However, ACAQMD has allowed very selective mailings to be sent to an extremely small area instead. This failing must be corrected before this NOP process moves forward. This observer's recollections include the published discharge plume reaching as far as South El Monte to the west, beyond Nelson Ave. to the north, beyond Hacienda Blvd. to the east and beyond Los Robles Ave. to the south. There is no excuse not to notify this entire area as physical monitoring of Quemetco's discharges has never occurred more than a few feet beyond the plant's basic footprint. NOP-25-C

In accordance with CEQA, the South Coast AQMD prepared the NOP/IS and EIR. These documents and other relevant documents may be obtained by calling the South Coast AQMD Publication Request Line at (909) 396-2039; by contacting the South Coast AQMD Public Information Center by phone at (909) 396-2432 or by email at PICrequests@aqmd.gov, or by accessing the South Coast AQMD's CEQA website at: <http://www.aqmd.gov/home/research/documents-reports/lead-agency-permit-projects>.

Quemetco has 10,255 people on its AB 2588 notification list. Under the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588), the operator of a facility must provide notice to all exposed persons if, in the judgment of the South Coast AQMD, the facility's health risks assessment indicates there is a significant health risk associated with air toxic emissions from the facility. The CEQA notification process is different from the AB 2588 notification process. Nonetheless, CEQA notice was provided to the AB 2588 notification list for this EIR.

For this EIR, the South Coast AQMD required notices to be published on their website and in the Los Angeles Times newspaper, and mailed to individuals who request to be on the proposed

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Project’s distribution list and the AB2588 notification list, as well as emailed to the South Coast AQMD’s general distribution list. This EIR notification list includes 12,500 people on the mailing list and 700 people on this email list.

This appendix includes the comments received and responses to those comments for the Quemetco Capacity Upgrade Project Notice of Preparation/Initial Study (NOP/IS) for an Environmental Impact Report (EIR). Although the CEQA Guidelines require the NOP/IS to be circulated for 30-days, the NOP/IS for the Quemetco proposed Project was circulated for a 56-day public review with the comment period starting on August 31, 2018 and ending on October 25, 2018. In addition, the South Coast AQMD conducted two CEQA scoping meetings at the Hacienda Heights Community Center, on September 13, 2018 (CEQA Scoping Meeting #1) and October 11, 2018 (CEQA Scoping Meeting #2); the purpose of these scoping meetings was to provide information and to receive public comments on the proposed Project.

The format of the CEQA scoping meeting held on September 13, 2018 at the Hacienda Heights Community Center was structured in an “open house” format with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening and ability to have one-on-one conversations with representatives from staff, other agencies, as well as the company. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility’s processes, the CEQA process, and the proposed Project.

Due to complaints that the style of the first CEQA scoping meeting did not meet attendees’ expectations of a more structured meeting format with a formal presentation and fixed public comment period, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled.

The second CEQA scoping meeting was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. A notice of the second CEQA scoping meeting and the NOP/IS public review and comment period extension was published on South Coast AQMD’s website on September 27, 2018 and in the Los Angeles Times newspaper on September 27, 2018. The announcement was also transmitted electronically to 710 email addresses on September 27, 2018 and hard copies were mailed on October 2, 2018 and October 3, 2018²⁷ to 12,500 addresses within the vicinity of the proposed Project.

The second CEQA scoping meeting held on October 11, 2018 at the Hacienda Heights Community Center included a formal presentation by a seated panel of South Coast AQMD personnel and other agency representatives (e.g., DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and U.S House of

²⁷ The notices mailed out via U.S. Postal Service with 8,007 pieces sent on October 2, 2018 and 2,248 pieces sent on October 3, 2018 per U.S. Postal Service Statement of Mailing receipts.

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Representatives). After the presentation, there was a question-and-answer period during which attendees' comments and questions could be heard by the entire audience.

A summary report following the CEQA scoping meetings was not prepared, however the presentation is available online ([http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-\(for-print\).pdf](http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-(for-print).pdf)); this appendix contains all the comment letters received during the NOP/IS public comment and review period, the comments received during the two CEQA scoping meetings, and the responses to all comments as required by CEQA Guidelines Section 15088.

In accordance with CEQA Guidelines Section 15105(a), the Draft EIR has been circulated for public review and comment period of no less than 45 days and includes a public comment meeting.

Further violations of legal requirements to notify the affected community exist in the fact that SCAQMD as well as DTSC and the Water Board has arbitrarily anointed a local club as the "Voice of the Community" for the Quemetco issue rather than hosting true community meetings with mailed NOP-25-D notifications to the entire affected area. The approach that a local club shall be the gate keeper for

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information to the community and back to SCAQMD has been instituted for the sole purpose of reducing the work load of the regulatory agencies that the notification process requires by law. This narrow approach clearly violates the legal requirement to notify all the affected community members.

Response to Comment NOP-25-D

See Response to Comment NOP-25-D. The "Voice of the Community" were included in the notification list described in NOP-25-D; however, the distribution list also includes people who have requested to receive a notification about the proposed Project as well as those who are on the AB2588 notification list. Additionally, DTSC is a responsible agency. The South Coast AQMD as the CEQA lead agency is responsible for providing CEQA notifications about the proposed Project being analyzed in the EIR; not DTSC or the water board.

Comment NOP-25-E

Air, water and soil contamination from Quemetco's historical operations have been clearly identified through previous application processes. Accordingly, conditions for this permit if it is approved must include on-going remediation of those contaminants. ^{NOP-25-E}

Response to Comment NOP-25-E

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: "will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project." The EIR evaluated whether the proposed Project could cause a significant effect on the environment as compared to

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the existing physical conditions in the environment at the time the NOP was published (known as baseline conditions) in accordance with CEQA Guidelines Section 15002(g) and 15125. CEQA Guidelines and case law do not require an analysis of historic impacts prior to the proposed Project. . Section 25: Project Description explains why year 2014 was selected as the baseline year for the proposed Project (existing setting). Chapter 3 – Environmental Setting describes the baseline conditions for the five environmental areas assessed in the EIR.

The NOP/IS analyzed the proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste, and found them to be less than significant, therefore, they are not analyzed further in the EIR. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

The proposed Project’s assessment of air and GHG impacts (including air toxics and public health) is discussed in Section 4.2 and Appendix D of the EIR. The proposed Project’s assessment of hydrology and water quality is discussed in Section 3.5 and Section 4.5 of the EIR.

DTSC’s soils and groundwater remediation activities, as described in more detail in Section 3.4 and Section 3.5 of the EIR, are addressing historic soil and groundwater contamination and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required nor will these DTSC activities be included in South Coast AQMD’s air permit modification.

Comment NOP-25-F

NOP-25-F

Conditions regarding discharges into the air must include 24/7 active scrubbing using the very latest technology available. Conditions must include these scrubbing systems be upgraded when newer technologies are proven and not wait until the next permit process to once again argue for maximum clean-up of discharges.

Active Monitoring Points, operating 24/7, must be installed outside of the physical plant along 8 points of the compass beginning at the distance of ¼ mile, again at ½ mile, then at ½ mile increments until the last active testing points are placed beyond the largest historically published estimated discharge plume area. When the outer most monitoring points on any established point of the compass detect discharges attributable to Quemetco, by using the chemical properties of the discharges, another active monitoring point must be added along that point of the compass at ½ mile distance. This is the only way to identify and provide for control of hazardous discharges from this facility.

Response to Comment NOP-25-F

Section 4.2 and Appendix D of the EIR includes an analysis of potential emissions from the proposed Project and accounts for the air pollution control technology utilized at the facility,

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which controls emissions to levels below applicable regulatory standards (e.g., the standards in Rule 1420.1). Chapter 2 describes the facility’s air pollution control systems, source testing locations, CEMS and air monitoring stations (refer to Section 2.4.7 and Figure 2-8). Information about South Coast AQMD’s offsite air monitoring station is located here:

<http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>.

The air monitoring stations were selected by South Coast AQMD based upon facility emission sources and wind direction, to ensure that monitored values are reflective of the facility’s emissions in accordance with monitoring requirements for stationary lead sources in 40 CFR Part 58 as well as in South Coast AQMD Rule 1420.1. The facility is required to have continuous emissions monitoring, or CEMS, of both criteria and toxic pollutants. The facility’s CEMS on the WESP (air pollution control equipment) stack monitor NO_x, SO_x, CO₂ and arsenic. As part of the proposed Project, Quemetco will add a CO CEMS to ensure compliance with permit condition A63.6 as described in Section 2.6: Project Description.

The EIR concludes that the proposed Project would not result in any significant impacts. Therefore, no mitigation measures are required.

Comment NOP-25-G

Conditions regarding contaminated water aquifers serving the local area must include Quemetco contributing financially to the local water clean-up programs in perpetuity. **NOP-25-G**

Response to Comment NOP-25-G

Hydrology and Water Quality are evaluated in the EIR in Section 3.5 and Section 4.5. Section 3.5 describes the environmental setting (baseline conditions) for hydrology and water quality including ground water quality and applicable protection standards (refer to Table 3.5-3).

Quemetco is permitted through its Industrial Waste Discharge Permit from the LACSD to treat and discharge wastewater generated at the facility. All treated wastewater is discharged into the LACSD sewer system and meets the standards of the Regional Water Quality Control Board, consistent with applicable permits. Additionally, wastewater discharged is tested quarterly by a third-party laboratory for metals, and reports are submitted to LACSD.

A discussion of the potential impacts from wastewater discharge and groundwater quality is included in Section 4.5 of the EIR. After a thorough evaluation of all hydrology and water quality environmental checklist questions, all potential impacts were found to be less than significant; therefore, mitigation measures are not required.

The NOP/IS notes that the facility is served by the San Gabriel Valley Water Company (SGVWC), which has confirmed that it has sufficient water supplies to serve the project. The Urban Water Management Plan (UWMP) for the SGVWC likewise supports the conclusion that the project’s anticipated water use will not result in significant water supply impacts. The UWMP provides that the SGVWC has water supplies sufficient to meet anticipated future demand in normal, dry, and multiple-dry year scenarios. Moreover, the Urban Water Management Plan projects an increase in potable and raw water demand from industrial users from baseline (2014) conditions to 2040. The Project’s water demand is within these

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projections.²⁸ SGWVC’s water supply sources include local groundwater (the Main San Gabriel Basin and the Central Basin), recycled water, and imported surface water supplies.

Portions of the Main San Gabriel Basin are designated as a CERCLA Superfund site by the federal EPA. The groundwater contamination was the result of historical practices by industrial uses and agricultural operations occurring within the Main San Gabriel Basin area. The comment is referring to the Main San Gabriel Basin Watermaster’s Five-Year Water Quality and Supply Plan (Five-Year Plan), which provides a comprehensive water quality cleanup and water supply plan for the Main San Gabriel Basin.²⁹ Quemetco is operating under permit conditions with DTSC and LACSD and whether or not it participates in local water clean-up programs is determined by those permits as described in Section 3.5.

Comment NOP-25-H

NOP-25-H

Conditions regarding contaminated soils, as far away from the physical plant as independent testing identifies, must include an on-going remediation program until all contamination has been rendered below safe levels. The focus of such a program must not be negotiated to dilute its effectiveness as has occurred in the past – such as claiming lead in the soils was caused by lead based paint chips and automobile exhausts from the long gone days of leaded gasolines.

Response to Comment NOP-25-H

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance(on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

The EIR’s HRA (refer to Section 4.2 and Appendix D) measures the release of airborne hazardous materials from the facility’s air pollution control devices and shows the proposed Project would not result in any potentially significant impacts. Additionally, the EIRs environmental setting for air quality (Section 3.2) demonstrates that Quemetco’s emissions have been reducing over time with implementation of South Coast AQMD’s Rule 1420.1 and the air pollution control technology in operation at the facility which has advanced substantially over time (as described in Chapter 2 of the EIR). Quemetco maintains a Risk Reduction Plan (RRP) as required by AB 2588. RRP conditions have been incorporated into the Title V permit and will not change because of the proposed Project. Additionally, the HRA looks at total facility health

²⁸ San Gabriel Valley Water Company 2015 Urban Water Management Plan, Tables 4-1 and 4-2 (available at https://www.sgvwater.com/wp-content/uploads/2018/09/Volume-I-FINAL-AMENDED_2015-UWMP_SGVWC_LACD.pdf).

²⁹ Main San Gabriel Basin Watermaster’s Five-Year Water Quality and Supply Plan (available at https://rauch.egnyte.com/dl/gDgrOKZhQZ/V8_WEB_5_year_plan_10_22_18.pdf).

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risks to ensure no conflicts with the previously approved RRP. Note that Quemetco is still subject to AB 2588 and the proposed Project would also be subject to AB 2588.

The question of cleanup of offsite soils from previous contamination is outside the scope of the project being evaluated by the South Coast AQMD because neither offsite soil disturbance nor changes that would affect the existing soil condition would be expected to occur. DTSC as part of its RCRA Part B permit renewal, a permit action which is separate from the proposed Project under consideration by the South Coast AQMD, is investigating the extent of the existing, surrounding soil contamination and response strategies. Detailed information regarding Quemetco's permit violations and settlements with South Coast AQMD, DTSC and others are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

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Comment NOP-25-I

Conditions providing for automatic citations for violations of maximum discharge values must be included in this process if the permit is approved. No more negotiated compliance! Such instances of negotiated compliance include periodic testing only, averaging the test results, etc. It must be noted herein that SCAQMD gleefully generated automatic violation citations to a local rubbish company as a result of an SCAQMD employee training a local club how to game its system by using a phone tree to generate multiple, simultaneous claims of odors from the local rubbish company's MRF. This activity went on for months. Racking up thousands of dollars in totally bogus fines without any actions by SCAQMD to assess the validity of the claims. Such actions would include the home address of the complainants and whether they lived a substantial distance away and upwind from the facility. This comment is verifiable via court records as well as internal SCAQMD documents. Bottom line: Any amount of hazardous discharge above legal limits qualifies for automatic citation for violation of the permit!

Response to Comment NOP-25-I

Detailed information regarding the rules and regulations that are applicable to the Quemetco facility including Notices of Violations (NOVs) is discussed in Section 3.2, Chapter 3 – Environmental Setting and Appendix C of the EIR. South Coast AQMD compliance staff conduct regular inspections of Quemetco to ensure that equipment and processes are operating in compliance with its permit conditions and the applicable rules and regulations. Further, Quemetco is subject to various rules including Rule 1402 and Rule 1420.1 and are subject to daily monitoring and annual source testing (refer to Section 3.2).

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded 0.120 $\mu\text{g}/\text{m}^3$ over a 30-day rolling average. As described above in Response to Comments NOP-25-H, the facility must be in compliance with current requirements before any permits can be issued.

The rubbish company incident mentioned in the comment does not include sufficient detail to allow the South Coast AQMD to accurately respond. Further, compliance activities or court cases associated with another facility are not relevant to the proposed Project.

Comment NOP-25-J

Conditions providing for all monitoring points to operate 24/7 regardless of plant operation schedule must be implemented. Such locations include the plant processes discharge stacks, open air processing locations, et al. within the physical plant and outside of the plant as noted above. This is required because discharges from this facility may be generated by weather activity as well as manufacturing processes.

Response to Comment NOP-25-J

All air monitors that monitor air emissions from the facility operate 24 hours per day, seven (7) days per week, regardless of the operational schedule of the facility or weather. The proposed Project will not alter the monitoring equipment or permit conditions.

Comment Letter NOP-26 EarthJustice

Comment NOP-26



October 25, 2018

VIA ELECTRONIC MAIL

Diana Thai
Air Quality Specialist, CEQA
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
dthai@aqmd.gov

Re: Comments on the Initial Study for the Quemetco Capacity Upgrade Project¹

Dear Ms. Thai:

We submit these comments on behalf of the Clean Air Coalition of North Whittier & Avocado Heights on the Initial Study for the Quemetco Capacity Upgrade Project (Quemetco Expansion).

NOP-26-A

Quemetco seeks to modify its South Coast Air Quality Management District (SCAQMD) permit to allow for a 25% expansion in its lead battery processing.² Quemetco seeks to expand the material processed from 600 tons per day to 750 tons per day as well as to increase the coke³ used in its furnaces from 600,000 pounds per month to 750,000 pounds per month.⁴ The proposed modification would authorize Quemetco to operate its lead smelting furnaces/processes 24 hours a day, 7 days a week, 365 days a year.⁵

Located in the City of Industry, Quemetco imposes significant environmental and health burdens on the thousands of residents in the adjacent communities of Hacienda Heights, Avocado Heights, Whittier, and La Puente. Homes and schools—the closest just 600 feet away—surround Quemetco. Its highly toxic air emissions and the nearby population density result in Quemetco being among the most hazardous sources of air pollution in the SCAQMD's entire 10,000 square mile region.

NOP-26-B

¹ Links to all cited materials are included in respective footnotes. Those materials are all incorporated by reference into this comment as if attached to this letter. Please reach out for assistance if there is any difficulty accessing the materials.

² Initial Study for Quemetco Capacity Upgrade Project, August 2018, at 2-2 (hereinafter "Initial Study").

³ Id. We note that the air emissions from petroleum coke can vary significantly from those of the calcined coke currently used. Further, there can be significant variation caused by the grade of coke used. These emissions should be fully disclosed and analyzed during the environmental review process.

⁴ Id.

⁵ Id.

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Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Ms. Diana Thai
October 25, 2018
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During two Scoping Meetings held to review the Initial Study, community residents expressed profound anger, frustration, and concern with Quemetco's proposed expansion. Along with condemning Quemetco for its long history of numerous fines and violations for excessive emissions of toxic pollution, residents shared their stories of living near Quemetco. Residents shared accounts of themselves and family members becoming ill and dying of cancer, despite a lack of family history of the disease. Residents also discussed the burden of constantly fearing that their children will suffer from growing up in an environment where the air, soil, and water are contaminated because of Quemetco's toxic operations. Ultimately, residents expressed severe doubt that the same agencies, including the SCAQMD, which neglected the communities next to Exide would protect them against the Quemetco Expansion.

NOP-26-C

The burdened residents of the communities surrounding Quemetco and the California Environmental Quality Act (CEQA) demand that the Environmental Impact Report (EIR) for the Quemetco Expansion be thorough and transparent. Given the decades of toxic pollutants that Quemetco has imposed on surrounding communities, it is vital that the SCAQMD critically examine the environmental and health impacts of the Quemetco Expansion.

There are four areas in which the Initial Study proposes improperly to narrow the scope of the upcoming Environmental Impact Report. First, the Initial Study does not acknowledge the impacts of the Quemetco Expansion on environmental justice communities. Second, the Initial Study improperly proposes the EIR overlook the possible impacts to groundwater resources stemming from the Quemetco Expansion's use of an additional 100,000 gallons of water per day. Third, the Initial Study finding of less than significant impact to Transportation and Traffic in the area relies on outdated information. Finally, the Initial Study uses an overly restrictive view of the cumulative impacts of Quemetco's toxic operation and under identifies other nearby sources of pollution.

NOP-26-D

I. Environmental Justice Impacts Must Be Evaluated.

The presence of environmental justice communities surrounding Quemetco mandates that the EIR for the Quemetco Expansion evaluate if the environmental and health impacts of the expansion fall disproportionately on environmental justice communities.

NOP-26-E

CalEnviroScreen is a science-based mapping tool used by the California Environmental Protection Agency to identify environmental justice communities by census tract. Taking into account the socioeconomic and health status of people living in those communities, census tracts are organized by percentile from zero to 100. A higher percentile indicates a higher relative burden. CalEnviroScreen identifies environmental justice communities as the 25 percent (score of 75 to 100) highest scoring census tracts in California. As shown in the attached CalEnviroScreen map, many environmental justice communities surround Quemetco.

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(Attached as Exhibit 1.) The Initial Study, however, makes no mention of these environmental justice communities and the disproportionate harm that they may bear because of the Quemetco Expansion.

The SCAQMD must put into action its stated commitment to environmental justice. On its website, the SCAQMD claims that one of its top priorities is the implementation of environmental justice initiatives. For example, the SCAQMD cites its establishment of the Environmental Justice Advisory Group and its efforts to implement Assembly Bill 617, which seeks to address the disproportionate impacts of air pollution in environmental justice communities.⁶ The commitment behind such efforts is rendered hollow if the SCAQMD fails to recognize that the impacts from the Quemetco Expansion will disproportionately affect environmental justice communities.

In conducting an environmental justice analysis, the SCAQMD must acknowledge the needs of environmental justice communities because they are particularly susceptible to project harms, even if other communities are unaffected. For example, members of environmental justice communities may have less access to healthcare and less financial security to cope with seemingly “minor” project impacts. In recognition of such realities, the SCAQMD must undertake a nuanced analysis that identifies the effects of project impacts on the environmental justice communities that surround Quemetco. This analysis must extend at least two miles out from the facility, which is the distance within which the SCAQMD’s own 2016 Health Risk Assessment calculated a heightened risk to residents from arsenic exposure. Twenty-one schools are located within a two-mile radius of Quemetco.

In addition to disclosing and mitigating possible harms within environmental justice communities, the SCAQMD must also consider the cumulative impacts of environmental and health harms on environmental justice communities surrounding Quemetco. Cumulative impacts refer to a community’s exposure to multiple environmental burdens that have significant interaction effects with other stressors such as pollution or unhealthy living conditions. The SCAQMD must examine how the Quemetco Expansion and other stressors, together, impact environmental justice communities surrounding Quemetco.

II. The Impacts of Increased Water Usage from the Quemetco Expansion Must Be Evaluated.

The Initial Study fails to acknowledge potentially significant impacts from the Quemetco Expansion’s use of an additional 100,000 gallons of water per day. The Initial Study simply concludes that the Quemetco Expansion will have little environmental effect on water because

NOP-26-F

⁶ SCAQMD, SCAQMD’s Environmental Justice Program (<http://www.aqmd.gov/nav/about/initiatives/environmental-justice>).

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the San Gabriel Valley Water Company stated in an e-mail that it will provide the additional water needed for the expansion (Will Serve E-mail).⁷ This conclusion does not provide the necessary information under CEQA to understand the impact of the Quemetco Expansion on water demand and groundwater resources.

First, the Initial Study seems to misstate the source of water for the Quemetco Expansion. The Initial Study states that “[t]he source of the water is from the main San Diego groundwater basin.”⁸ The San Gabriel Valley Water Company, however, does not draw water from the San Diego groundwater basin. The company, instead, primarily draws water from the Main San Gabriel Groundwater Basin.⁹ The SCAQMD must address this error in the EIR.

Second, the Initial Study fails to consider the impacts to the Main San Gabriel Groundwater Basin of drawing an additional 100,000 gallons of water per day from it. The Main San Gabriel Groundwater Basin has the highest organic matter contamination statewide and is the largest Superfund site in the United States.¹⁰ The contamination is concentrated in underground plumes of water that have the potential to migrate to other areas of the basin if disturbed.¹¹ The Initial Study makes no mention of this existing contamination or the potential for further contamination caused by the additional extraction of water. Moreover, we know that the groundwater under Quemetco “has a history of elevated concentrations of lead, arsenic, volatile organic compounds (VOCs), nitrate, and sulfate.”¹² Quemetco has failed to monitor the full extent of this contamination. Indeed, the groundwater monitoring network Quemetco implemented was so deficient that the California Department of Toxic Substances Control did “not believe” that data being collected “present a reliable picture of the groundwater quality beneath” Quemetco. Publically available information suggests that the groundwater monitoring system under Quemetco remains deficient. The EIR must disclose, analyze, and mitigate the Quemetco Expansion’s impacts on adding to or otherwise disturbing groundwater contamination.

Third, the Initial Study overlooks how the Quemetco Expansion affects already drought-stricken local water resources. It is frustrating that Quemetco is so readily provided with

⁷ Initial Study at 2-40.

⁸ Initial Study at 2-40.

⁹ San Gabriel Valley Water Company, Water Sources (<https://www.sgvwater.com/water-quality-supply/water-sources/>).

¹⁰ Steve Scauzillo, Contaminated Ground Water in San Gabriel Valley Gets \$250 Million Boost, Extending Cleanup Until 2027, San Gabriel Valley Tribune, August 30, 2017 (<https://www.sgvtribune.com/2017/06/04/contaminated-ground-water-in-san-gabriel-valley-gets-250-million-boost-extending-cleanup-until-2027/>).

¹¹ Id.

¹² Letter from Terri Hardy, Interim Legislative Director of the California Department of Toxic Substances Control, to Ed Hernandez, State Senator, dated August 16, 2016. Attached as Exhibit 2.

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100,000 additional gallons of water per day while Californians are subject to mandatory water conservation measures. In addition, Quemetco's demand for increased water usage comes at a time when the water levels in the Main San Gabriel Groundwater Basin are at historic lows.¹³ More information is necessary and relevant to understand fully the impacts to water quality and quantity that the Quemetco Expansion will cause. The Initial Study's simple citation to the Will-Serve E-mail is wholly inadequate.

III. SCAQMD Must Use An Up-To-Date Baseline to Evaluate Traffic Impacts.

NOP-26-G

The Initial Study uses an outdated baseline to make its determination that the impacts of the Quemetco Expansion on traffic will be less than significant. The baseline comes from a traffic study conducted by the City of Industry in 2014, which held that the "Level of Service" at the intersections surrounding Quemetco range from "free flow" to "stable flow." This baseline, however, likely no longer reflects current traffic conditions around Quemetco. This discrepancy became increasingly clear when residents at the two Scoping Meetings complained about the awful congestion at the intersections surrounding Quemetco. While numerous residents specifically cited the intersection at S. 7th Avenue and Clark Avenue as impassable when trucks are driving to Quemetco, the SCAQMD should study the broader impacted area. To address this discrepancy and fully examine traffic conditions, the SCAQMD should conduct an up-to-date traffic study to establish an accurate baseline for its analysis. Only with an accurate baseline can the SCAQMD fully determine the environmental and health impacts of allowing nearly 5,000 additional truck trips to Quemetco each year.¹⁴

IV. The Cumulative Impacts of the Quemetco Expansion Must Be Evaluated.

NOP-26-H

The Quemetco Expansion is situated in an area where impacts from nearby warehouses, factories, and manufacturing facilities may cumulatively harm the environment and health of residents. According to CEQA Guidelines § 15130(a)-(b), "An EIR shall discuss cumulative impacts of a project" that "reflect the severity of the impacts and their likelihood of occurrence." The SCAQMD, therefore, must consider the impacts of the Quemetco Expansion in the context of other sources of pollution. For example, the SCAQMD should analyze the number of warehouses, factories, and manufacturing facilities within a three-mile radius around Quemetco and specifically examine the daily and annual truck trips into and out of this radius to calculate the air quality impacts on surrounding communities.

The SCAQMD should also evaluate Quemetco's long history of environmental and health violations in the EIR's cumulative impacts analysis. The toxic effects of Quemetco's operations are well documented. In the past nine years alone, the SCAQMD has issued 15 Notices of

¹³ Main San Gabriel Basin Watermaster (<http://www.watermaster.org/>).

¹⁴ Initial Study at 1-17.

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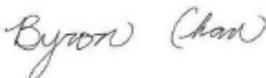
Violation to Quemetco¹⁵ while just two years ago the California Department of Toxic Substances Control ordered Quemetco to correct violations related to its failure to maintain its hazardous lead containment building.¹⁶ Such violations have contaminated the air, water, and soil of surrounding communities, and residents live everyday feeling as if they are prisoners in their own homes. The EIR must acknowledge this painful context, and examine how the Quemetco Expansion will exacerbate the already accumulated impacts of Quemetco's past and ongoing toxic operations.

V. Conclusion.

The Initial Study's framework for environmental review of the Quemetco Expansion improperly excludes important topics from further study in the Environmental Impact Report. When undertaken, the EIR should disclose and mitigate the environmental justice impacts of Quemetco's expansion. In addition, the EIR should disclose and mitigate the effects of drawing an additional 100,000 gallons of water per day from the drought-stricken and contaminated Main San Gabriel Groundwater Basin. Finally, the EIR should disclose current traffic conditions around Quemetco and analyze cumulative impacts surrounding the facility. All identified impacts should be fully mitigated. Left uncorrected, these deficiencies will render the Environmental Impact Report unlawful and confirm to communities surrounding Quemetco that the SCAQMD is failing to fulfill its obligation to protect the environment and health of residents.

NOP-26-I

Respectfully submitted,



Byron Jia-Bao Chan
Attorneys for Clean Air Coalition of North Whitter & Avocado Heights



Angela Johnson Meszaros

¹⁵ SCAQMD, Facility Information Detail (FIND)
(http://www3.aqmd.gov/webappl/fim/prog/novnc.aspx?fac_id=8547).

¹⁶ Department of Toxic Substances Control, DTSC Orders Quemetco to Fix Hazardous Waste Leak-Detection System, July 26, 2016 (https://www.dtsc.ca.gov/PressRoom/upload/News_Release_T-12-16.pdf).

EXHIBIT 1

CalEnviroScreen Score Percentiles by Census Tract

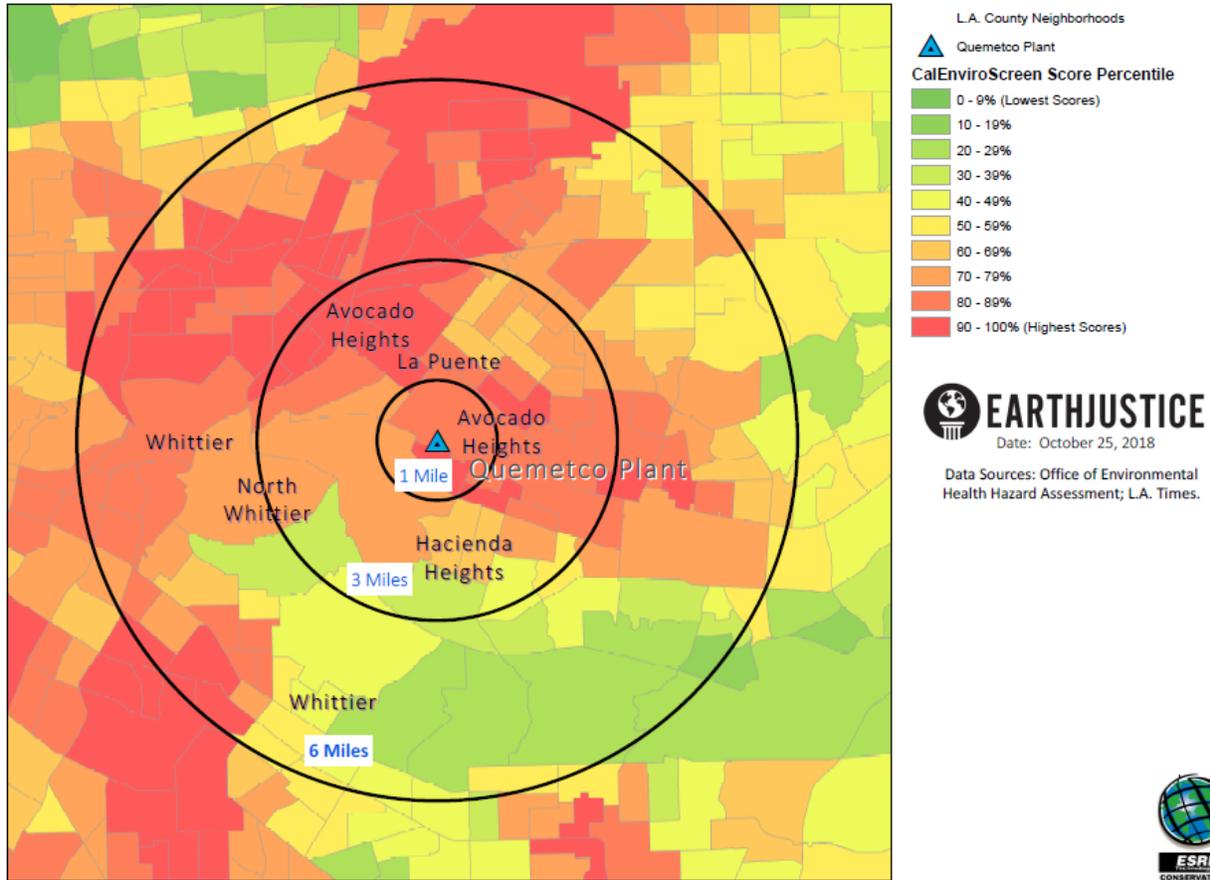
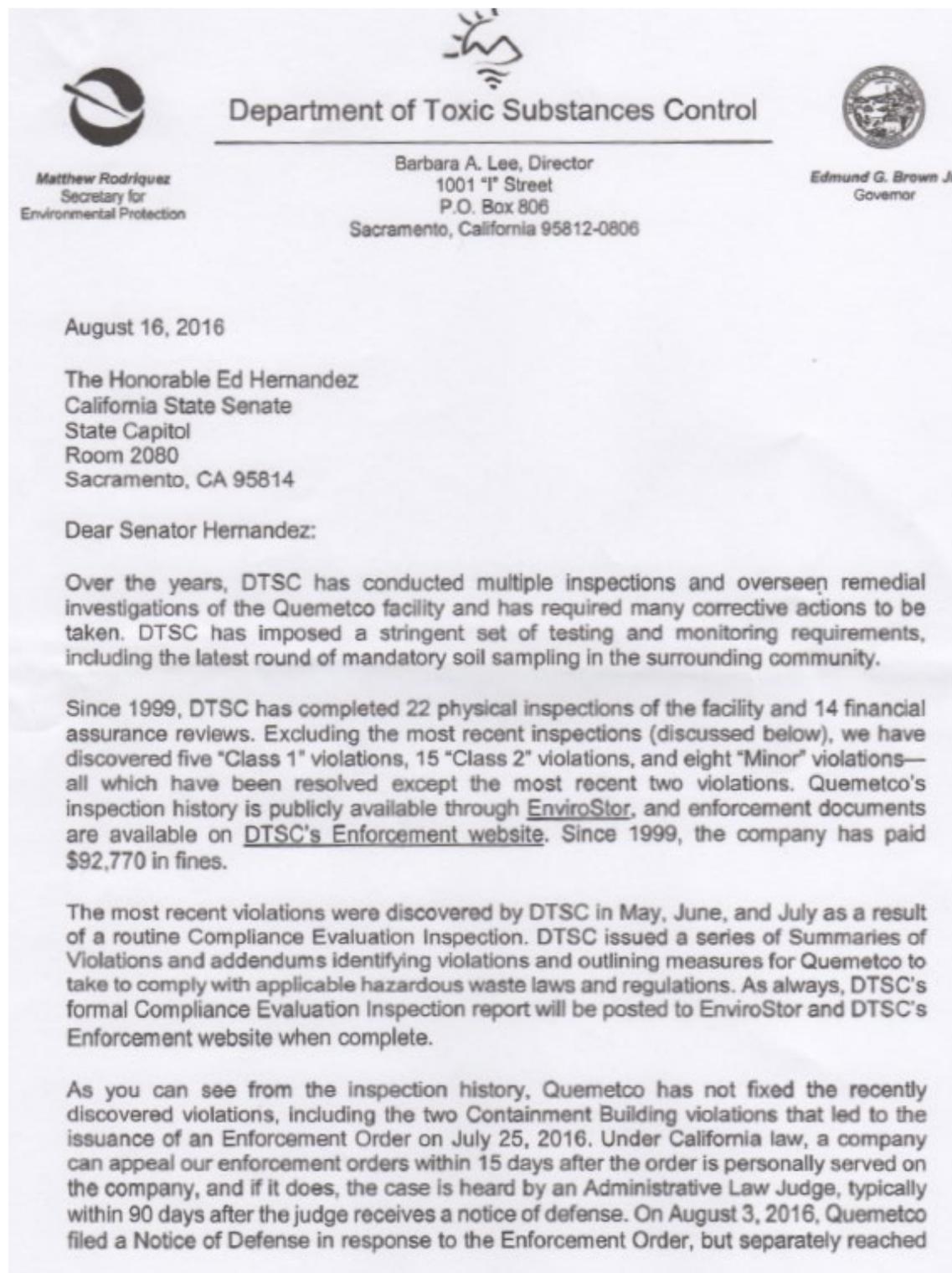


EXHIBIT 2

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments



out to DTSC in an effort to cooperatively resolve the violations. Quemetco's appeal of the Enforcement Order stays all deadlines in the order pending an administrative hearing. At this time, it is premature to speculate whether this Enforcement Order will result in administrative, civil, or criminal penalties or other sanctions.

In general, the four issues currently under review are: 1) our most recent inspections that discovered gaps in Quemetco's Containment Building, or "Batch House," that holds hazardous waste and Quemetco's inability to demonstrate that it has a functioning leak detection system in that building; 2) ongoing efforts to get the company to establish a functional groundwater monitoring network; 3) ongoing soil sampling for any lead in the surrounding area; and 4) the company's pending application with DTSC to renew its operating hazardous waste facility permit. Although these issues are independent of one another, there is always the potential for overlap in the future. For example, if Quemetco fails to comply with our recent order to install and maintain a functional leak detection system in its Containment Building, then this failure may impact its pending application to renew its operating permit.

1. Inadequate Groundwater and Surface Water Monitoring System

The groundwater beneath the Quemetco facility has a history of elevated concentrations of lead, arsenic, volatile organic compounds (VOCs), nitrate and sulfate. In 2005, DTSC imposed groundwater monitoring requirements in the terms of the facility's operating permit. To determine the extent of existing contamination and determine whether any new pollution was occurring, DTSC required the company to expand the number of groundwater monitoring wells from 12 to 19 and to analyze the resulting water samples.

Quemetco completed its expansion of the required groundwater monitoring wells in 2007 and sent samples to laboratories for assessment and compliance reporting. In general, results have not been conclusive because the company's wells have been drying up since 2009 and this has made it impossible to reliably track trends in groundwater quality. Although the company has failed to provide consistent laboratory tests from all 19 wells, the data available from the wells that do work generally show contaminants below the Maximum Contaminant Level (MCL) set by the U.S. EPA. The exceptions are nitrate, which consistently exceeds MCL, and one test in 2008 that found arsenic above the MCL level.

Although these laboratory tests generally show contamination below MCL, we do not believe these data present a reliable picture of the groundwater quality beneath the formerly regulated units at Quemetco. This is because Quemetco's monitoring network is defective, an issue we have attempted to get the company to fix. In 2009, for example, seven of the 19 monitoring wells did not produce enough water to measure. In 2011, the company submitted a revised sampling and analysis plan, but we continued to note deficiencies with the groundwater monitoring network and a lack of reliable data. In 2015, we conducted an independent investigation of the groundwater monitoring well system and found that even more wells had gone dry—14 of the 19 wells did not produce any water for sampling.

We issued a Summary of Violations and an Addendum to the Summary of Violations that require Quemetco to correct these defects in its groundwater monitoring system by drilling deeper or better monitoring wells. If Quemetco continues to fail to provide the state with useful groundwater monitoring data—including a substantive plan to fix the monitoring network—this could negatively impact their pending permit renewal application.

2. Inadequate Containment Building, Non-Functioning Leak Detection System

We require Quemetco to ensure that its Containment Building, which is intended to securely store up to 767,000 cubic feet of hazardous waste, is fully and completely enclosed to keep hazardous waste from exiting the facility. This 25,800 square-foot building must be fully sealed and its thick, reinforced concrete floor must have a secondary containment system to protect the soil and groundwater if the primary barrier—the reinforced concrete floor—were to leak. Quemetco's Containment Building plans describe the back-up containment system as consisting of a PVC liner, covered with a sand layer, which lies under the concrete layer. The Containment Building must also include a leak detection system that can detect if the concrete floor has a leak. Quemetco's Containment Building plans describe the PVC liner as being sloped to an inspection well.

The inspection well extends beneath the building, into the secondary containment, to detect failure of the primary barrier. During a recent inspection, DTSC discovered water in the well and testing of the water suggests that the water is coming from sources other than the Containment Building. Further inspection and testing of the leak detection system determined that the system was not properly monitoring for leaks. Again, additional details about DTSC's inspection and the identified violations will be provided in our Compliance Evaluation Inspection report, which will be posted online when complete.

Our recent order prohibits Quemetco from depositing any additional hazardous waste into the containment building until the company's investigation is complete and there is a functioning leak detection system. The order also directs the company to safely remove all stored hazardous waste from the Containment Building. This will allow the company to inspect the reinforced concrete floor of the Containment Building to ensure there are no cracks in the floor. Quemetco must send us a plan of action for safely removing the material. Pursuant to a DTSC-approved RCRA Facility Investigation or "RFI Workplan," Quemetco must also investigate whether any releases of hazardous waste occurred from the Containment Building.

The Containment Building must also keep any hazardous waste particles from exiting the building through the air. It must be sealed and there must be an air filtration system and a pollution control device that prevents emissions. During a recent inspection, our inspectors saw a hole, approximately two to three inches in diameter, in the wall of this building and gaps under its doors. Although we currently have no evidence this has resulted in a release of hazardous waste, we ordered the company to fix the problem. Quemetco does have fence line air monitors in place to monitor for air releases of hazardous waste from the facility.

If the company cannot make the necessary repairs and prove that its Containment Building meets all regulatory requirements—secure walls, sound floor, effective primary and secondary containment, and a functioning leak detection system—Quemetco will continue to be prohibited from using this building. In addition, if Quemetco does not comply with our order, we can penalize them up to \$25,000 for each day of noncompliance and seek an injunction, temporary restraining order, or other legal remedies. It is premature to determine what Quemetco will find if it complies with the order and completes the required investigations.

3. Ongoing Soil Investigation

In March 2016, we approved Quemetco's Revised RCRA Facility Investigation Workplan, which outlines the company's plan to determine the extent of lead contamination in the soil in the immediate perimeter of the facility, and in the surrounding community. This soil testing is underway and individual results will be shared privately with property owners on a rolling basis. Summary test results will be publicly available when there are sufficient numbers of data points to ensure that the information can be provided in aggregate without compromising the privacy of any individual property owners. In addition, all locations that were sampled as part of previous investigations, such as the 2013 study, will be resampled and the results compared.

4. Permit Renewal Application

Quemetco has a hazardous waste facility permit authorized under federal and state law that we issued in 2005 that requires the facility to meet all environmental standards. Hazardous waste facilities like Quemetco must renew their permits every 10 years. By law, they must apply for a renewal no later than six months before the permit expires. Quemetco filed a timely renewal application in March 2015 and it is under review. Under state and federal law, all permit requirements remain in effect, and the company will be held accountable for meeting all environmental standards while the Department reviews the renewal application. If the company does not comply with the terms of our recent enforcement order, this may affect its permit renewal application.

Quemetco also has a permit from South Coast Air Quality Management District. All questions concerning this permit should be directed to the Air District.

We remain committed to holding this company accountable and appreciate this opportunity to provide an update on those efforts.

Sincerely,

Terri Hardy
Interim Legislative Director

Responses to Comment Letter NOP-26

Comment NOP-26-A

Re: Comments on the Initial Study for the Quemetco Capacity Upgrade Project¹

Dear Ms. Thai:

We submit these comments on behalf of the Clean Air Coalition of North Whitter & Avocado Heights on the Initial Study for the Quemetco Capacity Upgrade Project (Quemetco Expansion). NOP-26-A

Quemetco seeks to modify its South Coast Air Quality Management District (SCAQMD) permit to allow for a 25% expansion in its lead battery processing.² Quemetco seeks to expand the material processed from 600 tons per day to 750 tons per day as well as to increase the coke³ used in its furnaces from 600,000 pounds per month to 750,000 pounds per month.⁴ The proposed modification would authorize Quemetco to operate its lead smelting furnaces/processes 24 hours a day, 7 days a week, 365 days a year.⁵

¹ Links to all cited materials are included in respective footnotes. Those materials are all incorporated by reference into this comment as if attached to this letter. Please reach out for assistance if there is any difficulty accessing the materials.

² Initial Study for Quemetco Capacity Upgrade Project, August 2018, at 2-2 (hereinafter "Initial Study").

³ Id. We note that the air emissions from petroleum coke can vary significantly from those of the calcined coke currently used. Further, there can be significant variation caused by the grade of coke used. These emissions should be fully disclosed and analyzed during the environmental review process.

⁴ Id.

⁵ Id.

Response to Comment NOP-26-A

Thank you for your comments. While this comment generally provides introductory remarks and summarizes the proposed Project, it alleges in footnote 3 that emissions vary between petroleum cokes and calcined coke. The potential air emissions due to the proposed change to from calcined coke petroleum coke in addition to or in lieu of calcined coke as a smelting reagent have been assessed in Section 4.2 and Appendix D of the EIR. As described in Section 4.2, Quemetco obtained a research permit to test the potential change in. The results of this research permit are presented in Appendix D.2. Section 4.2 and Appendix D.1 of the EIR explain how the information from the research permit is applied. The Rule 441 research permit testing focused on what, if any, differences were found in furnace emissions between source tests and if emission differences could be attributed to the smelting reagents. The Rule 441 research permit results showed that while there were variations in emissions under the three operating scenarios, the emissions levels did not increase emissions as compared to emissions from existing operations and did not exceed the existing permit limits.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-26-B

Located in the City of Industry, Quemetco imposes significant environmental and health burdens on the thousands of residents in the adjacent communities of Hacienda Heights, Avocado Heights, Whittier, and La Puente. Homes and schools—the closest just 600 feet away—surround Quemetco. Its highly toxic air emissions and the nearby population density result in Quemetco being among the most hazardous sources of air pollution in the SCAQMD’s entire 10,000 square mile region.

NOP-26-B

Response to Comment NOP-26-B

Chapter 3 – Environmental Setting explains the environmental and regulatory baseline conditions (existing conditions) for the EIR’s air quality and GHG emissions analysis (Section 3.2) and hazards and hazardous materials (Section 3.4) analysis. Section 4.2 and Appendix D of the EIR assess the proposed Project’s air quality impacts which also includes an HRA that analyzes the proposed Project’s potential health risks to the surrounding areas. Section 4.4 of the EIR evaluates the potential hazards and hazardous materials impacts from the proposed Project. The EIR concludes that all of the proposed Project’s potential impacts will be less than significant.

Comment NOP-26-C

During two Scoping Meetings held to review the Initial Study, community residents expressed profound anger, frustration, and concern with Quemetco’s proposed expansion. Along with condemning Quemetco for its long history of numerous fines and violations for excessive emissions of toxic pollution, residents shared their stories of living near Quemetco. Residents shared accounts of themselves and family members becoming ill and dying of cancer, despite a lack of family history of the disease. Residents also discussed the burden of constantly fearing that their children will suffer from growing up in an environment where the air, soil, and water are contaminated because of Quemetco’s toxic operations. Ultimately, residents expressed severe doubt that the same agencies, including the SCAQMD, which neglected the communities next to Exide would protect them against the Quemetco Expansion.

NOP-26-C

The burdened residents of the communities surrounding Quemetco and the California Environmental Quality Act (CEQA) demand that the Environmental Impact Report (EIR) for the Quemetco Expansion be thorough and transparent. Given the decades of toxic pollutants that Quemetco has imposed on surrounding communities, it is vital that the SCAQMD critically examine the environmental and health impacts of the Quemetco Expansion.

Response to Comment NOP-26-C

See also Response to Comment NOP-26-B. At the time of release of the NOP/IS for public review and comment, two CEQA scoping meetings were held (e.g., September 13, 2018 and October 11, 2018) for the proposed Project. The comments received at the CEQA scoping

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

meetings and the corresponding responses are included in this appendix and are identified as SM1-1 through SM1-125 and SM2-1 through SM2-28 (see Tables B-2 and B-3 for a summary).

Section 4.2 and Appendix D of the EIR assesses the proposed Project’s potential air quality impacts, including an HRA that analyzed the proposed Project’s potential health risks to the surrounding areas from the proposed Project. Chapter 3 – Environmental Setting provides environmental and regulatory baseline conditions (existing setting) for air quality and GHG emissions (Section 3.2) and hazards and hazardous materials (Section 3.4).

Comment NOP-26-D

There are four areas in which the Initial Study proposes improperly to narrow the scope of the upcoming Environmental Impact Report. First, the Initial Study does not acknowledge the impacts of the Quemetco Expansion on environmental justice communities. Second, the Initial Study improperly proposes the EIR overlook the possible impacts to groundwater resources stemming from the Quemetco Expansion’s use of an additional 100,000 gallons of water per day. Third, the Initial Study finding of less than significant impact to Transportation and Traffic in the area relies on outdated information. Finally, the Initial Study uses an overly restrictive view of the cumulative impacts of Quemetco’s toxic operation and under identifies other nearby sources of pollution. NOP-26-D

Response to Comment NOP-26-D

The comment raises four (4) general points: environmental justice; groundwater; traffic and transportation; and cumulative impacts.

Regarding the first point, see the Master Response on Environmental Justice. Neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of environmental justice when evaluating the environmental effects of the proposed Project. Under state law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. [Government Code Section 65040.12(e).] Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects. South Coast AQMD adopted an environmental justice initiative to ensure that everyone has the right to equal protection from air pollution and fair access to the decision-making process that works to improve the quality of air within their communities. Environmental justice program is defined by the South Coast AQMD as the “...*equitable environmental policymaking and enforcement to protect the health of all residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution.*”

While neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of environmental justice when evaluating the environmental effects of the proposed Project, the South Coast AQMD considers disproportionate impacts on disadvantaged communities by evaluating the proposed Project’s potential public health and environmental impacts. Moreover, the EIR includes an extensive analysis of the potential impacts from the proposed Project on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials,

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hydrology and water quality, and transportation and traffic impacts. In addition, public health impacts associated with the proposed Project were analyzed in an HRA (see Section 4.2 and Appendix D of the EIR). Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

The EIR further analyzes the proposed Project's potential groundwater and traffic impacts. (see Chapter 4, Section 4.5 and 4.6 respectively). Chapter 4 of the EIR also contains an analysis of cumulative impacts.

Comment NOP-26-E

I. Environmental Justice Impacts Must Be Evaluated.

The presence of environmental justice communities surrounding Quemetco mandates that the EIR for the Quemetco Expansion evaluate if the environmental and health impacts of the expansion fall disproportionately on environmental justice communities.

NOP-26-E

CalEnviroScreen is a science-based mapping tool used by the California Environmental Protection Agency to identify environmental justice communities by census tract. Taking into account the socioeconomic and health status of people living in those communities, census tracts are organized by percentile from zero to 100. A higher percentile indicates a higher relative burden. CalEnviroScreen identifies environmental justice communities as the 25 percent (score of 75 to 100) highest scoring census tracts in California. As shown in the attached CalEnviroScreen map, many environmental justice communities surround Quemetco.

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(Attached as Exhibit 1.) The Initial Study, however, makes no mention of these environmental justice communities and the disproportionate harm that they may bear because of the Quemetco Expansion.

The SCAQMD must put into action its stated commitment to environmental justice. On its website, the SCAQMD claims that one of its top priorities is the implementation of environmental justice initiatives. For example, the SCAQMD cites its establishment of the Environmental Justice Advisory Group and its efforts to implement Assembly Bill 617, which seeks to address the disproportionate impacts of air pollution in environmental justice communities.⁶ The commitment behind such efforts is rendered hollow if the SCAQMD fails to recognize that the impacts from the Quemetco Expansion will disproportionately affect environmental justice communities.

In conducting an environmental justice analysis, the SCAQMD must acknowledge the needs of environmental justice communities because they are particularly susceptible to project harms, even if other communities are unaffected. For example, members of environmental justice communities may have less access to healthcare and less financial security to cope with seemingly “minor” project impacts. In recognition of such realities, the SCAQMD must undertake a nuanced analysis that identifies the effects of project impacts on the environmental justice communities that surround Quemetco. This analysis must extend at least two miles out from the facility, which is the distance within which the SCAQMD’s own 2016 Health Risk Assessment calculated a heightened risk to residents from arsenic exposure. Twenty-one schools are located within a two-mile radius of Quemetco.

In addition to disclosing and mitigating possible harms within environmental justice communities, the SCAQMD must also consider the cumulative impacts of environmental and health harms on environmental justice communities surrounding Quemetco. Cumulative impacts refer to a community’s exposure to multiple environmental burdens that have significant interaction effects with other stressors such as pollution or unhealthy living conditions. The SCAQMD must examine how the Quemetco Expansion and other stressors, together, impact environmental justice communities surrounding Quemetco.

⁶ SCAQMD, SCAQMD’s Environmental Justice Program
(<http://www.aqmd.gov/nav/about/initiatives/environmental-justice>).

Response to Comment NOP-26-E

As explained in Response to Comment NOP-26-D, while neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of environmental justice when evaluating the environmental effects of the proposed Project, the South Coast AQMD considers disproportionate impacts on disadvantaged communities by evaluating the proposed Project’s potential public health and environmental impacts.

Here, the EIR includes an extensive analysis of the potential impacts from the proposed Project on air quality and GHG emissions (including air toxics), energy, hazards and hazardous

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materials, hydrology and water quality, and transportation and traffic impacts. In addition, the proposed Project's potential public health impacts were analyzed in an HRA (see Section 4.2 and Appendix D of the EIR). In particular, the HRA in the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles), even though some of the environmental checklist questions in the NOP/IS specific to the topic of hazards and hazardous materials refer to impacts within a shorter distance (e.g., one-quarter mile of a school or two miles of an airport).

The potential cumulative impacts associated with the proposed Project, as required under CEQA, are also included in Chapter 4 for each environmental impact topic area. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility. The EIR concluded that the proposed Project would have less than significant public health and environmental impacts and mitigation measures are thus not required.

The comment includes a statement that CalEnviroScreen is the tool for determining the location of environmental justice communities. As explained in Response to Comment NOP-21-N, CalEnviroScreen was developed by OEHHA to identify communities facing toxic exposure and that are vulnerable to pollution and environmental hazards. It was designed to help implement SB 535, which requires at least 25 percent of GHG reduction funds collected under AB 32's Cap-and-Trade program to be allocated to projects that benefit disadvantaged communities with at least 10 percent for projects located within these communities. To accomplish its purpose, the tool uses environmental, health, and socioeconomic data. Importantly, the CEQA Guidelines state that economic or social effects of a project shall not be treated as significant effects on the environment (CEQA Guidelines Sections 15064 and 15131). While this data can be included in the EIR, the economic and social effects data in CalEnviroScreen are not used for significance purposes.

While one of the South Coast AQMD's top environmental justice priorities is the implementation of ABs 617 and 134 (<http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134>), the Quemetco facility and its surrounding community is not located in an area that is designated as an AB 617 community. For these reasons, the analyses in both the NOP/IS and EIR focused on the potential environmental impacts of the proposed Project on the surrounding community, regardless of its demographics.

Comment NOP-26-F

II. The Impacts of Increased Water Usage from the Quemetco Expansion Must Be Evaluated.

The Initial Study fails to acknowledge potentially significant impacts from the Quemetco Expansion's use of an additional 100,000 gallons of water per day. The Initial Study simply concludes that the Quemetco Expansion will have little environmental effect on water because

NOP-26-F

the San Gabriel Valley Water Company stated in an e-mail that it will provide the additional water needed for the expansion (Will Serve E-mail).⁷ This conclusion does not provide the necessary information under CEQA to understand the impact of the Quemetco Expansion on water demand and groundwater resources.

First, the Initial Study seems to misstate the source of water for the Quemetco Expansion. The Initial Study states that "[t]he source of the water is from the main San Diego groundwater basin."⁸ The San Gabriel Valley Water Company, however, does not draw water from the San Diego groundwater basin. The company, instead, primarily draws water from the Main San Gabriel Groundwater Basin.⁹ The SCAQMD must address this error in the EIR.

Second, the Initial Study fails to consider the impacts to the Main San Gabriel Groundwater Basin of drawing an additional 100,000 gallons of water per day from it. The Main San Gabriel Groundwater Basin has the highest organic matter contamination statewide and is the largest Superfund site in the United States.¹⁰ The contamination is concentrated in underground plumes of water that have the potential to migrate to other areas of the basin if disturbed.¹¹ The Initial Study makes no mention of this existing contamination or the potential for further contamination caused by the additional extraction of water. Moreover, we know that the groundwater under Quemetco "has a history of elevated concentrations of lead, arsenic, volatile organic compounds (VOCs), nitrate, and sulfate."¹² Quemetco has failed to monitor the full extent of this contamination. Indeed, the groundwater monitoring network Quemetco implemented was so deficient that the California Department of Toxic Substances Control did "not believe" that data being collected "present a reliable picture of the groundwater quality beneath" Quemetco. Publically available information suggests that the groundwater monitoring system under Quemetco remains deficient. The EIR must disclose, analyze, and mitigate the Quemetco Expansion's impacts on adding to or otherwise disturbing groundwater

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Third, the Initial Study overlooks how the Quemetco Expansion affects already drought-stricken local water resources. It is frustrating that Quemetco is so readily provided with

⁷ Initial Study at 2-40.

⁸ Initial Study at 2-40.

⁹ San Gabriel Valley Water Company, Water Sources (<https://www.sgvwater.com/water-quality-supply/water-sources/>).

¹⁰ Steve Scauzillo, Contaminated Ground Water in San Gabriel Valley Gets \$250 Million Boost, Extending Cleanup Until 2027, San Gabriel Valley Tribune, August 30, 2017 (<https://www.sgvtribune.com/2017/06/04/contaminated-ground-water-in-san-gabriel-valley-gets-250-million-boost-extending-cleanup-until-2027/>).

¹¹ Id.

¹² Letter from Terri Hardy, Interim Legislative Director of the California Department of Toxic Substances Control, to Ed Hernandez, State Senator, dated August 16, 2016. Attached as Exhibit 2.

100,000 additional gallons of water per day while Californians are subject to mandatory water conservation measures. In addition, Quemetco's demand for increased water usage comes at a time when the water levels in the Main San Gabriel Groundwater Basin are at historic lows.¹³ More information is necessary and relevant to understand fully the impacts to water quality and quantity that the Quemetco Expansion will cause. The Initial Study's simple citation to the Will-Serve E-mail is wholly inadequate.

Response to Comment NOP-26-F

Regarding groundwater usage, the proposed Project would use approximately 97,000 gallons of water per day. The NOP/IS notes that the facility is served by the San Gabriel Valley Water Company, which has confirmed that it has sufficient water supplies to serve the proposed Project. The UWMP provides that the SGVWC has water supplies sufficient to meet anticipated future demand in normal, dry, and multiple-dry year scenarios. Moreover, the UWMP projects an increase in potable and raw water demand from industrial users from baseline (2014) conditions to 2040. The proposed Project's water demand is within these projections.³⁰ The UWMP also notes the following:

- The proposed Project's water demand would constitute approximately 0.35% of the total water demand serviced by the SGVWC in 2015.³¹ This percentage decreases in projected future years (e.g., 2020, 2025, 2030).
- The UWMP concludes that reliable quantities of projected water supply sources are available to the SGVWC to meet demand through 2040. A single dry year or a

³⁰ San Gabriel Valley Water Company 2015 Urban Water Management Plan, Tables 4-1 and 4-2 (available at https://www.sgvwater.com/wp-content/uploads/2018/09/Volume-I-FINAL-AMENDED_2015-UWMP_SGVWC_LACD.pdf).

³¹ SGVWC UWMP Tables 4-1, 6-8, and 6-9.

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multiple dry year period will not compromise the SGVWC’s ability to provide a reliable supply of water to its customers.³² The groundwater supplies in the Main Basin and Central Basin are deemed reliable as noted in the UWMP.

- The SGVWC has the ability to deliver imported water through a connection with the Metropolitan Water District of Southern California, as well as emergency interconnections with several surrounding water agencies to ensure the reliability of its water supply.³³

In response to the specific points in Comment NOP-26-F, first, the NOP/IS inadvertently identified the San Diego groundwater basin as a source of water for the SGVWC. To clarify, SGVWC’s water supply sources include local groundwater (the Main San Gabriel Basin and the Central Basin), recycled water, and imported surface water supplies. The EIR notes this correction.

Second, *portions* of the Main San Gabriel Basin are designated as a CERCLA Superfund site by the federal EPA. The groundwater contamination was the result of historical practices by industrial uses and agricultural operations occurring within the Main San Gabriel Basin area, not Quemetco. However, the Main San Gabriel Basin Watermaster’s Five-Year Water Quality and Supply Plan (Five-Year Plan) provides a comprehensive water quality cleanup and water supply plan for the Main San Gabriel Basin.³⁴ The objective of the Five-Year Plan is to coordinate groundwater-related activities so that both water supply and water quality in the Main San Gabriel Basin are protected and improved.³⁵ The Five-Year Plan includes groundwater monitoring programs for water quality, groundwater flow and contamination migration programs, groundwater cleanup projects, and basin cleanup projects. The Watermaster has also implemented a Water Quality Protection Plan that provides early warning to water producers before their wells are found to exceed drinking water quality standards.

The facility is located in Site Area 4 – Puente Valley. The contamination in this area was attributed to past contamination stemming from the former Northrop Grumman Benchmark Technology facility in the City of Industry. In 2011, the EPA officially ordered Northrop Grumman to undertake actions to remediate past contamination, including constructing wells and a treatment plant to contain and treat contaminated groundwater. The treated water is then being discharged back to surface water or injected back into the underground aquifer, providing additional water resources to San Gabriel Valley residents.³⁶ Through the future actions of Northrop Grumman and the Main San Gabriel Basin Watermaster, the Main Basin is subject to

³² SGVWC UWMP Section 7.3.

³³ SGVWC UWMP Sections 6.1 and 6.7.3.

³⁴ Main San Gabriel Basin Watermaster’s Five-Year Water Quality and Supply Plan (available at https://rauch.egnyte.com/dl/gDgrOKZhQZ/V8_WEB_5_year_plan_10_22_18.pdf).

³⁵ SGVWC UWMP Section 6.2.2.1.

³⁶ See <https://www.epa.gov/enforcement/case-summary-epa-issues-order-san-gabriel-valley-superfund-site-area-4-puente-valley#agreement>, <https://www.epa.gov/enforcement/reference-news-release-epa-orders-20-million-northrop-cleanup-san-gabriel-valley>, and <https://www.epa.gov/sites/production/files/2013-08/documents/puentevalley-order.pdf>.

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robust cleanup activities and SGVWC is ensured (consistent with its UWMP) adequate supplies of water. It should also be noted that comment does not provide any evidence that the proposed Project's water usage would result in a deterioration of the Main Basin or exacerbate any existing contamination.

Third, with respect to drought-stricken local water resources, as stated above, the UWMP for the SGVWC supports the conclusion that the proposed Project's anticipated water use will not result in significant water supply impacts. The UWMP provides that the SGVWC has water supplies sufficient to meet anticipated future demand including the proposed Project in normal, single-dry, and multiple-dry year scenarios through 2040. Moreover, the UWMP projects an increase in potable and raw water demand from industrial users from baseline (2014) conditions to 2040. The proposed Project's water demand is within these projections.³⁷

Comment NOP-26-G

III. SCAQMD Must Use An Up-To-Date Baseline to Evaluate Traffic Impacts.

NOP-26-G

The Initial Study uses an outdated baseline to make its determination that the impacts of the Quemetco Expansion on traffic will be less than significant. The baseline comes from a traffic study conducted by the City of Industry in 2014, which held that the "Level of Service" at the intersections surrounding Quemetco range from "free flow" to "stable flow." This baseline, however, likely no longer reflects current traffic conditions around Quemetco. This discrepancy became increasingly clear when residents at the two Scoping Meetings complained about the awful congestion at the intersections surrounding Quemetco. While numerous residents specifically cited the intersection at S. 7th Avenue and Clark Avenue as impassable when trucks are driving to Quemetco, the SCAQMD should study the broader impacted area. To address this discrepancy and fully examine traffic conditions, the SCAQMD should conduct an up-to-date traffic study to establish an accurate baseline for its analysis. Only with an accurate baseline can the SCAQMD fully determine the environmental and health impacts of allowing nearly 5,000 additional truck trips to Quemetco each year.¹⁴

¹³ Main San Gabriel Basin Watermaster (<http://www.watermaster.org/>).

¹⁴ Initial Study at 1-17.

Response to Comment NOP-26-G

Although the NOP/IS concluded that transportation impacts from the proposed Project would not be potentially significant, in response to Comment NOP-5 from Caltrans, a commenting agency, an analysis of the proposed Project's transportation impacts are included in Section 4.6 of the EIR. CEQA Guidelines Section 15125 requires the analysis of a project relative to the baseline conditions. For the proposed Project, the year selected was 2014; this represents the year of

³⁷ San Gabriel Valley Water Company 2015 Urban Water Management Plan, Tables 4-1 and 4-2 (available at https://www.sgvwater.com/wp-content/uploads/2018/09/Volume-I-FINAL-AMENDED_2015-UWMP_SGVWC_LACD.pdf).

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lowest operation since submittal of the permit application and therefore represents the largest incremental operational increase. This results in the most reasonably conservative data for assessing the proposed Project's potential impacts. A detailed discussion regarding the selection of the baseline year for the proposed Project is located in Section 2.6 of the EIR.

For the purposes of the transportation analysis, the proposed Project's potential project trip generation would be 15 truck roundtrips per day and 6 passenger vehicle round trips per day. This level of activity does not trigger a Level Of Service (LOS) analysis. In any event, LOS is no longer relevant for CEQA purposes.

Caltrans' comment agrees that traffic impacts based on LOS to State facilities are less than significant. Instead, Caltrans requested an evaluation of turning movement radii at the SR-60 on and off ramps. This analysis was included in the EIR. Additionally, in response to changes in CEQA, the EIR also addresses the proposed Project's potential VMT impacts.

All transportation impacts were found to be less than significant; therefore, mitigation measures are not required.

Comment NOP-26-H

IV. The Cumulative Impacts of the Quemetco Expansion Must Be Evaluated.

NOP-26-H

The Quemetco Expansion is situated in an area where impacts from nearby warehouses, factories, and manufacturing facilities may cumulatively harm the environment and health of residents. According to CEQA Guidelines § 15130(a)-(b), "An EIR shall discuss cumulative impacts of a project" that "reflect the severity of the impacts and their likelihood of occurrence." The SCAQMD, therefore, must consider the impacts of the Quemetco Expansion in the context of other sources of pollution. For example, the SCAQMD should analyze the number of warehouses, factories, and manufacturing facilities within a three-mile radius around Quemetco and specifically examine the daily and annual truck trips into and out of this radius to calculate the air quality impacts on surrounding communities.

The SCAQMD should also evaluate Quemetco's long history of environmental and health violations in the EIR's cumulative impacts analysis. The toxic effects of Quemetco's operations are well documented. In the past nine years alone, the SCAQMD has issued 15 Notices of

Violation to Quemetco¹⁵ while just two years ago the California Department of Toxic Substances Control ordered Quemetco to correct violations related to its failure to maintain its hazardous lead containment building.¹⁶ Such violations have contaminated the air, water, and soil of surrounding communities, and residents live everyday feeling as if they are prisoners in their own homes. The EIR must acknowledge this painful context, and examine how the Quemetco Expansion will exacerbate the already accumulated impacts of Quemetco's past and ongoing toxic operations.

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¹⁵ SCAQMD, Facility Information Detail (FIND)

(http://www3.aqmd.gov/webappl/fim/prog/novnc.aspx?fac_id=8547).

¹⁶ Department of Toxic Substances Control, DTSC Orders Quemetco to Fix Hazardous Waste Leak-Detection System, July 26, 2016 (https://www.dtsc.ca.gov/PressRoom/upload/News_Release_T-12-16.pdf).

Response to Comment NOP-26-H

The potential cumulative impacts associated with the proposed Project, as required under CEQA, are analyzed in Chapter 4 – Environmental Impact Analysis of the EIR. “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects” (*City of Maywood v. Los Angeles Unified School District* (2012) 208 Cal.App.4th 362, 379). For specific cumulative impact assessments, refer to Section 4.2: Air Quality and GHG Emissions, Section 4.3: Energy, Section 4.4: Hazards and Hazardous Materials, Section 4.5: Hydrology and Water Quality, and Section 4.6: Transportation.

South Coast AQMD’s guidance for cumulative impacts is based on whether or not a project has significant project-level impacts for that resource area; if that impact area has less than significant impact on a project-level, then the cumulative impacts are less than significant. South Coast AQMD’s cumulative impacts assessment method does not include a list of projects for some specified distance from the project (in this case the commenter is suggesting 3-miles from the facility). No further analysis of Quemetco’s cumulative impact assessment to include the 3-mile radius from the facility is required by AQMD’s cumulative impacts assessment method.

Quemetco is an existing facility operating within the City of Industry and is consistent with its industrial zoning and general plan designation. Further, Quemetco is an allowed use within the City of Industry and the proposed Project would not trigger any discretionary land use permits or actions.

Detailed information regarding Quemetco’s permit violations and settlements are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

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Comment NOP-26-I

V. Conclusion.

The Initial Study's framework for environmental review of the Quemetco Expansion improperly excludes important topics from further study in the Environmental Impact Report. When undertaken, the EIR should disclose and mitigate the environmental justice impacts of Quemetco's expansion. In addition, the EIR should disclose and mitigate the effects of drawing an additional 100,000 gallons of water per day from the drought-stricken and contaminated Main San Gabriel Groundwater Basin. Finally, the EIR should disclose current traffic conditions around Quemetco and analyze cumulative impacts surrounding the facility. All identified impacts should be fully mitigated. Left uncorrected, these deficiencies will render the Environmental Impact Report unlawful and confirm to communities surrounding Quemetco that the SCAQMD is failing to fulfill its obligation to protect the environment and health of residents.

NOP-26-I

Respectfully submitted,



Byron Jia-Bao Chan

Attorneys for Clean Air Coalition of North Whitter & Avocado Heights



Angela Johnson Meszaros

Response to Comment NOP-26-I

The remarks made in this comment reiterate previous, more detailed comments in NOP-26-A through NOP-26-H, see Responses to Comments NOP-26-A through NOP-26-H.

Comment Letter NOP-27 Maria Figuero

From: Maria Figueroa [mailto:mfig12@gmail.com]
Sent: Thursday, October 25, 2018 6:49 PM
To: Diana Thai <dthai@aqmd.gov>
Subject: Quemetco permit NO

Comment NOP - 27

My family, neighborhood and community are being polluted and poisoned by toxins on a daily basis. We are overwhelmed by Light Metals toxic fumes being released into our air and school environment. How these factories are next to a school is highly questionable.

Allowing Quemetco to increase their toxic pollution into our air would be an injustice. I am a community member who is constantly reporting strong odors from these factories and nothing ever changes. My children cannot play outside because of the strong chemical smell. They are constantly having bloody noses. Allowing an increase would only worsen our community.

AQMD is supposed to be fighting against such things. Thankfully more and more communities are educating themselves and becoming more vocal.

I urge you not to pass this Quemetco permit.

Thank you for your consideration,

Maria Figueroa

The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project. Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles) and includes the schools within that receptor grid.

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are

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less than significant; therefore, mitigation measures are not required. Odor complaints can be reported by calling South Coast AQMD's toll-free number at 1-800-CUT-SMOG (1-800-288-7664) or by submitting an online complaint via <https://www.aqmd.gov/home/air-quality/complaints> and a South Coast AQMD investigator will respond to the call, similar to public complaints mentioned earlier.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

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Comment Letter NOP-28 Alicia Munoz

From: Alice Munoz [mailto:fma.macy@gmail.com]
Sent: Thursday, October 25, 2018 6:27 PM
To: Diana Thai <dthai@aqmd.gov>
Subject: Quemetco

Comment NOP-28

Good evening, Ms. Diana Thai:

The AQMD needs to be on the correct side of this environmental issue and VOTE NO on the Quemetco permit. For over 60 years, Quemetco has polluted their way into the surrounding communities without any consequences. Needless to say, these communities have historically been neighborhoods of color.

Although we live in Southern California and have the most comprehensive laws on air pollution, communities of color are still unfairly and disproportionately impacted by land use policies which justify these kinds of factories being right next to schools, parks, and homes. We know of other communities fighting the battle.

Does the AQMD think it is time to change these outdated policies in which a factory, such as Quemetco, with its history of violations and disregard for the community, be told enough is enough?

The AQMD should be on the right side of history.

Sincerely,

Alice Munoz

Response to Comment Letter NOP-28

The EIR includes an analysis of the potential air quality and GHG emissions and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts from the proposed Project. Chapter 3 – Environmental Setting describes the physical and regulatory baseline (existing setting) conditions for these analysis areas. Chapter 4 – Environmental Impact Analysis, describes the potential impacts of the proposed Project. The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzed the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). A discussion of the South Coast AQMD rules and regulations which apply to the facility and will continue to apply to the proposed Project and the facility’s compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

The preparation and release of a CEQA document does not mean that the permit application is automatically approved. Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South

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Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

South Coast AQMD is not a land use agency and was not at the time the facility was built. The South Coast AQMD does not have the authority over the siting of this facility. The City of Industry has zoned this area for industrial uses and Quemetco is an allowed use in its location.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment Letter NOP-29 Michael Williams



Comment NOP-29

HACIENDA HEIGHTS IMPROVEMENT ASSOCIATION, INC.
POST OFFICE BOX 5235 • HACIENDA HEIGHTS, CA 91742

PRESIDENT:
MICHAEL J. WILLIAMS

VICE-PRESIDENT:
SCOTT MARTIN

SECRETARY:
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DAVID SALCEDO
JOAN SNYDER
MIKE WILLIAMS

South Coast Air Quality Management
21865 Copley Drive
Diamond Bar, CA 91765

Attention: Ms. Diana Thai

October 23rd, 2018

Reference: Extended Comment Period for Notice of Preparation of a Draft Environmental Impact Report and Opportunity for Public Comment on Quemetco Capacity Upgrade Project dated September 25th, 2018

Dear Ms. Thai,

The Hacienda Heights Improvement Association, Inc. (HHIA) thanks you for the opportunity to provide comments on the above referenced NOP-29-A subject.

Representatives of our organization attended both the September 13th and October 11th, 2018 Scoping Meetings. We commend you on the very professional meeting held on October 11th, 2018.

General comments:

1. In the formal presentation of October 11th, page 3, slide 5 Battery Recycling at Quemetco, 4th bullet "Used Batteries are from North America". Attachment 1 is a Bill of Lading showing Wet Batteries Scrap from American Samoa. NOP-29-B
2. In the formal presentation October 11th, page 4, slide 7 "Key Operational Changes" 4 of the 5 Activities (Material Processed, Total Coke Material, Truck Traffic and Lead Production output) indicate a 25% increase and the Wastewater indicates a 42% increase. NOP-29-C
There is no analysis of how much these increases will reflect in the Permit limits identified on page 9, slide 14, "SCAQMD Permit Limits and Quemetco's Actual Emissions."

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Website: www.hhia.net

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Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

3. In the formal presentation October 11th, page 9, slide 18 “DTSC’s Soil Study, Soil samples were taken within One-quarter mile of Quemetco facility. The air pollution generated by Quemetco does not have a boundary limitation. NOP-29-D

3.1 Have soil samples been taken at Schools, Health Facilities and Parks within a 2 mile radius?

3.2 Have the soil samples taken been “fingerprinted” to determine the source of pollutants?

4. On page 12, slide 14 of the October 11th meeting, under the Draft EIR column, “To be released for a minimum 45 day public review...” We request this be increased to at least 60 days due to the complex nature of the NOP/IS and succeeding DEIR. NOP-29-E

Specific Comments on the Initial Study:

5. On page 2 of the cover sheet, the NOP/IS and all supporting documentation are available on-line, by calling, on the SCAQMD website and the La Puente Library. Why was the Hacienda Heights Library not included? Especially since so many residents have so many concerns. NOP-29-F

6. Page 1-15, Table 1-1 “Summary of Quemetco Operations”: 2014 is used a baseline for the Summary and yet there have been 4 Notice of Violations in 2017-2018 (reference Formal Presentation 10/11/18, page 8 slide 15). What is the comparison between 2014 and 2017? NOP-29-G

7. Page 1-16, Table 1-1: the Additives 1) “Cokes” are not the same numbers as shown in the Formal Presentation, page 4 Slide 7. Which entries are correct? NOP-29-H

8. Page 1-17, “Truck Activity per month: Inbound trucks are increased by 30% and outbound trucks by 17%. NOP-29-I

6.1 What happened to the other 13% ?

6.2 Why is this not a significant effect on the residents who live within the affected radius of the Quemetco operation?

9. Page 1-19, Item 1.7.2: In the City of Industry is the El Encanto Healthcare and Rehabilitation Center, 555 El Encanto Road, located approximately 1.5 miles from the Quemetco facility. It’s noteworthy that Schools within a 2 mile radius are identified in Appendix A and no healthcare facilities are identified. NOP-29-J

10. Page 2-12, Discussion III.a last paragraph. The conclusion seems to ignore the previously cited 4 Notice of Violations and with no analysis of effects of the increased operational changes, how do you arrive at this conclusion? NOP-29-K

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Website: www.lhha.net

2 of 5

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

11. Page 2-36, Item IX b: The projected Wastewater is 275,00 gallons per day Formal Presentation Page 4, slide 7). The criteria listed on page 2-37 is “use more than 262,820 gallons per day of potable water. Are there current references to the source of the water used which generates the wastewater? (The references on page 2-39 are 2015 and 2016 telecons and emails) NOP-29-L

12. Appendix A, Schools within Two-Mile radius of the Quemetco Facility. Have soil and Air samples been taken, tested and summarized for the listed schools? NOP-29-M

13. Please provide a copy of the Draft EIR and all supporting documentation to the Los County Library in Hacienda Heights. NOP-29-N

I can be contacted at the above address, email at info@hhia.net or mikewilliamsinhh@roadrunner.com or cell 626-536-3407. NOP-29-O



Michael J. Williams, President HHIA

1 Attachment: Bill of Lading American Samoa to Quemetco

cc: HHIA Directors

- Janice Hahn, Supervisor 4th District Los Angeles County
- * Hilda L.Solis, Supervisor 1st District Los Angeles County
- Ian Calderon, 57th State Assembly District
- Vanessa Delgado, 32nd Senate District

Sample shipment record for Quemetco West Llc

Quemetco West, Llc imports from Pati Jennings in American Samoa through the port of Los Angeles, California

BILL OF LADING	
Manufacturer / Shipper	Consignee
PATI JENNINGS P.O. BOX 1239 PAGO PAGO AM SAMOA PAGO PAGO AM SAMOA	QUEMETCO WEST, LLC 720 S.7TH AVE CITY OF INDUSTRY, CA 91746 US CITY OF INDUSTRY CA 91746 US
Notify Party	Marks and Numbers
	NO MARKS AND NUMBERS AVAILABLE NO MARKS AND NUMBERS AVAILABLE
Master Bill of Lading Number	Container Number
	FSCU9073373

Product Description

WET BATTERIES SCRAP UN2794 PGIII CL8

BILL OF LADING	PLLU21627
ARRIVAL DATE	2013-12-22
WEIGHT (LB)	42,000
WEIGHT (KG)	19,091
QUANTITY	18 PKG
CONTAINER COUNT	1
VOYAGE NO.	447N

Responses to Letter Comment NOP-29

Comment NOP-29-A

Dear Ms. Thai,

The Hacienda Heights Improvement Association, Inc. (HHIA) thanks you for the opportunity to provide comments on the above referenced NOP-29-A subject.

Representatives of our organization attended both the September 13th and October 11th, 2018 Scoping Meetings. We commend you on the very professional meeting held on October 11th, 2018.

Thank you for your comments on the NOP/IS. This comment provides introductory remarks and does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment NOP-29-B

1. In the formal presentation of October 11th, page 3, slide 5 Battery Recycling at Quemetco, 4th bullet “Used Batteries are from North America”. Attachment 1 is a Bill of Lading showing Wet Batteries Scrap from American Samoa. NOP-29-B

The source of feed stock is described in Section 2.4 - Project Background of the EIR. Suppliers of feed stock include scrap yards, battery manufacturers, and used battery brokers located primarily throughout the western United States, generally west of the Rocky Mountains. These brokers acquire lead bearing scrap on the open market from many sources. This scrap is often re-sold and, as a result, there is the possibility that the facility may occasionally receive and process some small quantities of scrap from international sources indirectly through these brokers. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility. All of these alternatives consider the environmental effects relative to the proposed Project.

Comment NOP-29-C

2. In the formal presentation October 11th, page 4, slide 7 “Key Operational Changes” 4 of the 5 Activities (Material Processed, Total Coke Material, Truck Traffic and Lead Production output) indicate a 25% increase and the Wastewater indicates a 42% increase. There is no analysis of how much these increases will reflect in the Permit limits identified on page 9, slide 14, “SCAQMD Permit Limits and Quemetco’s Actual Emissions.” NOP-29-C

The proposed Project is seeking to modify the existing facility permits to allow an increase in the facility’s feed rate without requiring physical modifications to the existing facility. Table 2-3 in Chapter 2 – Proposed Project describes the specific equipment and permit conditions affected by the proposed Project and the description of the requested permit change. Section 4.2 and Appendix D provide the assessment of the petroleum coke research permit source tests. In addition, the facility’s existing wastewater discharge permit, which is issued by the LACSD, includes throughput limits as well as effluent limitations for wastewater discharge, which the facility monitors on a quarterly basis. As discussed in Section 3.5 and 4.5 of the EIR, the proposed Project operates within its the wastewater discharge permit and would continue to operate within with wastewater discharge permit volumes and would not violate existing permit conditions. For these reasons, the proposed Project’s potential impacts to wastewater impacts would be less than significant.

Comment NOP-29-D

3. In the formal presentation October 11th, page 9, slide 18 “DTSC’s Soil Study, Soil samples were taken within One-quarter mile of Quemetco facility. The air pollution generated by Quemetco does not have a boundary limitation.” NOP-29-D

3.1 Have soil samples been taken at Schools, Health Facilities and Parks within a 2 mile radius?

3.2 Have the soil samples taken been “fingerprinted” to determine the source of pollutants?

Response to Comment NOP-29-D

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which is designed to curb toxic emissions and penalize violations through curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

any changes that would affect the existing soil conditions, therefore no further soils analysis is required. The soils tests conducted by DTSC are part of its RCRA permit renewal process and have a different scope or purpose than the air quality modeling performed by South Coast AQMD. The air quality analysis and HRA for the proposed Project analyze the potential health risks of the proposed Project to the surrounding areas of the facility in this EIR (see Section 4.2 and Appendix D of the EIR).

The information regarding the schools within a two-mile radius of the Quemetco facility was presented for informational purposes. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the significance criteria for each environmental topic area. The scope of the analysis for each impact area is based on anticipated impacts as explained in Chapter 4 of the EIR. For example, the HRA in Chapter 4 of the EIR (as supported by Appendix D) utilizes a 10-kilometer grid which is equivalent to 6.2 miles, which is beyond two miles), while some of the other environmental checklist questions for hazards and hazardous materials refer to impacts within one-quarter mile of a school or two miles of an airport.

Comment NOP-29-E

4. On page 12, slide 14 of the October 11th meeting, under the Draft EIR column, "To be released for a minimum 45 day public review..." We request this be increased to at least 60 days due to the complex nature of the NOP/IS and succeeding DEIR. NOP-29-E

Response to NOP-29-E

In accordance with CEQA Guidelines Section 15105(a), the Draft EIR has been circulated for a public review and comment period of no less than 45 days and, in fact, the NOP/IS for the proposed Project was circulated for 56 days for public review and comment.

Comment NOP-29-F

5. On page 2 of the cover sheet, the NOP/IS and all supporting documentation are available on-line, by calling, on the SCAQMD website and the La Puente Library. Why was the Hacienda Heights Library not included? Especially since so many residents have so many concerns. NOP-29-F

Response to Comment NOP-29-F

In addition to the La Puente Library, the Hacienda Heights Library was also provided a copy of the NOP/IS. Both libraries will receive a copy of the Draft EIR for the proposed Project.

Comment NOP-29-G

6. Page 1-15, Table 1-1 "Summary of Quemetco Operations": 2014 is used a baseline for the Summary and yet there have been 4 Notice of Violations in 2017-2018 (reference Formal Presentation 10/11/18, page 8 slide 15). What is the comparison between 2014 and 2017? NOP-29-G

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Response to NOP-29-G

The year 2014 was selected as the baseline year (existing setting) for the proposed Project for several reasons. The applications for the proposed Project were submitted to South Coast AQMD in 2013. Also, since the facility was operating at less than normal conditions in year 2014, the CEQA analysis will result in the most conservative approach by presenting the largest emission impacts, (e.g., the worst-case effects) that may occur if the proposed Project is implemented. The South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Section 3.2 of the EIR presents a summary of annual facility emissions between 2014 and 2018 as part of the environmental setting for air quality and GHG emissions. Chapter 4 analyzes the proposed Project's potential environmental impacts as compared to the environmental baseline.

Comment NOP-29-H

7. Page 1-16, Table 1-1: the Additives 1) "Cokes" are not the same numbers as shown in ^{NOP-29-H} the Formal Presentation, page 4 Slide 7. Which entries are correct?

Response to NOP-29-H

Table 2-1 in Chapter 2 of the EIR contains the correct data relative to petroleum coke and calcined coke.

Comment NOP-29-I

8. Page 1-17, "Truck Activity per month: Inbound trucks are increased by 30% and ^{NOP-29-I} outbound trucks by 17%.

6.1 What happened to the other 13% ?

6.2 Why is this not a significant effect on the residents who live within the affected radius of the Quemetco operation?

Response to NOP-29-I

Although the NOP/IS concluded less than significant transportation impacts, Caltrans submitted a comment letter relative to the NOP/IS (see Comment Letter NOP-5) which requested that the EIR analyze the turning radius impacts associated with the potential increase in truck trips. For

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this reason, a detailed analysis of the potential transportation impacts from the proposed Project to the surrounding community is provided in Section 4.6 of the EIR which is based on the trip generation estimates presented in Table 2-1 in Chapter 2 of the EIR.

The definition of inbound and outbound trucks is based on trip purpose; inbound trucks account for feed stock and materials trips heading towards the facility and the outbound trucks account for the finished products, recycling and landfill-bound slag departing from the facility. The number of inbound truck trips are higher based on this trip purpose . Here, there is an estimated greater increase in inbound trips.

The transportation analysis initially presented in the NOP/IS Section XVII and then further developed in Sections 3.6 and 4.6 of the EIR evaluates the proposed Project’s potential transportation impacts. All impacts were found to be less than significant . For this reason, mitigation measures are not required.

Comment NOP-29-J

9. Page 1-19, Item 1.7.2: In the City of Industry is the El Encanto Healthcare and Rehabilitation Center, 555 El Encanto Road, located approximately 1.5 miles from the Quemetco facility. It’s noteworthy that Schools within a 2 mile radius are identified in Appendix A and no healthcare facilities are identified. NOP-29-J

Response to NOP-29-J

While Appendix A of the NOP/IS only identified schools within a two-mile radius of the proposed Project site, it was not intended to reflect a comprehensive map of all sensitive receptors that may be affected by the proposed Project. The EIR includes an extensive analysis of the potential impacts from the proposed Project on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. In addition, potential public health impacts associated with the proposed Project were analyzed in an HRA (see Section 4.2 and Appendix D of the EIR). In particular, the HRA utilizes a 10-kilometer grid which is equivalent to 6.2 miles), even though some of the environmental checklist questions in the NOP/IS specific to the topic of hazards and hazardous materials refer to impacts within a shorter distance (e.g., one-quarter mile of a school or two miles of an airport). As such, the HRA considers an expanded list of sensitive receptors which not only includes schools but includes all other potential sensitive receptors (e.g., healthcare centers, residences) and worker receptors.

Comment NOP-29-K

10. Page 2-12, Discussion III.a last paragraph. The conclusion seems to ignore the previously cited 4 Notice of Violations and with no analysis of effects of the increased operational changes, how do you arrive at this conclusion? NOP-29-K

Response to NOP-29-K

The Environmental Checklist question in the NOP/IS Section IIIa) (p. 2-12), asks whether the project would conflict with or obstruct implementation of the applicable air quality plan (see Appendix A). The most recent air quality plan in effect is South Coast AQMD’s 2016 AQMP which establishes goals for attaining the state and federal ambient air quality standards and regulatory actions to be implemented in order to achieve these goals. It is important to note that the compliance history of Quemetco, or any other individual facility, is not the criteria by which a determination of whether the proposed Project would conflict or obstruct the implementation of the 2016 AQMP. A violation of an applicable regulatory requirement by an individual entity does not correlate to whether implementation of the 2016 AQMP is obstructed on a regional level. For this reason, the analysis for question III a) is not based on Quemetco’s compliance history.

The other environmental checklist questions in Section III pertaining to air quality, however, require a further analysis in the EIR. This analysis includes examines all of the South Coast AQMD rules and regulations which are applicable to the facility. A discussion addressing these regulatory requirements is included in Section 3.2 and Appendix C of the EIR. A discussion of the compliance history of the Quemetco facility is also included in Section 3.2 and Appendix C of the EIR. An analysis of air quality and GHG impacts, which includes an extensive analysis of the health risks from existing and potential toxic emissions from the proposed Project, is presented in Section 4.2 and Appendix D of the EIR.

The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Comment NOP-29-L

11. Page 2-36, Item IX b: The projected Wastewater is 275,00 gallons per day Formal NOP-29-L Presentation Page 4, slide 7). The criteria listed on page 2-37 is “use more than 262,820 gallons per day of potable water. Are there current references to the source of the water used which generates the wastewater? (The references on page 2-39 are 2015 and 2016 telecons and emails)

Response to NOP-29-L

As discussed in the NOP/IS (p. 2-38) and Table 2-6 (see Appendix A of the EIR), the existing Quemetco facility currently uses approximately 270,022 gallons per day of water. If the proposed Project is implemented, the water usage is projected to increase to 369,435 gallons per day; therefore, the net increase of water usage attributable to the proposed Project is 97,413 gallons per day, which is less than the South Coast AQMD’s significance threshold for potable water of 262,820 gallons per day. For this reason, the analysis of water demand was concluded to

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have less than significant impacts. The source of the water and the availability of future water supplies is discussed in Section 3.5 and Section 4.5 of the EIR.

Comment NOP-29-M

12. Appendix A, Schools within Two-Mile radius of the Quemetco Facility. Have soil and Air samples been taken, tested and summarized for the listed schools? NOP-29-M

Response to NOP-29-M

Appendix A of the NOP/IS identified schools located within a two-mile radius of the proposed Project site for informational purposes and was not intended to be a comprehensive map of all sensitive receptors. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the applicable significance criteria for each environmental topic area. For example, the HRA in Section 4.2 (as supported in Appendix D.1) of the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles), while some of the other environmental checklist questions are smaller radii, such as hazards and hazardous materials that refers to impacts within one-quarter mile of a school or two miles of an airport.

Neither soil nor air samples were taken specifically at the schools identified in Appendix A of the NOP/IS. Soil sampling was performed in accordance with DTSC's soil sampling protocol. DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Regarding air sampling, there are no air pollutant monitors located on the properties of the schools identified in Appendix A of the NOP/IS. However, Quemetco is equipped with CEMS and onsite air monitors which continuously capture measurements of the facility's emissions. Air sampling and compliance is measured at the facility stack and onsite air monitoring stations. In addition, the South Coast AQMD maintains regional air pollution monitors which collect regional air pollutant background levels. Figure 2-8 depicts the location of air pollution control systems and onsite air monitoring stations. Information about South Coast AQMD's offsite air monitoring station located immediately east of Quemetco is located here: <http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>.

Palm Elementary school is the closest to Quemetco and is located approximately 0.6 miles south west of the facility. South San Gabriel Valley monitoring station #85 is the closest regional air monitoring station to the school; air monitoring data is presented in Table 3.2-5 of the EIR. The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D) by using the U.S. EPA approved air dispersion model, AERMOD, to estimate ground level concentrations. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions

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Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles). All of the proposed Project’s potential environmental impacts would be less than significant.

Comment NOP-29-N

13. Please provide a copy of the Draft EIR and all supporting documentation to the Los NOP-29-N
County Library in Hacienda Heights.

Response to NOP-29-N

At the time of release for public review and comment, a copy of the Draft EIR has been sent to both the Hacienda Heights Library and the La Puente Library.

Comment NOP-29-O

I can be contacted at the above address, email at info@hhia.net or NOP-29-O
mikewilliamsinh@roadrunner.com or cell 626-536-3407.

Response to NOP-29-O

The address has been added to the notification list for the proposed Project, along with all individuals who submitted public comments and provided their complete contact information so as to receive future notifications.

Comment Letter NOP-30 County of Los Angeles Board of Supervisor - Janice Hahn



**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**
822 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012
Telephone (213) 974-4444 / FAX (213) 626-6841

JANICE HAHN
CHAIR PRO-TEM

October 25, 2018

Mr. Bing Chen
1528 Silman Street
Hacienda Heights, California 91745

Dear Mr. Chen:

I agree with you. In the wake of Exide, you are right to be worried about whether Quemetco's operations have also left toxic levels of dangerous chemicals in your community and nearby cities. You deserve answers, especially given Quemetco's proposal to increase their operating hours to 24 hours a day, 7 days a week.

NOP-30-A

Everyone should be concerned that it has been nearly two years and we have yet to see the testing results for the soil samples taken by the Department of Toxic Substances Control (DTSC). But even if we see those results soon, I worry that they won't give us a complete picture of the problem. In my opinion, the testing perimeter was too limited and I think it should be expanded to include samples from the two local elementary schools located within two miles of the Quemetco plant.

NOP-30-B

While as County Supervisor I don't have the power to shut down Quemetco or deny their proposal to increase operating hours, here is what I am doing:

NOP-30-C

- I have voiced my concerns to the DTSC and the South Coast Air Quality Management District (SCAQMD). I have written both agencies formal letters urging them to at least wait to receive the soil testing results before they take any further action on Quemetco's proposal.
- I have asked for input from the County's Department of Public Health. The Department has written to both state agencies stating their professional concerns with the limited testing perimeter and formally requesting that they test more soil samples, including from the elementary schools.
- I also think it is important that both the DTSC and the SCAQMD hear directly from you. I am forwarding your letter to both agencies, as well as sending a copy to State Assembly Majority Leader Ian Calderon's Office and requesting that DTSC and SCAQMD respond to you directly with a copy to my office.

NOP-30-D

NOP-30-E

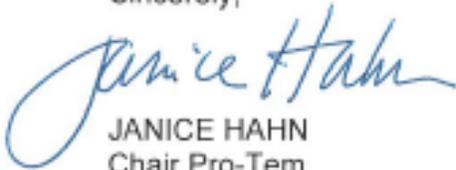
NOP-30-F

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Mr. Bing Chen
October 25, 2018
Page 2

If you have any further questions or concerns, feel free to contact my Field Deputy, Lauren Yokomizo, at (213) 974-4444 or lyokomizo@bos.lacounty.gov.

Sincerely,



JANICE HAHN
Chair Pro-Tem
Supervisor, Fourth District
County of Los Angeles

JH:LY:ly

- c: The Honorable Ian Calderon, Majority Leader w/Enclosure
California State Assembly (AD-57)
- Ms. Barbara Lee, Director w/Enclosure
Department of Toxic Substances Control
- Mr. Wayne Natri, Executive Officer w/Enclosure
South Coast Air Quality Management District

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

RE: Shut Down Quemetco, a company that produces arsenic and toxic metals into our air, groundwater and soil

Dear Janice Hahn,

Inspired by your commitment to "I can get more done for our region..." for running a LA county supervisor in 2016 as well as being "a champion for communities plagued by pollution and health problems..." now on your personal website , I take the liberty of writing this letter to you regarding a burning issue on the pollution generated by Quemetco.

NOP-30-G

There is a company, called Quemetco in the city of industry, has recycled toxic lead batteries since 1959, and producing lead, arsenic, toxic metals as well as other contaminants harmful to everybody especially to our children 24 hours a day, 7 days a week.

NOP-30-H

The USC's Keck School of medicine has found that toxic metals are in children in our community, which would cause brain cancer as well as other serious illnesses. The contaminants such as lead and arsenic cause cancer and birth defects according to the SCAQMD "Initial Study" dated Aug. 30.

NOP-30-I

Low levels of lead can damage a child's nervous system, causing learning disabilities and behavioral problems. Lead has also caused tumors in laboratory animals and is listed as a probable carcinogen, according to DTSC. Arsenic is a carcinogen linked to skin, bladder, liver and lung cancers.

NOP-30-J

More than 2 1/2 years ago, the company was cited by the SCAQMD for having too high a cancer risk for arsenic and was ordered to reduce the risk by 2019.

NOP-30-K

In May 2016, the DTSC tested soil in parkways, backyards and flood control channels for the lead. Though the results were due in 2017, the DTSC has never released a comprehensive report as promised.

NOP-30-L

This is why that the company is still allowed to keep its business running forever.

NOP-30-M

We, residents living in the vicinity of this facility, strongly demand that the company's business license should be suspended until the pollution problem got permanently resolved.

NOP-30-N

We cannot tolerate it anymore as the pollution has been getting worse and worse for more than 49 years, and there is no way to eradicate this problem and no way to undo or reboot it as a computer system, so closing of this facility is last resort.

NOP-30-O

The terms like "Improved, Reduced, etc." used in any documents issued by either SCAQMD or DTSC are pointless in terms of the pollution. They are deceptive words used to trick our ordinary people with a lack of knowledge about pollution.

NOP-30-P

In my humble opinion, now there is only one choice between saving the business and saving the victims. It is a dilemma and mutually exclusive in front of you. Which one will you choose?

NOP-30-Q

For your information, recently we had two meetings regarding the company's upgrade plan. During the first meeting, no one could tolerate this kind of company to continue doing their business. And

NOP-30-R

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

SCAQMD's Michael Krause was being peppered with questions from the large crowd who were shutting him down during the meeting at the Hacienda Heights Community Center on Thursday, Sept. 13, 2018. **NOP-30-R cont.**

Besides, there are a lot of victims nearby the facility, either suffering from different cancers or tumors, or being found with toxic metals in their blood and arsenic in their bodies, or living in the affected area with their backyard soil contaminated with arsenic, lead and toxic materials. Is there a department in the state of California which can help them file a claim/lawsuit against the company for reasonable compensation? It is time we demand accountability and reimbursement. **NOP-30-S**

Please forward this email to the department concerned such as the state Department of Toxic Substances Control and order to shut down this facility immediately. **NOP-30-T**

BTW, as a constituent, I cast a vote to you in 2016. Because I fully trust that our county under your supervision, as President Lincoln once said, is the government of the people, by the people and for the people, and you are the right person to be our supervisor in the 4th district. **NOP-30-U**

I am looking forward to hearing from you and thank you very much for your help in advance.

Attached please find three documents that I downloaded from the Internet for your reference.

Sincerely yours,

Bing Chen

The resident of Hacienda Heights

P.S. I will distribute this letter to all attendees/residents in our next community meeting and post it online (tweets, Facebook) if possible.

Responses to Comment Letter NOP-30

Comment NOP-30-A

I agree with you. In the wake of Exide, you are right to be worried about whether Quemetco's operations have also left toxic levels of dangerous chemicals in your community and nearby cities. You deserve answers, especially given Quemetco's proposal to increase their operating hours to 24 hours a day, 7 days a week. **NOP-30-A**

The context of this comment is in reference to correspondence which comprises a series of other more detailed comments identified as Comments NOP-30-G through NOP-30-U. See Responses to Comments NOP-30-G through NOP-30-U.

Chapter 3 of the EIR provides a discussion of the Quemetco facility's existing air quality setting and Chapter 4 of the EIR contains an analysis of the proposed Project's health risks from the proposed Project based on South Coast AQMD methodology and guidance. As demonstrated in

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the HRA, the proposed Project's potential impacts would be less than significant. The EIR, however, does not contain an analysis of the Exide facility.

While Quemetco and Exide are both battery recyclers, Exide's operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Further, the details of Exide's operations, facility design and air pollution control systems were not the same as Quemetco's operations, facility design and air pollution control systems. Exide began operation in the 1920s, several decades earlier than Quemetco.

Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide's last two full years of operation, 2014 and 2013, Exide's lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to SCAQMD and obtained via SCAQMD's FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013). Moreover, Exide's past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. For these reasons, information pertaining to the Exide facility and its previous operations are not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

It is important to note that the Quemetco facility currently operates 24 hours per day, seven days a week, though, not all of the equipment operates for 24 hours each day. In order to prevent exceeding the permit limit for the rotary/kiln feed dryer and reverberatory furnace during a 24-hour cycle, Quemetco currently operates this equipment only during a compliance period which is measured from noon until noon the subsequent day. When the daily feed limit is reached, Quemetco stops sending feed, turns off the rotary/kiln feed dryer, and reduces the firing rate of the burner in the reverberatory furnace from operational mode firing at 16-20 million British Thermal Units (MMBTU) to idle mode at 5-6 MMBTU. This is known as the Compliance Stop Period.³⁸ The feed limit through the rotary/kiln feed dryer and reverberatory furnace is typically reached after 18 hours and up to 23 hours of operation, so the dryer and reverberatory furnace are off/idle for the remainder of the 24-hour cycle, from one hour up to six hours prior to noon each day. The proposed Project is seeking a throughput increase to the rotary/kiln feed dryer and reverberatory furnace which will allow this equipment to operate up to 24 hours per day.

³⁸ The Compliance Stop Period varies based on whether there are mechanical breakdowns during the compliance period, varying moisture content of the feed in the rotary/kiln feed dryer and the reverberatory furnace, etc. The furnace operates best when there is continuous feed to allow the most efficient use of fuel and furnace heat. When there are gaps in the feed, fuel is inefficiently consumed and some furnace heat is wasted.

Comment NOP-30-B

Everyone should be concerned that it has been nearly two years and we have yet to see the testing results for the soil samples taken by the Department of Toxic Substances Control (DTSC). But even if we see those results soon, I worry that they won't give us a complete picture of the problem. In my opinion, the testing perimeter was too limited and I think it should be expanded to include samples from the two local elementary schools located within two miles of the Quemetco plant.

NOP-30-B

Response to Comment NOP-30-B

Please refer to Master Response on DTSC Soils Investigations and Remediation. DTSC's soils testing and remediation activities associated with the Quemetco facility's historic soil contamination are addressed in Section 3.4 of the EIR. DTSC has been working with Quemetco to address historic soils contamination by collecting soil samples to obtain "fingerprints" of the previous soils contamination at or near the facility, establishing a work plan for corrective action and implementing that work plan.

The area established by DTSC as the "Quemetco Impacted Area" (QIA) has been remediated prior to the release of this EIR; the QIA Phase II Completion Report and DTSC's August 20, 2021 approval letter are located on DTSC's website here:

https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=80001454. A report submitted to DTSC in October 2018 concludes that in most of the area investigated, the soil lead levels were therefore consistent with lead levels in other areas of similar age, and therefore were potentially affected by lead in paint; the soil lead levels were also consistent with lead levels in other areas of similar distance from freeways, and therefore were also potentially affected by lead in gasoline. The October 2018 report, which DTSC accepted as final in February 2020, is available on DTSC's website here:

https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=80001454&doc_id=60367598. As part of its ongoing analyses, DTSC prepared a transect sampling workplan and collected transect soil samples from areas surrounding the facility in March 2021.

Documentation related to DTSC's implementation of the transect sampling workplan is available on DTSC's website here:

https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=80001454&doc_id=60486311. The resulting transect sampling data and analysis report, the findings of which were consistent with the October 2018 report, was prepared in May 2021 and is still under review by DTSC.

The historic soils contamination in the QIA does not necessarily reflect the Quemetco facility's current operations which are now regulated by a full suite of federal, state and local requirements, including South Coast AQMD rules and regulations.

Specifically, Quemetco is required to comply with South Coast AQMD Rule 1420.1 which is was designed to curb toxic emissions and penalize exceedances with by requiring the curtailment of operational activities facility operations. Rule 1420.1 includes emission standards for lead and other TACs from large lead-acid battery recycling facilities and was crafted to: 1) protect public health by reducing exposure to and emissions of lead from large lead-acid battery recycling facilities; 2) help ensure attainment and maintenance of the NAAQS for lead; and 3) protect

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public health by limiting arsenic, benzene, and 1,3-butadiene exposure and emissions from these facilities. The following list includes a summary of the key requirements contained in Rule 1420.1, which are applicable to the Quemetco facility:

1. Conduct ambient arsenic monitoring which is subject to curtailment requirements if an ambient arsenic concentration averaged over a 24-hour period exceeds 10.0 nanograms per cubic meter (ng/m³) or greater at any monitoring location.
2. Facility-wide stack emission rate for lead at 0.003 pounds per hour (lbs/hr) (26.3 pounds per year (lbs/yr)).
3. Facility-wide stack emission rate for arsenic of 0.00114 lbs/hr (10 lbs/yr).
4. WESP stack emission rate for benzene of 0.0514 lbs/hr (450 lbs/yr).
5. Established a WESP stack emission rate for 1,3-butadiene of 0.00342 lbs/hr (30 lbs/yr) beginning January 1, 2015.
6. Conduct ambient lead monitoring which is subject to curtailment requirements if an ambient lead concentration averaged over 30 consecutive days exceeds 0.110 micrograms per cubic meter (µg/m³) or greater at any monitoring station.
7. Conduct ambient lead monitoring which is subject to curtailment requirements if an ambient lead concentration averaged over 30 consecutive days exceeds 0.100 µg/m³ or greater at any monitoring station.
8. Perform source tests on all stacks at a minimum of once each year pursuant to South Coast AQMD-approved source testing methodology.

Another requirement of Rule 1420.1 is that Quemetco must maintain 30-day, rolling-average fence line ambient lead concentrations at or below 0.110 µg/m³ through December 31, 2016, and at or below 0.100 µg/m³ on and after January 1, 2017. The ambient monitoring stations at Quemetco's fence line are in place to verify that the ambient levels of lead concentrations are less than both the aforementioned limits in South Coast AQMD Rule 1420.1 and the NAAQS lead standards (0.15 µg/m³ averaged over a rolling 90-day period).

Table 4.2-9 in the EIR breaks down the potential sources of health risk being evaluated (inhalation, soil (e.g., land and waterways), dermal, mother's milk, and crops (e.g., home gardens)) as well as the percentage contribution of each risk source to the maximum residential cancer risk for Receptor 51165, the location of the highest estimated residential risk (the MEIR). The MEIR risks including soil deposition impacts for the total proposed Project, the baseline, and the increment (proposed Project less baseline), would be less than the South Coast AQMD maximum residential cancer risk threshold (Table 4.2-8 in the EIR). For these reasons, potential soil deposition impacts from the proposed Project would also be less than the South Coast AQMD maximum residential cancer risk threshold and the proposed Project would not generate significant soil deposition impacts.

Further, the proposed Project assessed in this EIR does not call for any soil disturbance (onsite or offsite) nor any changes that would affect the existing soil conditions; therefore, no further soils analysis is required for CEQA purposes.

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Comment NOP-30-C

While as County Supervisor I don't have the power to shut down Quemetco or deny their proposal to increase operating hours, here is what I am doing: **NOP-30-C**

Response to Comment NOP-30-C

The context of this comment regarding the authority to shut down or deny the proposed Project is in reference to Comment NOP-30-G which contains a request to shut down the facility. Several other commenters have requested the facility to shut down and/or relocate and a Master Response to Shut Down and/or Relocate the Facility is provided in response, which explains South Coast AQMD's authority and the process and criteria by which the South Coast AQMD reviews a proposed Project to determine whether it can be approved or denied.

Please note that the South Coast AQMD is not a land use agency and does not have authority over the siting over this or any other facility. The South Coast AQMD does not have the authority to require the facility to be relocated or to approve a different use at this site.

Comment NOP-30-D

I have voiced my concerns to the DTSC and the South Coast Air Quality Management District (SCAQMD). I have written both agencies formal letters urging them to at least wait to receive the soil testing results before they take any further action on Quemetco's proposal. **NOP-30-D**

Response to Comment NOP-30-D

The formal letter to South Coast AQMD is identified as Comment Letter NOP-6, and the specific comment relating to the soil testing results is identified as Comment NOP-6-B. See Responses to Comment Letter NOP-6.

In addition, DTSC has oversight of the treatment, transfer and storage of hazardous waste at the facility pursuant to California Health and Safety Code, Division 20, Chapter 6.5 and its Hazardous Waste Operation and Post-Closure Permit. DTSC's soil remediation activities are guided by its rules, regulations and RCRA permit with Quemetco. DTSC has separate and independent authority from South Coast AQMD's oversight for air permitting rules and regulations.

As required by CEQA, the South Coast AQMD has consulted with DTSC because they are a responsible agency for the proposed Project. During this consultation, the DTSC did not raise any issues that indicate that an evaluation of the proposed Project and the preparation of the EIR could not occur while the DTSC addressed the historic soils contamination and while remediation activities occurred. For these reasons, South Coast AQMD has proceeded with evaluating Quemetco's proposed modifications to the air permits and preparing the EIR for the proposed Project.

A decision whether to approve or deny the permit modifications cannot occur until the CEQA process is completed. The evaluation is currently at the Draft EIR stage and, per CEQA

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Guidelines Section 15089, a lead agency is required to prepare a Final EIR before taking action on the project.

Comment NOP-30-E

I have asked for input from the County's Department of Public Health. The Department has written to both state agencies stating their professional concerns with the limited testing perimeter and formally requesting that they test more soil samples, including from the elementary schools.

NOP-30-E

Response to Comment NOP-30-E

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions, including existing contamination, are described in detail in Chapter 3.

The correspondence referenced in this comment has not been provided to South Coast AQMD. Also, the Los Angeles County Department of Public Health did not provide any comments relative to the analysis in the NOP/IS.

DTSC was identified as a responsible agency with approval authority over the proposed Project in both the NOP/IS and EIR. As part of the preparation of the EIR, South Coast AQMD consulted with DTSC, and pursuant to a confidentiality agreement, provided administrative drafts for their review and included DTSC’s comments and suggestions on the EIR contents.

In addition, DTSC submitted comments relative to the analysis in the NOP/IS which is identified as Comment Letter NOP-7. Responses to those comments were prepared and are included in Appendix B of the EIR. However, none of the comments in Comment Letter NOP-7 raised any issues relative to the soils testing perimeter or indicated that more soil samples would need to be taken as a result of the proposed Project.

See also Responses to Comment Letter NOP-6, and Responses to Comments NOP-30-Band NOP-30-D.

Comment NOP-30-F

I also think it is important that both the DTSC and the SCAQMD hear directly from you. I am forwarding your letter to both agencies, as well as sending a copy to State Assembly Majority Leader Ian Calderon's Office and requesting that DTSC and SCAQMD respond to you directly with a copy to my office.

NOP-30-F

South Coast AQMD received this letter and the comments are identified as NOP-30-G through NOP-30-U. A copy of South Coast AQMD’s responses to Comment Letter NOP-30 has also been transmitted directly to the commenter and the correspondent identified in the letter.

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Comment NOP-30-G

RE: Shut Down Quemetco, a company that produces arsenic and toxic metals into our air, groundwater and soil

Dear Janice Hahn,

Inspired by your commitment to "I can get more done for our region..." for running a LA county supervisor in 2016 as well as being "a champion for communities plagued by pollution and health problems..." now on your personal website, I take the liberty of writing this letter to you regarding a burning issue on the pollution generated by Quemetco.

NOP-30-G

Response to Comment NOP-30-G

The subject line of this correspondence requesting to shut down the facility repeats the sentiments expressed in Comment NOP-30-C. See Response to Comment NOP-30-C. The introductory remarks in this correspondence do not raise any CEQA issues. No response is required.

Comment NOP-30-H

There is a company, called Quemetco in the city of industry, has recycled toxic lead batteries since 1959, and producing lead, arsenic, toxic metals as well as other contaminants harmful to everybody especially to our children 24 hours a day, 7 days a week.

NOP-30-H

Response to Comment NOP-30-H

A description of Quemetco facility's existing operations is provided in Chapter 2 of the EIR. (Chapter 2 also provides a description of the proposed Project.) Chapter 3 of the EIR provides information about the current emissions and baseline conditions at the facility and the existing public health risks. The EIR concludes that the proposed Project's potential public health impacts would be less than significant.

Comments NOP-30-I, NOP-30-J and NOP-30-K

The USC's Keck School of medicine has found that toxic metals are in children in our community, which would cause brain cancer as well as other serious illnesses. The contaminants such as lead and arsenic cause cancer and birth defects according to the SCAQMD "Initial Study" dated Aug. 30.

NOP-30-I

Low levels of lead can damage a child's nervous system, causing learning disabilities and behavioral problems. Lead has also caused tumors in laboratory animals and is listed as a probable carcinogen, according to DTSC. Arsenic is a carcinogen linked to skin, bladder, liver and lung cancers.

NOP-30-J

More than 2 1/2 years ago, the company was cited by the SCAQMD for having too high a cancer risk for arsenic and was ordered to reduce the risk by 2019.

NOP-30-K

Responses to Comment NOP-30-I, NOP-30-J, and NOP-30-K

Lead smelting operations at Quemetco involve several pollutants, some of which are toxic, including lead and arsenic. Health-based air quality standards have been established by California and the federal government for the criteria air pollutants (e.g., ozone, CO, NO_x, PM₁₀, PM_{2.5}, and SO₂), and lead. These standards were established to protect sensitive receptors with a margin of safety from adverse health impacts due to exposure to air pollution. The CAAQS and NAAQS for each of these pollutants apply to the Quemetco facility and the effects of these pollutants on public health are summarized in Table 3.2-2 in the EIR.

Additionally, South Coast AQMD adopted Rule 1420.1 on November 5, 2010. Rule 1420.1 was crafted to: 1) protect public health by reducing exposure to and emissions of lead from large lead-acid battery recycling facilities; 2) help ensure attainment and maintenance of the NAAQS for lead; and 3) protect public health by limiting arsenic, benzene, and 1,3-butadiene exposure and emissions from these facilities. Because each of these compounds can be produced as a part of the secondary lead smelting process, Rule 1420.1 applies to the Quemetco facility.

Quemetco is also required to comply with South Coast AQMD Rule 1402, which applies to facilities subject to the Air Toxics “Hot Spots” Information and Assessment Act (AB2588) and facilities with emissions that exceed significant or action risk levels. Rule 1402 requires public notification and specifies limits to reduce health risks if emissions of toxic air contaminants from existing sources under normal operating conditions exceed thresholds for the maximum individual cancer risk (MICR), cancer burden, or non-cancer acute and chronic hazard index (HI). Quemetco has prepared and implemented a Risk Reduction Plan (RRP) to achieve these risk limits, as required by AB2588 and Rule 1402; its RRP contains an annual arsenic emission limit of 6.5 pounds and requires continuous monitoring of arsenic emissions from the WESP. Consistent with Health and Safety Code Section 44362(b), Quemetco provided notice to all people located at properties with a risk greater than or equal to the Notification Risk Level. Further Public Notifications are required every twelve (12) months for facilities with a post-Risk Reduction Plan risk that is equal to or exceeds an Action Risk Level. Because Quemetco did not have a post-Risk Reduction Plan risk equal to or exceeding the Action Risk Level, no additional Public Notifications beyond the HRA Public Notification Period were required. RRP conditions have been incorporated into the Quemetco’s Title V permit and will not change because of the proposed Project.

Additionally, the HRA looks at total facility health risks to ensure no conflicts with the previously approved RRP. Note that Quemetco is still subject to AB 2588 and the proposed Project will also be subject to AB 2588.

The potential environmental impacts of the proposed Project are evaluated in the EIR. The relationship between the CAAQS and NAAQS pollutants on the one hand and public health on the other are explained in Chapter 3 of the EIR (see Table 3.2-2). Chapter 4 of the EIR includes a health risk assessment (HRA) that analyzes the proposed Project’s potential public health impacts and health risk (including cancer risk) impacts (which include lead and arsenic) under normal operating conditions to the surrounding areas in accordance with South Coast AQMD methodology (see Section 4.2 and Appendix D.1 – Technical Air Quality Methods and Emissions Assumptions).

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Detailed information regarding the compliance history of the Quemetco facility including the permit violations referenced in this comment is discussed in Section 3.2 as well as Chapter 3 – Environmental Setting and Appendix C of the EIR. South Coast AQMD’s compliance staff conduct regular inspections of Quemetco to ensure that equipment and processes are operating in compliance with the facility’s permit conditions and the applicable rules and regulations.

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation (see Appendix C). When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded 0.120 µg/m³ over a 30-day rolling average.

Comment NOP-30-L

In May 2016, the DTSC tested soil in parkways, backyards and flood control channels for the lead. Though the results were due in 2017, the DTSC has never released a comprehensive report as promised.

NOP-30-L

Response to Comment NOP-30-L

For information regarding DTSC’s soil testing analysis, see Responses to Comments NOP-30-B and NOP-30-D. Please also refer to Master Response to DTSC Solis Investigation and Remediation.

Comment NOP-30-M

This is why that the company is still allowed to keep its business running forever.

NOP-30-M

Response to Comment NOP-30-M

The Quemetco facility is allowed to operate its equipment pursuant to both South Coast AQMD and DTSC permits.

Comment NOP-30-N

We, residents living in the vicinity of this facility, strongly demand that the company's business license should be suspended until the pollution problem got permanently resolved.

NOP-30-N

Response to Comment NOP-30-N

At its most basic level, CEQA requires an analysis of how a proposed project will change the existing environmental conditions, also known as the environmental baseline. (CEQA Guidelines Section 15125(a); *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447; see also CEQA Guidelines Section 15378(a) [“ ‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the

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environment, or a reasonably foreseeable indirect physical change in the environment...”].) The proposed Project’s existing environmental conditions are described in detail in Chapter 3.

Quemetco is an existing facility operating within the City of Industry and is consistent with its industrial zoning and general plan designation. Further, the existing operations at the Quemetco facility are an allowed use within the City of Industry and the proposed Project would not trigger any discretionary land use permits or actions associated with the business license. Moreover, South Coast AQMD does not have the authority to suspend Quemetco’s business license while evaluating the proposed Project’s air permit application.

Quemetco is an existing operating facility which operates pursuant to existing air permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria.

Please note that the South Coast AQMD is not a land use agency and does not have authority over the siting over this or any other facility. The South Coast AQMD does not have the authority to require the facility to be relocated, to approve a different use at this site, or to suspend the facility’s business license.

Comment NOP-30-O

We cannot tolerate it anymore as the pollution has been getting worse and worse for more than 49 years, and there is no way to eradicate this problem and no way to undo or reboot it as a computer system, so closing of this facility is last resort.

NOP-30-O

Response to Comment NOP-30-O

See Response to Comment NOP-30-C. Please also refer to Master Response to Shut Down and/or Relocate the Facility.

Comment NOP-30-P

The terms like "Improved, Reduced, etc." used in any documents issued by either SCAQMD or DTSC are pointless in terms of the pollution. They are deceptive words used to trick our ordinary people with a lack of knowledge about pollution.

NOP-30-P

Response to Comment NOP-30-P

This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment NOP-30-Q

In my humble opinion, now there is only one choice between saving the business and saving the victims. It is a dilemma and mutually exclusive in front of you. Which one will you choose?

NOP-30-Q

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Response to Comment NOP-30-Q

This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Comment NOP-30-R

For your information, recently we had two meetings regarding the company's upgrade plan. During the first meeting, no one could tolerate this kind of company to continue doing their business. And

NOP-30-R

SCAQMD's Michael Krause was being peppered with questions from the large crowd who were shutting him down during the meeting at the Hacienda Heights Community Center on Thursday, Sept. 13, 2018.

**NOP-30-R
cont.**

Response to Comment NOP-30-R

The format of the CEQA scoping meeting held on September 13, 2018 at the Hacienda Heights Community Center was structured in an “open house” format with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility’s processes, the CEQA process, and the proposed Project.

Due to complaints that the style of the first CEQA scoping meeting did not meet attendees’ expectations of a more structured meeting format, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled. The second CEQA scoping meeting was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. All comments received at both CEQA scoping meetings along with responses are included in Appendix B. For a summary of the commenters at the CEQA scoping meetings, see Tables B-2 and B-3.

Comment NOP-30-S

Besides, there are a lot of victims nearby the facility, either suffering from different cancers or tumors, or being found with toxic metals in their blood and arsenic in their bodies, or living in the affected area with their backyard soil contaminated with arsenic, lead and toxic materials. Is there a department in the state of California which can help them file a claim/lawsuit against the company for reasonable compensation? It is time we demand accountability and reimbursement.

NOP-30-S

Response to Comment NOP-30-S

Quemetco operates multiple air pollution control systems comprised of the following equipment: baghouses, scrubbers, low temperature oxidation of nitrogen oxides (LoTOx), a wet electrostatic

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precipitator (WESP) to reduce metallic particulate matter (PM) emissions including lead, and a regenerative thermal oxidizer (RTO) to reduce volatile organic compound (VOC) emissions from the rotary feed drying furnace. Quemetco has also made several major facility improvements including enclosing the battery wrecker building. The air pollution control equipment combined with the facility improvements and increasingly restrictive regulations have contributed to reducing Quemetco's air emissions (see Section 3.2 of the EIR).

During the evaluation of the proposed Project, careful consideration was given to public health and potential impacts on sensitive receptors, including residences and schools. The environmental topic areas that directly correlate to public health include air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards). Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, would also be less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions at any of the sensitive receptors, including residences and schools.

Regarding the remark about contaminated soil, see Response to Comment NOP-30-B which addresses the soils testing study conducted by DTSC and the results.

Comment NOP-30-T

Please forward this email to the department concerned such as the state Department of Toxic Substances Control and order to shut down this facility immediately.

NOP-30-T

Response to Comment NOP-30-T

DTSC as a Responsible Agency to South Coast AQMD's CEQA assessment for Quemetco's Capacity Upgrade Project has received this comment. The South Coast AQMD does not have any authority to direct the DTSC to take action to shut down the facility, however. See also Response to Comment NOP-30-C.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment NOP-30-U

BTW, as a constituent, I cast a vote to you in 2016. Because I fully trust that our county under your supervision, as President Lincoln once said, is the government of the people, by the people and for the people, and you are the right person to be our supervisor in the 4th district.

NOP-30-U

Response to Comment NOP-30-U

This comment does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

CEQA SCOPING MEETING #1 COMMENTS AND RESPONSES

The NOP/IS was circulated for a 56-day public review and comment period starting August 31, 2018 and ending October 25, 2018. In addition, the South Coast AQMD conducted two CEQA scoping meetings at the Hacienda Heights Community Center, on September 13, 2018 (CEQA Scoping Meeting #1) and October 11, 2018 (CEQA Scoping Meeting #2) to take public comment on the proposed Project. The South Coast AQMD received 125 comments during CEQA Scoping Meeting 1#. All comments received during CEQA Scoping Meeting #1 and the associated responses are compiled below. See Appendix B Introduction, Table B-2 which provides a list of these commenters.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-1 – Bing Chen

Comment SM1-1

WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

Favor de tomar nota: la información proveída por usted en esta tarjeta (incluyendo información de contacto y personal) es un registro público y será liberada en respuesta a una solicitud de registros públicos bajo la ley de California que en ingles se titula "California Public Records Request Act."

Name (required) BING CHEN
Nombre (obligatorio)

Affiliation / Organization _____
Afilación / Organización

Address/City/Zip 1528 Silman St. Hacienda Hts. CA 91744
Dirección/Ciudad/Código Postal

Email B.P.CHEN@YAHOO.COM Phone 626-242-7848
Correo Electrónico Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments SHUT DOWN THE FACILITY.
Comentario(s): SAVE OUR CHILDREN'S LIFE.

Response to Comment SM1-1

This comment requested the facility to shut down and/ or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-2 – Chih Chen Fu

Comment SM1-2

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Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
Nombre (obligatorio) CHIH CHEN FU

Affiliation / Organization
Afilación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal 1517 SILMAN ST, HACIENDA HTS. CA 91745

Email
Correo Electrónico d929oda888@yahoo.com Phone
Teléfono 626-3478247

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments
Comentario(s): PLEASE SHUT DOWN THE FACILITY.

Response to Comment SM1-2

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-3 – Jorge Ortiz

Comment SM1-3



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Name (required) / Nombre (obligatorio) Jorge Ortiz
 Affiliation / Organization / Afiliación / Organización resident
 Address/City/Zip / Dirección/Ciudad/Código Postal PO. BOX 2095 LA PUENTE 91746
 Email / Correo Electrónico georgediablo@yahoo.com Phone / Teléfono 626 484-7170

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s): Has the proposed expansion or upgrade project for increasing capacity, Has this increased or when will it start

Response to Comment SM1-3

The existing facility operations have not changed and the proposed Project has not been approved or implemented. The proposed Project requires completion of the CEQA process as well as discretionary actions granting approvals before Quemetco will be allowed to proceed with implementation of the proposed Project.

Comment SM1-4 – Henry Pederson

Comment SM1-4



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Name (required) / Nombre (obligatorio) HENRY PEDERSON
 Affiliation / Organization / Afiliación / Organización Resident
 Address/City/Zip / Dirección/Ciudad/Código Postal 15534 DENLEY ST. HAC. HTS, CA 91745
 Email / Correo Electrónico henrypederson@aol.com Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments / Comentario(s): They haven't EVEN BEEN approved for their licence renewal; How can they even be considered for expansion?

We DON'T WANT THEM.

Response to Comment SM1-4

The RCRA permit renewal is a separate discretionary action that is being evaluated by DTSC. This process is described in Section 2.6: Permits and Approvals and Section 3.4.2.3: Existing Permits of the EIR. If the RCRA permit renewal is not approved, the Quemetco facility would not be able to operate, regardless of the proposed Project that is being evaluated in this EIR. Moreover, DTSC will also need to separately evaluate the proposed Project to update the RCRA permit.

Comment SM1-5 – Karen Chang

Comment SM1-5



WRITTEN COMMENT SUBMITTAL FORM

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Name (required) Karen Chang
Nombre (obligatorio)
Affiliation / Organization Resident
Afiliación / Organización
Address/City/Zip 16367 Colegio Drive, Hacienda Hts.
Dirección/Ciudad/Código Postal
Email hikarenchang@gmail.com Phone 562-631-9579
Correo Electrónico Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) No / No

Comments
Comentario(s): 1.) This is a really bad scoping meeting
2.) The posters you have scattered around the room are too difficult to understand.
3.) Quemetco should not be allowed to operate near so many homes and schools.

The format of the CEQA scoping meeting held on September 13, 2018 at the Hacienda Heights Community Center was structured in an “open house” format with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening and speak with staff directly. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility’s processes, the CEQA process, and the proposed Project.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Due to complaints that the style of the first CEQA scoping meeting did not meet attendees' expectations of a more structured meeting format, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled.

The second CEQA scoping meeting was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. A notice of the second CEQA scoping meeting and the NOP/IS public review and comment period extension was published on South Coast AQMD's website on September 27, 2018 and in the Los Angeles Times newspaper on September 28, 2018. The announcement was also transmitted electronically to 710 email addresses on September 28, 2018 and hard copies were mailed on October 2, 2018 and October 3, 2018³⁹ to 12,500 addresses within the vicinity of the proposed Project.

The second CEQA scoping meeting held on October 11, 2018 at the Hacienda Heights Community Center included a formal presentation by a seated panel of South Coast AQMD personnel and other agency representatives (e.g., DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and U.S House of Representatives). After the presentation, there was a question-and-answer period during which attendees' comments and questions could be heard by the entire audience.

The Scoping Meeting presentation is available online ([http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-\(for-print\).pdf](http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-(for-print).pdf)), and this appendix contains all the comment letters received during the NOP/IS public comment and review period, the comments received during the two CEQA scoping meetings, and the responses to all comments prepared by the South Coast AQMD.

Quemetco is an existing facility operating within the City of Industry and is consistent with its industrial zoning and general plan designation. Quemetco has been at the current location for more than 60 years and is included in the City of Industry General Plan.

South Coast AQMD has no jurisdiction over the siting of the Quemetco facility or the siting of the schools or residences in the area. However, South Coast AQMD has rules and regulations which are applicable to the Quemetco facility and that require consideration of the proximity of schools, residences and other sensitive receptors when reviewing proposed Projects at the facility.

All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and be less than significant; therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality (including air toxics) and greenhouse gases, energy, hazards and hazardous materials, hydrology and water

³⁹ Paper copies of the notification were sent out via U.S. Postal Service with 8,007 pieces sent on October 2, 2018 and 2,248 pieces sent on October 3, 2018 per U.S. Postal Service Statement of Mailing receipts.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Careful consideration was given to the proposed Project's potential public health and sensitive receptor impacts, including schools. The environmental topic areas that directly correlate to public health include air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards). Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions at any of the sensitive receptors, including schools. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

Comment SM1-6 –Van Phan-Wang

Comment SM1-6



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CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
 Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
 Nombre (obligatorio) Van Phan-Wang

Affiliation / Organization
 Afiliación / Organización Clean Air Coalition

Address/City/Zip
 Dirección/Ciudad/Código Postal 932 Caraway Dr., Whittier CA 90601

Email
 Correo Electrónico vphan711@gmail.com Phone
 Teléfono 626-410-5951

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si

No / No

Comments

Comentario(s): I oppose the expansion of the Quemetco project as it poses ~~negative~~ negative environmental impact to the nearby residents, causing health issues.

Response to Comment SM1-6

Thank you for your comment. This comment opposes the proposed Project. All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project’s potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and would be less than significant; therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality (including air toxics) and greenhouse gases, energy, hazards and hazardous materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Careful consideration was given to the proposed Project’s potential public health and sensitive receptor impacts, including schools. The environmental topic areas that directly correlate to public health include air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards). Specifically, to estimate public health impacts from the proposed Project’s air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project’s non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions at any of the sensitive receptors, including schools. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-7 – Margaret Caldera

Comment SM1-7



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 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

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Name (required) *Margaret Caldera*
 Nombre (obligatorio) _____

Affiliation / Organization *Resident*
 Afiliación / Organización _____

Address/City/Zip *91745*
 Dirección/Ciudad/Código Postal _____

Email *mcaldera* Phone _____
 Correo Electrónico *@msn.com* Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
 Comentario(s):
REQUESTING PUBLIC FORUM WITH QUEMETCO WITH QUESTION & ANSWER SESSION

Response to Comment SM1-7

CEQA Scoping Meeting #1 was a public forum in an open house format and the opportunity to ask questions of South Coast AQMD as the CEQA Lead Agency. Based on feedback from the community at CEQA Scoping Meeting #1, South Coast AQMD scheduled and held a second CEQA scoping meeting on October 22, 2018 according to the structured meeting format request followed by a question-and-answer session in a public forum with South Coast AQMD as the CEQA Lead Agency. Updated community information slides and handouts were also provided.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-8 – Anna Lau

Comment SM1-8



WRITTEN COMMENT SUBMITTAL FORM

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CEQA Scoping Meeting / La Reunión Pública de CEQA

Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco

Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.

Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
Nombre (obligatorio) ANNA LAU

Affiliation / Organization
Afilación / Organización RESIDENT

Address/City/Zip
Dirección/Ciudad/Código Postal 1893 LA MESITA DR.

Email
Correo Electrónico _____

Phone
Teléfono 626-893-4861

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
Comentario(s): QUEMETCO SHOULD BE SHUT DOWN.

Response to Comment SM1-8

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-9 – Anthony Lau

Comment SM1-9



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Name (required) / Nombre (obligatorio) ANTHONY LAU
 Affiliation / Organization / Afiliación / Organización RESIDENT OF HACIENDA HEIGHTS
 Address/City/Zip / Dirección/Ciudad/Código Postal 1893 LA MESITA DR. HACIENDA HEIGHTS CA 91745
 Email / Correo Electrónico RXPASL1@GMAIL.COM Phone / Teléfono 626-968-1818

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s): I AM STRONGLY AGAINST THE PROPOSED PROJECT. HAZARDOUS CHEMICALS WILL BE PRODUCED AND ENDANGER OUR NEIGHBORHOOD. AS MATTER OF FACT, THE BUREAU PLAN SHOULD BE SHUT DOWN PERMANENTLY.

Response to Comment SM1-9

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility. In response to the concern about endangering the neighborhood, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-10 – Acelia & Jose Sanjurjo

Comment SM1-10



WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

Favor de tomar nota: la información proveída por usted en esta tarjeta (incluyendo información de contacto y personal) es un registro público y será liberada en respuesta a una solicitud de registros públicos bajo la ley de California que en ingles se titula "California Public Records Request Act."

Name (required)
Nombre (obligatorio) Acelia & José Sanjurjo

Affiliation / Organization
Afilación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal 1148 Kinkrae Ave. Hts. 91745

Email
Correo Electrónico _____

Phone
Teléfono 626-330-5721

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si No / No

Comments
Comentario(s): Shut down - move out -

Response to Comment SM1-10

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-11 – Keqing Liu

Comment SM1-11



WRITTEN COMMENT SUBMITTAL FORM
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CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required) KEQING LIU
Nombre (obligatorio) KEQING LIU
Affiliation / Organization _____
Afilación / Organización _____
Address/City/Zip 1154 Kinbrae Ave, Hacienda HTS, CA 91745
Dirección/Ciudad/Código Postal 1154 Kinbrae Ave, Hacienda HTS, CA 91745
Email keqingliu@gmail.com Phone 626-236-2799
Correo Electrónico keqingliu@gmail.com Teléfono 626-236-2799

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si

No / No

Comments

Comentario(s):

shut down or move to somewhere far from the city, please.

Response to Comment SM1-11

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-12 – Johnny Chang

Comment SM1-12



WRITTEN COMMENT SUBMITTAL FORM

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA

Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
 Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required) / Nombre (obligatorio) Johnny Chang

Affiliation / Organization / Afiliación / Organización _____

Address/City/Zip / Dirección/Ciudad/Código Postal 17160 Royal View Rd. Hacienda Hts CA 91745

Email / Correo Electrónico JohnnyChang91@yahoo.com Phone / Teléfono 626-251-8959

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments / Comentario(s): _____

In order to protect our health
we all should move this kind service
way far from the residential area.

Response to Comment SM1-12

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts from the proposed Project to the surrounding community. Of the environmental topic areas analyzed, air quality (including air toxics) and

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA (see Section 4.2 and Appendix D). Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-13 – Alva Poon

Comment SM1-13



WRITTEN COMMENT SUBMITTAL FORM
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CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required) / Nombre (obligatorio) Alva Poon

Affiliation / Organization / Afiliación / Organización Resident of La Puente

Address/City/Zip / Dirección/Ciudad/Código Postal 313 Stichman Ave
La Puente, CA 91746

Email / Correo Electrónico alva.alvajiyi@gmail.com Phone / Teléfono 626 277-7308

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments / Comentario(s): Quemetco Capacity Upgrade Project affects air quality and releases hazardous material, toxic air contaminant. It produces more greenhouse gas emission. California is at drought situation, this project will use more water in daily. According to the initial study, "the project will cause degradation or depletion of the ground water resources substantially affecting current or future use, the capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project. My ~~main~~ concern is the water we use it's safe to use, the air quality we have in the surrounding area it leads to health problem. Quemetco needs to move out to other place which is far from residence.

Response to Comment SM1-13

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts from the proposed Project to the surrounding community. Furthermore, analysis in the EIR concluded that all potential impacts identified for

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

any environmental topic area would be less than significant; therefore, mitigation measures are not required. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

In the NOP/IS, Section XI (see Appendix A of the EIR), potential for an increased use of water and generation of wastewater was identified; however, the analysis concluded ***less than significant*** impacts for the following environmental checklist questions for the topic of hydrology and water quality:

- Question b) – Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted);
- Question c) – Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion or siltation onsite or offsite or flooding onsite or offsite;
- Question d) – Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- Question e) – Place housing or other structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, which would impede or redirect flood flows;
- Question f) – Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow;
- Question g) – Require or result in the construction of new water or wastewater treatment facilities or new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects; and
- Question h) – Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed; and
- Question i) – Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments.

Additionally, Sections 3.5 and 4.5 in the EIR analyze hydrology and water quality impacts and all potential impacts were found to be less than significant; therefore, mitigation measures are not required. The analysis in the EIR concludes that there is significant water supply to serve the Project in single or multiple day years. Additionally, the EIR finds that there would be adequate onsite wastewater treatment and sufficient wastewater discharge capacity within the LACSD discharge permit.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-14 – Chung Hsien Chen

Comment SM1-14



WRITTEN COMMENT SUBMITTAL FORM

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA

Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco

Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.

Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
Nombre (obligatorio) Chung Hsien Chen

Affiliation / Organization
Afilación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal 3101 Capa Dr. Hacienda Hts.

Email
Correo Electrónico _____

Phone
Teléfono 626 807 7879

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
Comentario(s): shut down it.

Response to Comment SM1-14

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-15 – Sharon Chen

Comment SM1-15



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CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
Nombre (obligatorio) Sharon Chen

Affiliation / Organization
Afiliación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal 3101 Copa Dr. Hacienda Hts

Email
Correo Electrónico _____

Phone
Teléfono 626 818 4598

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si

No / No

Comments

Comentario(s):

Just shut it down

Response to Comment SM1-15

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-16 – Fuyu Hsieh



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-16

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA

Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
Nombre (obligatorio) Fuyu Hsieh

Affiliation / Organization
Afilación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal 1919 Falstone Ave. Hacienda Hts

Email
Correo Electrónico _____

Phone
Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si

No / No

Comments

Comentario(s):

Just shut it down.

Response to Comment SM1-16

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-17 – Melissa Wang

Comment SM1-17



WRITTEN COMMENT SUBMITTAL FORM
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CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required) / Nombre (obligatorio) MELISSA WANG
Affiliation / Organization / Afiliación / Organización _____
Address/City/Zip / Dirección/Ciudad/Código Postal 1518 DUNSWELL AVE. HACIENDA HEIGHTS, CA 91745
Email / Correo Electrónico _____ Phone / Teléfono 626-968-9339

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments / Comentario(s):
Just shut it down.

Response to Comment SM1-17

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-18 – Sheila Ho



WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO
CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Comment SM1-18

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Name (required) / Nombre (obligatorio) Sheila Ho
Affiliation / Organization _____
Address/City/Zip / Dirección/Ciudad/Código Postal 3439 Budleigh Dr., Hacienda Hts. 91745
Email / Correo Electrónico _____ Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s):
— Shut the Factory Down ASAP —

Response to Comment SM1-18

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-19 – [no name provided]

Comment SM1-19



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required)
 Nombre (obligatorio) _____

Affiliation / Organization
 Afiliación / Organización _____

Address/City/Zip
 Dirección/Ciudad/Código Postal _____

Email
 Correo Electrónico _____

Phone
 Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

_____ Yes / Si _____ No / No

Comments
 Comentario(s): We were totally misinformed as to what tonight was supposed to be about. Bottom line - your company has money on our community so hurting healthwise. Our families - children, grandchildren friends that visit are being exposed to all this bad air.

Response to Comment SM1-19

The format of the CEQA scoping meeting held on September 13, 2018 at the Hacienda Heights Community Center was structured in an “open house” format with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility’s processes, the CEQA process, and the proposed Project.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Due to complaints that the style of the first CEQA scoping meeting did not meet attendees' expectations of a more structured meeting format, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled.

The second CEQA scoping meeting was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. A notice of the second CEQA scoping meeting and the NOP/IS public review and comment period extension was published on South Coast AQMD's website on September 27, 2018 and in the Los Angeles Times newspaper on September 28, 2018. The announcement was also transmitted electronically to 710 email addresses on September 28, 2018 and hard copies were mailed on October 2, 2018 and October 3, 2018⁴⁰ to 12,500 addresses within the vicinity of the proposed Project.

The second CEQA scoping meeting held on October 11, 2018 at the Hacienda Heights Community Center included a formal presentation by a seated panel of South Coast AQMD personnel and other agency representatives (e.g., DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and U.S House of Representatives). After the presentation, there was a question-and-answer period during which attendees' comments and questions could be heard by the entire audience.

A summary report following the CEQA scoping meetings was not prepared, however the presentation is available online ([http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-\(for-print\).pdf](http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-(for-print).pdf)), and this appendix contains all the comment letters received during the NOP/IS public comment and review period, the comments received during the two CEQA scoping meetings, and the responses to all comments as required by CEQA Guidelines Section 15088.

Quemetco is an existing facility operating within the City of Industry and is consistent with its industrial zoning and general plan designation. Quemetco has been at the current location for more than 60 years, is an allowed use, and is included in the City of Industry General Plan.

South Coast AQMD has no jurisdiction over the siting of the Quemetco facility or the siting of the schools or residences in the area. However, South Coast AQMD has rules and regulations which are applicable to the Quemetco facility and that require consideration of the proximity of schools, residences and other sensitive receptors when reviewing proposed Projects at the facility.

All potential environmental impacts of the proposed Project have been analyzed in the NOP/IS and EIR. The proposed Project's potential impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, noise, population and housing, public services, recreation, and solid and hazardous waste were analyzed in the NOP/IS and would be less than significant; therefore, these environmental topic areas were not analyzed further in the EIR. The NOP/IS identified the following environmental topic areas requiring further analysis in the EIR: air quality (including

⁴⁰ Paper copies of the notification were sent out via U.S. Postal Service with 8,007 pieces sent on October 2, 2018 and 2,248 pieces sent on October 3, 2018 per U.S. Postal Service Statement of Mailing receipts.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

air toxics) and greenhouse gases, energy, hazards and hazardous materials, hydrology and water quality, and transportation. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Careful consideration was given to the proposed Project's potential public health and sensitive receptors impacts, including schools. The environmental topic areas that directly correlate to public health include air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards). Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions at any of the sensitive receptors, including schools. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-20 – Lisette Avalos-Arellan

Comment SM1-20



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
 Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

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Name (required) / Nombre (obligatorio) Lisette Avalos-Arellano

Affiliation / Organization / Afiliación / Organización Hacienda Heights Resident

Address/City/Zip / Dirección/Ciudad/Código Postal 1245 Ridley Ave Hacienda Heights, CA. 91745

Email / Correo Electrónico arellanolisette@hotmail.com Phone / Teléfono (626)333-6654

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) No / No

Comments

Comentario(s):

How often are Quemetco employees tested for lead, etc.?

I have three young children under the age of 13!
We cannot have Quemetco in our city!

We need a public hearing ASAP.
organized and well-planned.

Response to Comment SM1-20

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

As described in Sections 3.4 and 4.4 of the EIR, Quemetco employees are trained in accordance with the facility's Contingency Plan and Quemetco operates the plant in compliance with all required OSHA health and safety procedures. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts from the proposed Project to the surrounding community. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project),

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Based on feedback from the community at CEQA Scoping Meeting #1, South Coast AQMD scheduled and held CEQA Scoping Meeting #2 on October 22, 2018 according to the structured meeting format request followed by a question-and-answer session. Updated community information slides and handouts were also provided.

Quemetco has safety measures and practices in place for their employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for their employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposure.

As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to its employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. This does not include screening or testing of any facility's employees' blood. Therefore, the amount of lead or other toxics in employees' blood are not a factor in evaluating the proposed Project.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-21 – Carol Oldham

Comment SM1-21



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO
 CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
 Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required) Carol Oldham
 Nombre (obligatorio) Carol Oldham
 Affiliation / Organization resident / citizen
 Afiliación / Organización resident / citizen
 Address/City/Zip 14917 New Vista Pl Hacienda Hts, CA
 Dirección/Ciudad/Código Postal 14917 New Vista Pl Hacienda Hts, CA
 Email oldhamcarol@gmail.com Phone 626 330 4736
 Correo Electrónico oldhamcarol@gmail.com Teléfono 626 330 4736

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) Yes / Si No / No

Comments
 Comentario(s): We have been warned about Quemetco for 35 years. Now, we are talking about increasing its capacity to affect our community negatively! Quemetco should leave.

Response to Comment SM1-21

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility’s feed rate without physical modifications to the existing facility. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. The analysis concluded that proposed Project’s potential environmental effects would be less than significant levels, such that no mitigation measures are required.

Comment SM1-22 – Lee Oldham



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-22

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA

Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Name (required) Lee Oldham
Nombre (obligatorio)
Affiliation / Organization _____
Afilación / Organización
Address/City/Zip 14917 New Vista Place, Hac. Hts, CA 91745
Dirección/Ciudad/Código Postal
Email leeoldham@gmail.com Phone (626)330-4736
Correo Electrónico Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
Comentario(s): Knowing that something has to be done with ~~ba~~ old batteries (etal), why can't someone find a place to do this processing out of bedrooms communities. We owe this to our children and grandchildren. We had homes in the Hacienda Heights area long before even the invention of the battery. Just ask any descendent of William Workman, John A. Rowland or Mr. Temple, whose homestead is a center of present-day historical interest and is in breathing distance of Quemetco.

Response to Comment SM1-22

Quemetco is an existing facility operating within the City of Industry and is consistent with its industrial zoning and general plan designation. Quemetco has been at the current location for more than 60 years, is an allowed use and is included in the City of Industry General Plan.

South Coast AQMD has no jurisdiction over the siting of the Quemetco facility or the siting of the schools or residences in the area. However, South Coast AQMD has rules and regulations which are applicable to the Quemetco facility and that require consideration of the proximity of schools, residences and other sensitive receptors when reviewing proposed Projects at the facility.

Additionally, South Coast AQMD does not have the authority to require the facility to be relocated or for a different activity to be put on this site. Please refer to Master Response to Shut Down and/or Relocate the Facility for additional information. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-23 – Sharon McLaughlin



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

Comment SM1-23

CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Name (required) / Nombre (obligatorio) Sharon McLaughlin
 Affiliation / Organization / Afiliación / Organización resident
 Address/City/Zip / Dirección/Ciudad/Código Postal PO Box 2654 Avocado Heights, CA
 Email / Correo Electrónico sharonmclaughlin333@hotmail.com Phone / Teléfono 91746

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

Comments / Comentario(s): Start testing soil, human hair & nail tests & release into in a timely manner.

Close down Quemetco Lead, Arsenic & heavy metals are BAD, even in small amounts

Response to Comment SM1-23

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination, and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility. The EIR includes an analysis of the potential air quality and GHG emissions (including an HRA to assess air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA which is summarized in Section 4.2. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the potential net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required. Further, testing of hair and nails is not part of the South Coast AQMD method for assessing public health impacts as part of a CEQA assessment. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. This does not include requiring health screening or testing of hair or nails.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-24 –J. Luis Ceballos

Comment SM1-24



WRITTEN COMMENT SUBMITTAL FORM
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Name (required) / Nombre (obligatorio) J. LUIS CEBALLOS
Affiliation / Organization / Afiliación / Organización C.A.C
Address/City/Zip / Dirección/Ciudad/Código Postal 1212 HONSFORD AVE WHITTIER, CA 90601
Email / Correo Electrónico J.LUIS.CEBALLOS@C.A.C.COM Phone / Teléfono 323 371 4032

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments / Comentario(s): _____

I am very concern about the request by Quemetco of increasing their production. Why? because the most production they do is more chemicals release to the atmosphere, and our air quality will get real impacted with this request. I really hope the state and county authorities don't grant this permit and stop it for good. We have already a bad, very bad contamination by this company already.
Please stop THEIR REQUEST!!!
THANKS.

Response to Comment SM1-24

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility’s feed rate without physical modifications to the existing facility. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

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Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Quemetco is an existing operating facility which operates pursuant to existing air permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.” Under CEQA, project alternatives and mitigation measures are only required when potentially significant impacts are identified. Nonetheless, an alternatives analysis has been provided.

Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-25 – Enrique Hernandez

Comment SM1-25



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Name (required) / Nombre (obligatorio) Enrique Hernandez
 Affiliation / Organization / Afiliación / Organización Vecino de la Comunidad (Community Neighbor)
 Address/City/Zip / Dirección/Ciudad/Código Postal 14522 Novak St. Hacienda HTS, CA 91744
 Email / Correo Electrónico ehernandez977@yahoo.com Phone / Teléfono 626-4207307

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

Comments / Comentario(s): we lived about 25 years in Hacienda HTS and always we live with fear about lead our plants get sick very often and our neighbors had lose their family because lungs cancer. so we as a community need to move Quemetco of our city.

Response to Comment SM1-25

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Comment SM1-26 – F. Riddy

Comment SMI-26



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Name (required) / Nombre (obligatorio) F. RIDDY
 Affiliation / Organization / Afiliación / Organización HHIA
 Address/City/Zip / Dirección/Ciudad/Código Postal 184 VALLECITO DR, HACIENDA HTS CA 91745
 Email / Correo Electrónico FWRIDDY@FRRIDDY.COM Phone / Teléfono 626 333 3614

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s):
HOW OFTEN ARE QUOMETCO EMPLOYEES BLOOD TESTED FOR HEAVY METALS? TREATMENT PROVIDED?
HOW OFTEN ARE FILTERS CLEANED? HOW WELL DO YOU CLEAN THE AIR FROM YOUR FACILITY THAT GOES OUTSIDE THE PLANT?
DO YOU PROVIDE TESTING FOR HEAVY METALS FOR CLOSE RESIDENTS? TREATMENT FOR THOSE WHO SHOW TOXIC LEVELS?
HAVE YOU CONSIDERED MOVING TO AN AREA AS REMOTE AS THIS ONE WAS WHEN THE PLANT WAS 1ST BUILT?

Response to Comment SM1-26

South Coast AQMD is not a land use agency and does not at this time have the authority over the siting of this facility. Additionally, South Coast AQMD does not have the authority to require the facility to be relocated or for a different activity to be put on this site. Refer to Master Response to Shut Down and/or Relocate the Facility.

The air quality impacts of the proposed Project are discussed in Section 4.2 of the EIR. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D of the EIR).

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, addressing historic soil contamination and are not necessarily reflective of today's activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. The area established by DTSC as "Quemetco's Impacted Area" has been remediated and the report findings are awaiting DTSC's review and approval. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions; therefore, no further soils analysis is required.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Quemetco's air pollution control systems are regularly inspected daily and maintained in accordance with its Title V air permit. Quemetco has safety measures and practices in place for their employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for their employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures. As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to their employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Project's *environmental* impacts. This does not include requiring screening or testing of any facility's employees' blood.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Comment SM1-27 – Anna Valenzuela

Comment SM1-27



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO
 CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
 Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

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Name (required) / Nombre (obligatorio) Anna Valenzuela
 Affiliation / Organization / Afiliación / Organización concerned resident - mother, grandmother
 Address/City/Zip / Dirección/Ciudad/Código Postal 1231 Ridley Ave. HH 91745
 Email / Correo Electrónico chocolatechip1231@gmail Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s): _____

Water Testing - Need Results Public -
Soil testing - Need Results Public -
Is there a Health Testing of Community - Adverse Effects living near toxic elements?
MOST RECEIVED Air Quality Results - Need Results Public

Response to Comment SM1-27

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, addressing historic soil contamination and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions; therefore, no further soils analysis is required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

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An assessment of air quality and GHG emissions is presented in Section 3.2, 4.2 and Appendix D. A description of source testing locations, CEQA and air monitoring stations is located in Section 2.4.7: Air Pollution Control Systems and depicted in Figure 2.8 in Chapter 2 – Proposed Project.

Quemetco does not discharge to groundwater and only discharges: (1) treated water to LACSD’s sanitary sewer per its waste discharge permit; and (2) treated stormwater to the applicable storm water outfall per its stormwater general industrial permit. Refer to hydrology and water quality environmental setting in EIR Section 3.5 and potential environmental impacts in Section 4.5 for more information on water testing and hydrology and water quality impacts.

The EIR concluded that all of the proposed Project’s potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-28 –Raul Santos

Comment SM1-28



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CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Name (required) / Nombre (obligatorio) RAUL SANTOS
 Affiliation / Organization / Afiliación / Organización Clean Air Coalition (CAC)
 Address / City / Zip / Dirección / Ciudad / Código Postal 1339 GOODHART AVE, N. WHITTIER, CA 90601
 Email / Correo Electrónico raulitots11@gmail.com Phone / Teléfono 626-715-1514

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

Comments / Comentario(s): I have lived in N. WHITTIER since 1971. my children have been exposed to this company's pollution. please discontinue the production of pollutants in our area, our air, our soil, our water. PLEASE!!!

Response to Comment SM1-28

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-29 – Clean Air Coalition of North Whittier and Avocado Heights, Theresa Guevera

Comment SM1-29



WRITTEN COMMENT SUBMITTAL FORM

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Name (required) Theresa Guevara
Nombre (obligatorio)
Affiliation / Organization Clean Air Coalition
Afiliación / Organización
Address/City/Zip 13504 E. Deepriver Dr. Whittier
Dirección/Ciudad/Código Postal
Email Teddyguevara@reagan.com Phone 626-8621237
Correo Electrónico Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) No / No

Comments
Comentario(s): Why ~~cannot~~ besides besides money cant you move your plant.?

Where was AQMD - when the company Exide(?) was when the company was letting the neighborhood was getting sick - and company was letting fluid leak.

Response to Comment SM1-29

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

While Quemetco and Exide are both battery recyclers, Exide's operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Further, the details of Exide's operations, facility design and air pollution control systems were not the same as Quemetco's operations, facility design and air pollution control systems. Exide began operation in the 1920s, several decades earlier than Quemetco.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide's last two full years of operation, 2014 and 2013, Exide's lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to SCAQMD and obtained via SCAQMD's FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013). Moreover, Exide's past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. For these reasons, information pertaining to the Exide facility and its previous operations are not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM1-30 – John Vacenzuela

Comment SMI-30



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Name (required) / Nombre (obligatorio) JOHN VACENZUELA

Affiliation / Organization / Afiliación / Organización _____

Address/City/Zip / Dirección/Ciudad/Código Postal 1234 VALENCIA AVE HACIENDA HTS 91745

Email / Correo Electrónico _____ Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments / Comentario(s):
I WOULD LIKE THE RESULTS OF THE SOIL TEST RELEASSED BEFORE ANY FINAL DECISION IS MADE. PAST REPORTS HAVE SHOWN SIGNIFICANT AMOUNTS OF LEAD & OTHER POLLUTANTS IN THE SURROUNDING AREA.

Response to Comment SM1-30

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, addressing historic soil contamination and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

action and implementation of that work plan. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) are less than significant; therefore, mitigation measures are not required.

DTSC is a responsible agency in the CEQA process for the proposed Project and has been consulted in the preparation of the EIR. The EIR does not analyze impacts associated with DTSC's RCRA permit renewal analysis because the RCRA renewal is undergoing a separate CEQA review that is being conducted by the DTSC and is a permit activity with independent utility. For these reasons, the pending RCRA renewal and associated CEQA evaluation conducted by DTSC is a separate activity from the proposed Project and the CEQA evaluation conducted in this EIR. DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: "will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through

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regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

The EIR concluded that all of the proposed Project's potential impacts would be less than significant.

Comment SM1-31 – Kathy Tahmizian

Comment SM1-31



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Name (required) / Nombre (obligatorio) Kathy Tahmizian
 Affiliation / Organization / Afiliación / Organización Resident of 51 years
 Address/City/Zip / Dirección/Ciudad/Código Postal 526 Greendale Dr. La Puente, CA 91746
 Email / Correo Electrónico imkatlady@aol.com Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s): Stop this project!!!
In my neighborhood alone there has been an extremely high rate of cancer deaths.

Response to Comment SM1-31

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility’s feed rate without physical modifications to the existing facility. The air quality impacts of the proposed Project are discussed in Section 4.2. The EIR also includes an HRA, which analyzes the potential health risks (including cancer risks) to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles). Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact (including cancer risks) from the proposed Project would not generate significant public health impacts from toxic air emissions nor contribute to the community cancer risk.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Comment SM1-32 – Sam Ho

Comment SM1-32



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Name (required) SAM HO
Nombre (obligatorio) _____
Affiliation / Organization _____
Afiliación / Organización _____
Address/City/Zip 3439 Audleigh Dr. Hacienda Hts.
Dirección/Ciudad/Código Postal _____
Email _____ Phone _____
Correo Electrónico _____ Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
_____ Yes / Si
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
_____ No / No

Comments
Comentario(s): Just shut it down.

Response to Comment SM1-32

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

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Comment SM1-33 – Clean Air Coalition of North Whittier and Avocado Heights, Alvaro Mendoza



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-33

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Name (required)
Nombre (obligatorio) Alvaro Mendoza

Affiliation / Organization
Afilación / Organización Clean Air Coalition

Address/City/Zip
Dirección/Ciudad/Código Postal 13176 Don Julian Rd., La Puente, CA 91746

Email
Correo Electrónico almendoza5@yahoo.com Phone
Teléfono (626) 622-7693

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
Comentario(s): I strongly disagree with the request to increase production at Quemetco. What AQMD and the state's DTSC should be focusing their efforts in is on assessing the health problems in the community from years and years of pollution from Quemetco. Quemetco should be shut down immediately! Our residential communities are considered disadvantaged by CalEPA and OEHHA. We need environmental and social justice in our communities, not more pollution and cancer!

Response to Comment SM1-33

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility.

Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified. Chapter 4 – Environmental Impact Analysis of the EIR

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analyzed the following environmental topic areas to determine if potentially significant impacts would occur from the proposed Project: air quality and GHGs (including air toxics), energy, hazardous materials, hydrology and water quality, and transportation impacts. The analysis concluded that the proposed Project's potential environmental effects were less than significant such that no mitigation measures or alternatives analysis are required. Nonetheless, while not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR includes a discussion of project alternatives that were considered, with some at the suggestion or in response to public comment, including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

While economic or social information may be included in an EIR and presented in whatever form the agency desires, CEQA Guidelines Sections 15064 and 15131 state that economic and social changes resulting from a project shall not be treated as significant effects on the environment. In addition, neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of social or environmental justice or property values when evaluating the environmental effects of the proposed Project.

Under state law, for non-CEQA purposes "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. [Government Code Section 65040.12(e).] Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects. Social justice means the fair access of all people to wealth, opportunities and privileges in a society.

South Coast AQMD adopted an environmental justice initiative to ensure that everyone has the right to equal protection from air pollution and fair access to the decision-making process that works to improve the quality of air within their communities. Environmental justice is program is defined by South Coast AQMD as the *"...equitable environmental policymaking and enforcement to protect the health of all residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution."* One of South Coast AQMD's top environmental justice priorities is the implementation of ABs 617 and 134 (<http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134>). The Quemetco facility and its surrounding community is not currently designated as an AB 617 community eligible for incentive funding. It is important to note however, for communities awarded with incentive funds, the money is allocated for projects or improvements that would provide an environmental benefit for the entire community. As such, financial compensation to individual residents is not a feature of the incentive funding structure for AB 617 communities.

While neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of social or environmental justice or property values when evaluating the environmental effects of the proposed Project, South Coast AQMD considers disproportionate impacts on disadvantaged communities by evaluating the proposed Project's potential public health and environmental impacts via its permitting process. Moreover, the EIR includes an extensive analysis of the potential impacts from the proposed Project on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation

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and traffic impacts. In addition, public health impacts associated with the proposed Project were analyzed in an HRA (see Section 4.2 and Appendix D of the EIR). The analysis of all environmental topic areas evaluated in the EIR for the proposed Project found that all potential impacts would be less than significant. Therefore, the proposed Project would have less than significant impacts to public health.

Comment SM1-34 – Paul Debeon



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-34

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Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco

Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.

Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

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Name (required) Paul Debeon
Nombre (obligatorio)

Affiliation / Organization _____
Afilación / Organización

Address/City/Zip 1526 Jonlu St. Hac. Hts CA 91745
Dirección/Ciudad/Código Postal

Email PRN240@gmail.com Phone (626) 336 0423
Correo Electrónico Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) <input checked="" type="checkbox"/> Yes / Si	¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) <input type="checkbox"/> No / No
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Comments
Comentario(s): _____

Serious concern at pollution and control of air quality
Plant should be relocated.

Response to Comment SM1-34

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Quemetco is an existing operating facility with air pollution control systems and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility. The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D of the EIR. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). All of the proposed Project's potential environmental impacts were found to be less than significant.

Comment SM1-35 – Feliciano Alvarado

Comment SM1-35



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO
 CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Name (required) / Nombre (obligatorio) FELICIANO ALVARADO
 Affiliation / Organization / Afiliación / Organización _____
 Address/City/Zip / Dirección/Ciudad/Código Postal 2749 CARDILLO AVE HACIENDA HTS CA 91745
 Email / Correo Electrónico CHANOTCA@YAHOO.COM Phone / Teléfono (626) 589 8237

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments / Comentario(s): _____

(1) DISCUSS THE CITY OF VERNON FACILITY.
(A) WHAT HAPPEN?
(B) WHY IS IT SO DANGEROUS AND TOXIC

(2) WHAT WOULD HAPPEN IN THE EVENT OF A FIRE AT THE FACILITY?
WE NEED THE FIRE DEPARTMENT TO ADDRESS THIS POTENTIAL DISASTER,

Response to Comment SM1-35

Quemetco is an existing operating facility which operates pursuant to existing air permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria.

Quemetco does not operate a facility in the City of Vernon and is unrelated to any other facility in the City of Vernon. Since the proposed Project is for the Quemetco facility located in the City of Industry, the analysis in the EIR focuses on Quemetco and the proposed Project and does not address any facilities that are located in the City of Vernon, which is approximately 17 miles away. The EIR includes an analysis of the potential hazards and hazardous materials (including fire hazards and accidental releases) impacts from the proposed Project in Section 4.4. The EIR found that all of the proposed Project's potential impacts would be less than significant.

Comment SM1-36 –James Garcia



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-36

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Name (required) / Nombre (obligatorio) JAMES GARCIA
 Affiliation / Organization / Afiliación / Organización CAE
 Address/City/Zip / Dirección/Ciudad/Código Postal 940 CANNINGTON DR. WHITTIER, CA 90601
 Email / Correo Electrónico N/A Phone / Teléfono 562-632-6408

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s):
1. NO TO THE EXPANSION / SHUT DOWN IMMEDIATELY
1. WE DON'T WANT HAZARDOUS WASTE
2. WE DON'T WANT TRUCK TRAFFIC
3. WE DON'T WANT MORE GALLONS OF WASTE
4. OUR COMMUNITY IS DYING OF CANCER AND OTHER DISEASES. DYING CANCERS, ETC.
5. WE DON'T WANT 7 DAYS A WEEK / 24 HOURS OF POLLUTION A DAY.

Response to Comment SM1-36

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

As described in Chapter 2 - Proposed Project, Quemetco is currently a 24-hour facility that is permitted to handle and process feed stock and other materials. The facility is required to operate multiple air pollution control systems at all times. The EIR includes an extensive analysis of the potential impacts from the proposed Project on air quality and GHG emissions (including air

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation and traffic impacts. In addition, public health impacts associated with the proposed Project were analyzed in an HRA (including assessing cancer risks) (see Section 4.2 and Appendix D of the EIR). All of the proposed Project's potential environmental impacts involved be less than significant.

Comment SM1-37 – Sam Ou

Comment SM1-37



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Name (required) Sam Ou
Nombre (obligatorio)

Affiliation / Organization
Afilación / Organización

Address/City/Zip P.O. Box 5093, HH, CA 91745
Dirección/Ciudad/Código Postal

Email ouyang3@hotmail.com Phone
Correo Electrónico ouyang3@hotmail.com Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) No / No

Comments
Comentario(s): please move out the area. !!!

Response to Comment SM1-37

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-38 – Harvey & Jeanie Yoshihara



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-38

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

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Name (required) / Nombre (obligatorio) Harvey & Jeanie Yoshihara

Affiliation / Organization / Afiliación / Organización _____

Address/City/Zip / Dirección/Ciudad/Código Postal 15211 Folger Street Hacienda Heights, CA 91745

Email / Correo Electrónico AKULAFISH@YAHOO.COM Phone / Teléfono 626 516 5982

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 Yes / Si No / No

Comments / Comentario(s): How can we get notification of these public hearings? I live by gale ave, none of my neighbors received notice.

Do you have data on how this company's toxins have impacted the people that lived near the area?

Response to Comment SM1-38

At the time of the release of the NOP/IS for the 32-day public review and comment period (which was extended for an additional 24 days), 5,745 letters were mailed and 710 emails were sent to notify the public of availability of the NOP/IS and the CEQA Scoping Meeting #1; 12,500 letters were mailed and 710 emails were sent to inform people of CEQA Scoping Meeting #2. The address has been added to the notification list for the proposed Project, along with all individuals who submitted public comments and provided their complete contact information so as to receive future notifications. Additionally, information regarding Quemetco is available on the South Coast AQMD's website at <http://www.aqmd.gov/home/news-events/community-investigations/quemetco>. The EIR includes an analysis of the potential air quality and GHG emissions (including baseline and proposed Project air toxics) in Section 4.2 and Appendix D. All of the proposed Project's potential impacts would be less than significant.

Comment SM1-39 – Gordon Lu

Comment SM1-39



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Name (required)
 Nombre (obligatorio) Gordon Lu

Affiliation / Organization
 Afiliación / Organización Resident

Address/City/Zip
 Dirección/Ciudad/Código Postal 1149 Kinbrae Avenue

Email
 Correo Electrónico gorlu326@gmail.com

Phone
 Teléfono 626-615-9769

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si No / No

Comments
 Comentario(s): The air pollution in California is definitely going to affect future generations. People think it is fine to air pollute because other people are working on recycling, and reusing. It is not fine! Making a better future affects us. It makes you feel like your children are safer. US humans care about our children and pets, so why pollute their future world.

Response to Comment SM1-39

South Coast AQMD’s mission includes a responsibility within its jurisdiction to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.” The EIR analyzed all of the proposed Project’s potential environmental impacts and determined that all impacts and determined that all impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-40 –Diane Mihara



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-40

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Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco

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Name (required)
Nombre (obligatorio) Diane Mihara

Affiliation / Organization
Afilación / Organización Clean Air Coalition

Address/City/Zip
Dirección/Ciudad/Código Postal 621 Percin Dr Whittier 90601

Email
Correo Electrónico diane@mihara@gmail.com Phone
Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / SI No / No

Comments
Comentario(s): SCAQMD & DTSC should have presented the results of testing that was done & what they are doing to maintain a clean & healthy environment. What is the status of Quemetco's request to increase production or disassembling of batteries by 25%.
No real information was given at this presentation

Response to Comment SM1-40

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and are not necessarily reflective of today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. The area established by DTSC as “Quemetco’s Impacted Area” has been remediated and the report findings are awaiting DTSC’s review and approval. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. The EIR concluded that all of the proposed Project’s potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

South Coast AQMD has prepared the NOP/IS and Draft EIR in compliance with CEQA Guidelines Section 15121(a); the NOP/IS and EIR are to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

Based on feedback from the community at CEQA Scoping Meeting #1, South Coast AQMD scheduled and held CEQA Scoping Meeting #2 on October 22, 2018 according to the structured meeting format request followed by a question-and-answer session. Updated community information slides and handouts were also provided. Additionally, information regarding Quemetco is available on South Coast AQMD’s website at <http://www.aqmd.gov/home/news-events/community-investigations/quemetco>.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-41 – Arlene Sandoval



WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

Comment SM1-41

CEQA Scoping Meeting / La Reunión Pública de CEQA
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Name (required) / Nombre (obligatorio) Arlene Sandoval
Affiliation / Organization / Afiliación / Organización _____
Address/City/Zip / Dirección/Ciudad/Código Postal 1134 Beech Hill Ave. 91745
Email / Correo Electrónico david.arlene.sandoval@gmail.com Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments / Comentario(s): Do not let profits go before the health of our community. Get them out, make them stop.
Stop enabling them to continue a bad business with numerous examples of violations and failed attempts (if you can call it that) at improving their safety practices.

Response to Comment SM1-41

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

South Coast AQMD’s mission includes a responsibility to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.” The EIR analyzed the

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

proposed Project’s potential environmental impacts and found all impacts would be less than significant.

In addition, detailed information regarding Quemetco’s alleged permit violations and settlements are discussed in EIR Section 3.2 and Appendix C. OSHA has jurisdiction over safety practices, discussed in Section 3.4.

Comment SM1-42 –Rebecca Overmeyer-Velazquez

Comment SM1-42



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Name (required) / Nombre (obligatorio) Rebecca Overmeyer-Velazquez
 Affiliation / Organization / Afiliación / Organización Clean Air Coalition of North Whittier + Avocado Heights
 Address/City/Zip / Dirección/Ciudad/Código Postal Whittier CA 90601
 Email / Correo Electrónico rebecca@cleanaircoalition.org Phone / Teléfono 626 961 5453

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

Comments / Comentario(s): No increase! Period. Quemetco has polluted this community for way too long already and there has never been adequate testing and clean up of the surrounding neighborhoods. Why would you permit an increase in production for a facility like this in the midst of a residential area? They are currently operating on an expired DTSC permit! We still don't have DTSC's soil test results!

Response to Comment SM1-42

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today’s activity and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

A discussion of the facility's DTSC permit and renewal process can be found in Section 3.2 and Appendix C in the EIR. The Hazardous Waste Facility Operation and Post-Closure Permit (RCRA permit) was initially issued by DTSC on September 15, 2005, and is currently in a renewal process. This RCRA permit allows Quemetco to operate the equipment and processes relevant to the Capacity Upgrade Project as miscellaneous hazardous waste management units (HWMUs) along with the other HMWUs at the facility. The current permit establishes maximum capacities for each piece of equipment and a maximum daily throughput for the reverberatory furnace, electric arc furnace, and rotary/kiln feed dryer.

DTSC is a CEQA responsible agency with regards to the proposed Project and has discretionary approval. The proposed Project does not include any physical facility modifications or new activities that could contribute to a change in existing onsite hazards. Please refer to Master Response on DTSC Soils Investigations and Remediation. For these reasons, the outcome of the DTSC soils studies will have no effect on the assessment of the proposed Project. Additionally, Quemetco will continue to be required to comply with all applicable programs, plans, and regulations relating to hazards and hazardous materials including DTSC's RCRA permit.

The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Quemetco is an existing facility operating within the City of Industry and is consistent with its industrial zoning and general plan designation. Quemetco has been at the current location for more than 60 years and is included in the City of Industry General Plan. Further, Quemetco is an allowed use within the City of Industry and the proposed Project does not trigger any discretionary actions by the City of Industry.

South Coast AQMD has no jurisdiction over the siting of the Quemetco facility or the siting of the schools or residences in the area. However, South Coast AQMD has rules and regulations which are applicable to the Quemetco facility and that require consideration of the proximity of schools, residences and other sensitive receptors when reviewing proposed Projects at the facility.

Additionally, South Coast AQMD does not have the authority to require the facility to be relocated or for a different activity to be put on this site. Chapter 5 of the EIR analyzes the

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-43 – Bernice Tran



WRITTEN COMMENT SUBMITTAL FORM
 FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

Comment SM1-43

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Name (required)
 Nombre (obligatorio) BERNICE TRAN

Affiliation / Organization
 Afiliación / Organización RESIDENT

Address/City/Zip
 Dirección/Ciudad/Código Postal 1149 Kinbridge Ave

Email
 Correo Electrónico yoshimi2000-103@yahoo.com Phone
 Teléfono 626-615-9766

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments

Commentario(s): technology is not enough for cleaning our air. Trees aren't going to produce jim this air. We have to work for our health. People won't want to come out of their houses. This can lead to not exercising and we live shorter. our average life span is about 70-80 years old. It will drop to 40s, and we won't have new technology. Remember how we won't like everything. that leads to a bad mood, which comes to
A WORLD OF NEGATIVITY! STOP THE FACTORY!

Response to Comment SM1-43

A description of source testing locations, CEMS and air monitoring stations is located in EIR Section 2.4.7: Air Pollution Control Systems and depicted in Figure 2.8 in Chapter 2 – Proposed Project. The Quemetco facility CEMS are used for monitoring various pollutants, and the daily readings from the CEMS are used to demonstrate compliance with South Coast AQMD rules and regulations including Rule 1420.1. Additionally, ambient air quality monitoring stations located around the facility’s perimeter and in the area surrounding the facility provide additional data for lead and arsenic. With the new CO CEMS included with the proposed Project, Quemetco will have five CEMS monitors: CO, CO2, NOx, SOx and arsenic. Information about South Coast

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

AQMD's offsite air monitoring station is located here: <http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The potential impacts to biological resources, which includes trees, analyzed in the NOP/IS Section IV. No potential impacts to biological resources or trees were identified. The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. All of the proposed Project's potential impacts would be less than significant.

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

Comment SM1-44 –Rose Gudid Escobar

Comment SMI-44



WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

Favor de tomar nota: la información proveída por usted en esta tarjeta (incluyendo información de contacto y personal) es un registro público y será liberada en respuesta a una solicitud de registros públicos bajo la ley de California que en ingles se titula "California Public Records Request Act."

Name (required) / Nombre (obligatorio) Rose Gudid Escobar
Affiliation / Organization / Afiliación / Organización SEIU 1000 / Poor Peoples Campaign / ACE
Address/City/Zip / Dirección/Ciudad/Código Postal 91746
Email / Correo Electrónico gudbar2013@gmail.com Phone / Teléfono 626 324 5967

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si No / No

Comments / Comentario(s): Put your hand on your heart my comment is simple stop considering corporate gain and think about all the ~~disadvantaged~~ people that will be affected by this increase. This is a moral issue. Do what is right for the people.

Response to Comment SM1-44

South Coast AQMD’s mission includes a responsibility to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.”

The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. The EIR found that all of the proposed Project’s potential environmental impacts would be less than significant.

Comment SM1-45 – Ronald Lu



Comment SM1-45

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Name (required) / Nombre (obligatorio) Ronald Lu

Affiliation / Organization / Afiliación / Organización N/A

Address/City/Zip / Dirección/Ciudad/Código Postal 1149 KINPTAK AVE 91745

Email / Correo Electrónico ~~scott@quemetco.com~~ jarry elnn@yahoo.com Phone / Teléfono 626 - 615 - 9769

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments / Comentario(s): This is a large problem that many should be concerned about. If not addressed this issue can affect many people in the vicinity. This factory produces many large emissions of air pollution everyday. Especially near this residential suburban area, this ongoing process may affect the people nearby in the long term.

Response to Comment SM1-45

The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas, including residences, from the proposed Project (see Section 4.2 and Appendix D). The EIR found that all of the proposed Project’s potential environmental impacts would be less than significant.

Comment SM1-46 – Jason Miller

Comment SM1-46



WRITTEN COMMENT SUBMITTAL FORM
FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

CEQA Scoping Meeting / La Reunión Pública de CEQA
Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
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Name (required)
Nombre (obligatorio) Jason Miller

Affiliation / Organization
Afilación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal _____

Email
Correo Electrónico jason.miller03@hotmail.com Phone
Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
Comentario(s): No No No! It too much "toxic" pollution in one place. find a low populated area and open a small plant. It doesn't matter that it's the only one the people in this neighborhood's health should not be put even more at risk.

Response to Comment SM1-46

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility. The EIR found that all of the proposed Project's potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-47 – Joe R. Lujano

Comment SM1-47



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Name (required)
Nombre (obligatorio)

JOE R LUJANO

Affiliation / Organization
Afilación / Organización

Address/City/Zip

Dirección/Ciudad/Código Postal

15960 Conna Ct. H.Hts CA 91745

Email

Correo Electrónico

joserlujano@yahoo.com

Phone

Teléfono

(626) 893-3567

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)

Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

No / No

Response to Comment SM1-47

No comment was provided; thus, no response is required. The address has been added to the notification list for the proposed Project.

Comment SM1-48 – Maria Elena Nunez



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-48

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

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Name (required)
Nombre (obligatorio) MARIA ELENA Nunez

Affiliation / Organization
Afilación / Organización Resident

Address/City/Zip
Dirección/Ciudad/Código Postal 4540 EADDEROOK DR. HAC. Hgts. Ca 91745

Email
Correo Electrónico zenun69@yahoo.com Phone
Teléfono 626-335-0450

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si No / No

Comments
Comentario(s): Needs to be shut down! Last my husband to Cancer! I've lived here for 40 years last residence was down on Dover field / gate many residents came down with Cancer! young and old!

Response to Comment SM1-48

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. To estimate public health impacts from the proposed Project’s air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project’s potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. The EIR found that all of the proposed Project’s potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-49 – Andrea Gorden

Comment SM1-49



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Name (required) / Nombre (obligatorio) Andrea Gorden
 Affiliation / Organization / Afiliación / Organización _____
 Address/City/Zip / Dirección/Ciudad/Código Postal 91745
 Email / Correo Electrónico agorden91@gmail.com Phone / Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

Comments / Comentario(s):
 ① How many violations in the last 10 years?
 ② How much pollutants have been released into the air because of those violations?
 ③ What types of toxins/chemicals were released?
 ④ Why weren't the County representatives allowed to speak tonight?
 ⑤ Why weren't the County reps allowed to speak?
 ⑥ Why weren't the public allowed to ask questions and get answers?

Response to Comment SM1-49

The South Coast AQMD rules and regulations which are applicable to the facility and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status and previous violations, are discussed in Section 3.2 and Appendix C of the EIR. The potential air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D for list of toxins modeled).

The format of CEQA Scoping Meeting #1 held on September 13, 2018 at the Hacienda Heights Community Center was structured in an "open house" format with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility's processes, the CEQA process, and the proposed Project. Although attendees including the alleged county representative mentioned in this comment were interested in speaking at this CEQA Scoping Meeting #1, because that was not the planned format and there were no transcribers at this meeting, public speaking was not included at this meeting.

Due to complaints that the style of the first CEQA scoping meeting did not meet attendees' expectations of a more structured meeting format, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled.

The second CEQA scoping meeting was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. A notice of CEQA Scoping Meeting #2 and the NOP/IS public review and comment period extension was published on South Coast AQMD's website on September 27, 2018 and in the Los Angeles Times newspaper on September 28, 2018. The announcement was also transmitted electronically to 710 email addresses on September 28, 2018 and hard copies were mailed on October 2, 2018 and October 3, 2018⁴¹ to 12,500 addresses within the vicinity of the proposed Project.

The second CEQA scoping meeting held on October 11, 2018 at the Hacienda Heights Community Center included a formal presentation by a seated panel of South Coast AQMD

⁴¹ Paper copies of the notification were sent out via U.S. Postal Service with 8,007 pieces sent on October 2, 2018 and 2,248 pieces sent on October 3, 2018 per U.S. Postal Service Statement of Mailing receipts.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

personnel and other agency representatives (e.g., DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and U.S House of Representatives). After the presentation, there was a question-and-answer period during which attendees' comments and questions could be heard by the entire audience.

the scoping meeting presentation is available online ([http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-\(for-print\).pdf](http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-(for-print).pdf)), and this appendix contains all the comment letters received during the NOP/IS public comment and review period, the comments received during the two CEQA scoping meetings, and the responses to all comments as required by CEQA Guidelines Section 15088.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-50 – Chris Sanchez

Comment SM1-50



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Name (required) / Nombre (obligatorio) Chris Sanchez
Affiliation / Organization / Afiliación / Organización Community Volunteer
Address/City/Zip / Dirección/Ciudad/Código Postal 14430 Shadybend Dr. HH 91745
Email / Correo Electrónico Sassi@clubnet.net Phone / Teléfono 626-468-6723

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

Comments / Comentario(s): We have lived in HH for 48 yrs. We have been very concerned w/ the deadly chemicals spuing from Quemetco. To allow them to increase their production and truck traffic would be criminal. I use the word strongly!
We have neighborhood pockets of disease such as cancers, cardiac ailments, skin problems etc.
Point of interest - why are they the only like company west of the Rockies? - because they are not ignorant to the destruction to our precious air!

Response to Comment SM1-50

The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. The location of other lead smelters in North America is included Chapter 5. It is difficult to know for certain why Quemetco is the only lead smelter west of the Rockies, however the facility’s location was established for this use in 1959 and Quemetco has been updating its facility to meet the increasingly more stringent requirements for this type of operation including South Coast AQMD’s Rule 1420.1.

Comment SM1-51 – Genara Lopez

Comment SM1-51



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Name (required) GENARO LOPEZ
Nombre (obligatorio)

Affiliation / Organization RESIDENT
Afilación / Organización

Address/City/Zip 14607 FAIRBURY ST. HACIENDA HEIGHTS CA 91746
Dirección/Ciudad/Código Postal

Email GENARO LOPEZ I I @ YAHOO.COM Phone 310-425-6853
Correo Electrónico Teléfono

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si No / No

Comments
Comentario(s): I LIVE 1 BLOCK AWAY FROM QUEMETCO. NO WAY TO AN INCREASE IN PRODUCTION. PLEASE SHUT DOWN MY KIDS TESTED HIGH IN THE USC TEST.

Response to Comment SM1-51

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

The comment includes information about the USC test without supporting details so that South Coast AQMD cannot verify this information. Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health’s Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health’s on-going support for the Quemetco community, visit their website at:

<http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>. The EIR found that all of the proposed Project’s potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-52 – Ivan Zelada



WRITTEN COMMENT SUBMITTAL FORM Comment SM1-52
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Name (required) Ivan Zelada
 Nombre (obligatorio) _____
 Affiliation / Organization Resident
 Afiliación / Organización _____
 Address/City/Zip Hacienda Heights
 Dirección/Ciudad/Código Postal _____
 Email ivan_zelada@hotmail.com Phone _____
 Correo Electrónico _____ Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) Yes / Si
 ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.) No / No

Comments
 Comentario(s): Can you please include the Exide environmental effects on the community in East LA on this CEQA??

Response to Comment SM1-52

While Quemetco and Exide are both battery recyclers, Exide’s operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Further, the details of Exide’s operations, facility design and air pollution control systems were not the same as Quemetco’s operations, facility design and air pollution control systems. Exide began operation in the 1920s, several decades earlier than Quemetco.

Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide’s last two full years of operation, 2014 and 2013, Exide’s lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to SCAQMD and obtained via SCAQMD’s FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013). Moreover, Exide’s past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. For these

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

reasons, information pertaining to the Exide facility and its previous operations are not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-53 – Eduardo Guijarro

Comment SM1-53



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CEQA Scoping Meeting / La Reunión Pública de CEQA
 Quemetco Capacity Upgrade Project / Proyecto de Mejora de la Capacidad de Quemetco
 Thursday, September 13, 2018, 6:00 p.m. - 8:00 p.m.
 Hacienda Heights Community Center, 1234 Valencia Avenue, Hacienda Heights, CA 91745

Note: Information provided by you on this form (including contact or other personal information) is a public record and may be released in response to a California Public Records Act Request.

Favor de tomar nota: la información proveída por usted en esta tarjeta (incluyendo información de contacto y personal) es un registro público y será liberada en respuesta a una solicitud de registros públicos bajo la ley de California que en ingles se titula "California Public Records Request Act."

Name (required)
 Nombre (obligatorio) Eduardo Guijarro

Affiliation / Organization
 Afiliación / Organización Resident

Address/City/Zip
 Dirección/Ciudad/Código Postal 14066 Trailside Dr. La Brea, CA 91746

Email
 Correo Electrónico eduardo_guijarro@yahoo.com

Phone
 Teléfono (626)290-5231

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments
 Comentario(s): Was this project proposed in response to an increase in demand and lead battery recycling? How did the testing done (lead testing) around the Quemetco vicinity impact and surrounding neighborhoods impact the decision to propose this project? What are the levels of emissions/exhaust released from the W.E.S.P and Quemetco currently, and how much will they increase/decrease (change)?

Response to Comment SM1-53

DTSC’s soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

The air quality impacts of the proposed Project are discussed in Section 4.2 of the EIR. The EIR also includes an HRA, which analyzes the potential health risks for baseline (existing setting) and proposed Project conditions to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D). The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM1-54 – Marlou Urias

Comment SM1-54



WRITTEN COMMENT SUBMITTAL FORM

FORMULARIO PARA LA PRESENTACIÓN DE COMENTARIOS POR ESCRITO

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Name (required) / Nombre (obligatorio) Marlou Urias

Affiliation / Organization / Afiliación / Organización _____

Address/City/Zip / Dirección/Ciudad/Código Postal 960 Beech Hill ave Hlt

Email / Correo Electrónico marlouu@gmail.com Phone / Teléfono 562 716 1140

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si

No / No

Comments / Comentario(s): _____

Quemetco has been releasing poisons into our homes for decades.
Do not approve additional production
A class action lawsuit needs to be started.

Response to Comment SM1-54

The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. All proposed Project potential environmental impacts would be less than significant. The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-55 – Sarah Solis-Miller

Comment SM1-55



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Name (required)
Nombre (obligatorio) Sarah Solis-Miller

Affiliation / Organization
Afilación / Organización _____

Address/City/Zip
Dirección/Ciudad/Código Postal 518 Cobb Ct., La Puente, CA 91746

Email
Correo Electrónico _____

Phone
Teléfono _____

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)
 No / No

Comments
Comentario(s): _____

It is imperative that Quemetco not only have its request for a permit be rejected, but shut down. Although this company may provide jobs to locals, this does not take precedence over our health. The toxins omitted by Quemetco increase asthma, create health hazards to developing minds (i.e. children) and are not welcome in our community.

Response to Comment SM1-55

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. All proposed Project potential environmental impacts would be less than significant; therefore, mitigation measures are not required.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-56 – Mitzi & Larry Garlon-Leyk



WRITTEN COMMENT SUBMITTAL FORM

Comment SM1-56

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Name (required) / Nombre (obligatorio) Mitzi Garlon-Leyk / Larry Leyk

Affiliation / Organization / Afiliación / Organización Community Member

Address/City/Zip / Dirección/Ciudad/Código Postal 14441 Fairbury St

Email / Correo Electrónico caligrin/3@roadrunner.com Phone / Teléfono (626) 483-1407

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.) / ¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Yes / Si No / No

Comments / Comentario(s):

The Industry growth in the area has increased along with it the amount of trucks entering and exiting the 7th street on/offramps. Traffic on 7th near Clark has been impacted morning and evening. We have only one exit out of our area west of 7th on Clark; In addition the amount of water the plant uses and discharges is

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

already high and it will be increased.
This should not be allowed California especially SoCal is still in a drought.

No increase should be allowed.

- Also pertaining to the traffic it would impact the 60 freeway which we know can not handle any more traffic.

- If this company wants to increase their capacity of handling batteries they should move out and away from residential areas. This is not something our children should be breathing.

My next point is our animals every animal I have had in 30 yrs has had gastro intestinal problems and skin cancer and other forms of cancer.

Remember the output of chemicals into the air ends up in our lawns and dogs/animals water dishes. Animals eat grass and drink water from these areas.

Quemetco should be moved ~~closed~~
they are surrounded by residences.

Comment SM1-56
(cont)

Response to Comment SM1-56

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

To estimate public health impacts (including animal health) from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. NOP/IS Section IX, EIR Section 3.5 and EIR Section 4.5 address waste usage and waste water discharge (water quality) impacts. NOP/IS Section XVII, EIR Section 3.6 and EIR Section 4.6 address transportation impacts. The analysis in the EIR concluded that all of the proposed Project's potential environmental impacts would be less than significant; therefore, mitigation measures are not required.

Comments SM1-57 to SM1-123 contain identical remarks from 67 different commenters:

Comment SM1-57

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Name (required) / Nombre (obligatorio) PETER LIN

Affiliation / Organization / Afiliación / Organización _____

Address / City / Zip / Dirección / Ciudad / Código Postal 2126 COUNTRY CYN ROAD HACIENDA HTS CA 91745

Email / Correo Electrónico GULFCYCLE@YAHOO.COM Phone / Teléfono 909-234-1259

Would you like to be on the mailing list for future notices or documents related specifically to this project? (If checked yes, all of the above information must be provided.)
 Yes / Si No / No

¿Le gustaría estar en la lista de correo para avisos futuros o documentos relacionados específicamente con este proyecto? (Si su respuesta es sí, por favor proporcione la información requerida arriba.)

Comments / Comentario(s):
~~Shut down Quemetco, a facility that recycles batteries and save our lives, especially our children's lives. Our families and children deserve a healthy environment, one without toxic air and contaminated ground water.~~

~~Our government should stand on our side to speak out for us.~~

~~"Government of the people, by the people, for the people."~~

Response to Comments SM1-57 to SM1-123:

These comments requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Additionally, please refer to hydrology and water quality environmental setting in EIR Section 3.5 and an analysis of the proposed Project's potential environmental impacts in Section 4.5 for more information on water testing and hydrology and water quality impacts. Quemetco does not discharge to groundwater and only discharges treated water to LACSD's sanitary sewer pursuant to the waste discharge permit. It also discharges treated stormwater to storm water outfall pursuant to the stormwater general industrial permit.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-124 – Vivian Zamorano

From: Vivian Zamorano [<mailto:zamorano.vivian@yahoo.com>]

Sent: Saturday, September 15, 2018 3:52 PM

To: Diana Thai <dthai@aqmd.gov>

Subject: Quemetco Capacity Upgrade Project

I attended the 9/13 chaotic and uninformative meeting. I am compelled to comment on my lack of trust in the so-called "process" that Michael Krause was trying to sell. How can the public put faith in a lead agency's "process" when it allowed Exide to operate? How can the public put faith in a lead agency's "process" when Quemetco's past violations do not appear to have a bearing on a potential production increase?

The "process" should not simply be a checklist. Your agency's dog and pony show sure smelled biased. I don't want to know more about Quemetco. I want to know more about how your agency plans to ignore commerce and protect the public from environmental hazards.

I look forward to the next community meeting wherein I will hopefully get more practical information and thereby be able to ask less emotional and more data driven questions.

Sincerely,

1

Vivian Zamorano

Response to Comment SM1-124

The format of the CEQA scoping meeting held on September 13, 2018 at the Hacienda Heights Community Center was structured in an "open house" format with the intent of allowing attendees the flexibility to attend the meeting at varying times throughout the evening. The free-flow style empowered attendees to learn about the proposed Project at their own pace. Personnel from South Coast AQMD, DTSC and other agencies were present to answer questions about the facility in personalized interactions with attendees. The room was set up with an open floor plan so that attendees could stroll throughout the room and read various poster boards explaining the facility's processes, the CEQA process, and the proposed Project.

Due to complaints that the style of CEQA Scoping Meeting #1 did not meet attendees' expectations of a more structured meeting format, an announcement was made that a second CEQA scoping meeting with the widely-desired formal format would be scheduled.

CEQA Scoping Meeting #2 was scheduled for October 11, 2018, and the original 32-day NOP/IS comment period from August 31, 2018 to October 2, 2018 was extended an additional 24 days to close on October 25, 2018. A notice of the second CEQA scoping meeting and the NOP/IS public review and comment period extension was published on South Coast AQMD's website on

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

September 27, 2018 and in the Los Angeles Times newspaper on September 28, 2018. The announcement was also transmitted electronically to 710 email addresses on September 28, 2018 and hard copies were mailed on October 2, 2018 and October 3, 2018⁴² to 12,500 addresses within the vicinity of the proposed Project.

The CEQA Scoping Meeting #2 held on October 11, 2018 at the Hacienda Heights Community Center included a formal presentation by a seated panel of South Coast AQMD personnel and other agency representatives (e.g., DTSC, Los Angeles County Board of Supervisors, Los Angeles County Fire Department, Los Angeles County Department of Public Health, Los Angeles County Regional Water Quality Control Board, and U.S House of Representatives). After the presentation, there was a question-and-answer period during which attendees' comments and questions could be heard by the entire audience.

The presentation for CEQA Scoping Meeting #2 is available on South Coast AQMD's website at [http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-\(for-print\).pdf](http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2018/ceqa-scoping-meeting-2--final-(for-print).pdf), and this appendix contains all the comment letters received during the NOP/IS public comment and review period, the comments received during the two CEQA scoping meetings, and the responses to all comments as required by CEQA Guidelines Section 15088.

While Quemetco and Exide are both battery recyclers, Exide's operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Further, the details of Exide's operations, facility design and air pollution control systems were not the same as Quemetco's operations, facility design and air pollution control systems. Exide began operation in the 1920s, several decades earlier than Quemetco.

Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide's last two full years of operation, 2014 and 2013, Exide's lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to SCAQMD and obtained via SCAQMD's FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013).

Moreover, Exide's past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. For these reasons, information pertaining to the Exide facility and its previous operations are not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant. A discussion of the South Coast AQMD rules and regulations which are applicable to Quemetco and, will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR and have a bearing on the project. The various regulatory and permitting requirements applicable to Quemetco have become more

⁴² Paper copies of the notification were sent out via U.S. Postal Service with 8,007 pieces sent on October 2, 2018 and 2,248 pieces sent on October 3, 2018 per U.S. Postal Service Statement of Mailing receipts.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

While Chapter 2 of the NOP/IS uses an environmental checklist to identify the potential impacts from the proposed Project that will require further analysis in an EIR as required pursuant to the CEQA Guidelines, the NOP/IS is the first step in a multi-step CEQA assessment process. The second step in the process is the EIR which includes an extensive analysis of the proposed Project's potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified. Even though not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR includes a discussion of project alternatives that were considered, with some at the suggestion or in response to public comment, including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

South Coast AQMD's mission includes a responsibility to: "All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses." The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

Comment SM1-125 – Marilyn Kamimuna

Comment SM1-125

Comment #13
Marilyn Kamimuna - member of
CAC - ~~resident~~^{of area} resident of
Avocado Heights.

Quemetco Lead, Arsenic &
toxic waste sweeps over where I
live miles away. We breathe & ingest.
~~toxic waste~~ Closed down

The History of Exide contamination
10,000 homes miles from their facilities,
prove Quemetco as a like threat of
smelting that we have already
~~been~~^{been} put at added health risk &
organism contamination from
historical release of toxic waste;
since 1970.

Give the families & children
who made a home on equal chance
at a healthy quality of life -
Not added risk for Heart Disease,
gastrointestinal, lung disease,
Cancer & Learning Disability.

With Quemetco ~~toxic~~^{applied} to expand.
we are in pain with fear
~~when~~ why must the county govern

lose that right of their
"quiet enjoyment of their
home"
As Constituents

Appeals to your government
leaders & agencies to support
you on No to Quemetco
increasing lead battery
toxicity

Comment SM1-125 (cont)

Response to Comment SM1-125

While Quemetco and Exide are both battery recyclers, Exide's operation in the City of Vernon permanently closed in 2015. As a separate facility operated in the past by a separate company, Exide has no relationship to Quemetco and the proposed Project. Further, the details of Exide's operations, facility design and air pollution control systems were not the same as Quemetco's operations, facility design and air pollution control systems. Exide began operation in the 1920s, several decades earlier than Quemetco.

Quemetco was the first facility to install a WESP to control lead emissions from a Secondary Lead Smelting operation. Exide resisted installation of similar technology at the Vernon facility. As a result, the lead emission profile for the two facilities is very different. During Exide's last two full years of operation, 2014 and 2013, Exide's lead emissions were reported as 211.73 pounds per year and 317.948 pounds per year respectively according to annual emissions reports submitted to SCAQMD and obtained via SCAQMD's FIND website (South Coast AQMD, 2013-2014a; South Coast AQMD, 2013-2014b). During this same period Quemetco reported lead emissions of 4.728 pounds per year (2014) and 6.779 pounds per year (2013).

Moreover, Exide's past violations are not germane to Quemetco, the proposed Project, the analysis in this EIR or the CEQA process that South Coast AQMD is undertaking as lead agency. For these reasons, information pertaining to the Exide facility and its previous operations are not included in this EIR. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant. DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today's operations, and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize each exceedance with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Quemetco is an existing operating facility and is allowed to operate under its existing permits and permit conditions. The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility.

A discussion of the South Coast AQMD rules and regulations which are applicable to Quemetco, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR and have a bearing on the project. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

While Chapter 2 of the NOP/IS uses an environmental checklist to identify the potential impacts from the proposed Project that will require further analysis in an EIR as required pursuant to the

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

CEQA Guidelines, the NOP/IS is the first step in a multi-step CEQA assessment process. The second step in the process is the EIR which includes an extensive analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified. Even though not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR includes a discussion of project alternatives that were considered, with some at the suggestion or in response to public comment, including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

South Coast AQMD’s mission includes a responsibility to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.” The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

CEQA SCOPING MEETING #2 COMMENTS AND RESPONSES

The NOP/IS was circulated for a 56-day public review and comment period starting August 31, 2018 and ending October 25, 2018. In addition, the South Coast AQMD conducted two CEQA scoping meetings at the Hacienda Heights Community Center, on September 13, 2018 (CEQA Scoping Meeting #1) and October 11, 2018 (CEQA Scoping Meeting #2) to take public comment on the proposed Project. The South Coast AQMD received 28 oral comments during CEQA Scoping Meeting #2. All comments received during CEQA Scoping Meeting #2 and the associated responses are compiled below. See Table B-3 in Appendix B Introduction for a list of these commenters.

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BEATRIZ RICARTTI: Well, the reason that I'm here is because I am very concerned about this Quemetco being here without us having nothing to do with it.

My son died of cancer. I have cancer. A dog in my block died of cancer, so, of course, there's something in the environment that is causing us to have cancer.

I think that, okay, AQMD is doing -- this presentation looks beautiful, but the bottom line is that us, the people that live here, have to vote whether we want this in our backyard because, obviously, it's

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affecting our health and nobody cares about that.

I wonder if at least one of you live in the neighborhood, then you would know how it feels that nobody is paying attention at what we're feeling, what we are going through.

Losing my son to cancer was devastating. None in my family had had cancer, so the environment has to do something with it.

I think that before anything goes further, we have to have more studies on transportation, how it's affecting us, because all of that, all of us are going to be affected. I don't know why you didn't do that in the beginning because Quemetco cannot go further.

Thank you.

Response to Comment SM2-1

To estimate public health impacts () from the proposed Project’s potential air toxics emissions, the EIR includes of an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project’s potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The analysis in the EIR concluded that potential impacts identified for any environmental topic area would be less than significant; therefore, mitigation measures are not required.

Comment SM2-2 – Adriana Quinones

ADRIANA QUINONES: Good evening, everyone. I have many concerns, but I'm only limited to three minutes, so I'll start with she is my sister. There has never been cancer in my family. And just to have her have cancer, my nephew died of cancer, people in her block died from cancer. That tells you there's a concern.

And I also worry about us rushing these permits. Why are we limiting ourselves to only a few

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days to get comments, to get feedback from the community, when a lot of the community members have not even been told about this. There's not enough participation from our elected officials. They are not going out there and informing the public about all these issues.

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What I want to know is, are you aware of what toxins are being used by this company that you know cause cancer? What are you doing about it to reduce it? I urge you not to do anything until you have in-depth studies because this is not acceptable at all. Until every member of our community is involved, notified. Start making studies about how many people have died of cancer, how many people are being affected with asthma and other health issues.

Now, we have a lot of traffic already. We have City of Industry here. We have -- why are we going to add so much more traffic when that is also not only environmentally impact but also health issues.

So I have a lot of concerns, but mostly very disappointed with our elected officials because I think we're putting all the pressure on you guys, but you guys are a piece to the puzzle. Our elected officials have been missing in action. The last meeting that we had, there was nobody -- nobody there to represent us. So I think when November comes around, guess what? It's time to elect people that are going to be representing the community and not companies that are out there to make money and don't care about the health, they don't care about our environment.

So, people, start getting -- stop not voting for parties. Start voting for report cards. Look at your elected officials and see whether they are present in every one of these meetings because I can tell you, I was highly upset, along with many people that were there at the last meeting, that nobody showed up. So we elected you to do a job, elected officials, it's time to show up.

Response to Comment SM2-2

See also Response to Comment SM2-1. The comment period for the NOP/IS was the first opportunity for public comment. The NOP/IS was circulated for a 56-day public review and the comment period starting August 31, 2018 and ending October 25, 2018. In addition, South Coast AQMD conducted two CEQA scoping meetings at the Hacienda Heights Community Center, on September 13, 2018 and October 11, 2018 to take public comment on the proposed Project. There were elected and appointed officials at both CEQA Scoping Meeting #1 and CEQA Scoping Meeting #2. While these officials do not have approval authority or oversight over the proposed Project, they presented the views of their constituents. In addition, the Draft EIR has been circulated for a public review and comment period of no less than 45 days, and the NOP/IS circulated for 56 days (rather than 30 days).

To estimate public health impacts () from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than South Coast AQMD threshold for MEIR and MEIW receptors. The proposed project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The EIR includes an analysis of the potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. The analysis in the EIR concluded that potential impacts identified for any environmental topic area would be less than significant; therefore, mitigation measures are not required.

Comment SM2-3 – Bing Chen

BING CHEN: I joined the last two meetings, and I compiled all information and I put together. I want to share with you. I have seven, maybe eight -- right now I have eight suggestions.

The first suggestion is shut down the system. Shut down the Quemetco. Okay?

MICHAEL KRAUSE: Okay.

BING CHEN: Okay?

MICHAEL KRAUSE: All right. If we could restrict the clapping, only because he has three minutes, if we want to hear all eight.

BING CHEN: I will go back to first one. Okay. Why I do that. Okay.

Second one, I want -- I suggest to set up a social group -- social group so we can share information, exchange information, and also you can put company documentation and everything, the news related to the pollutions, including the bills, the regulations released by our government or something so we can share

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information.

MICHAEL KRAUSE: All right.

BING CHEN: Okay. I found one, CAC reach here. It's not your department.

The No. 3 is the report pollution level. I think you have one. It's a report to you. I want to report for everybody.

MICHAEL KRAUSE: Okay.

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BING CHEN: Okay?

MICHAEL KRAUSE: No. 4.

BING CHEN: So it could be a very simple message sent to our iPhone, if you have an iPhone, or e-mail. I want to gather this information once a day or twice, twice a day because I want to know the level, okay, what kind of pollution. Okay?

MICHAEL KRAUSE: Okay.

BING CHEN: Because right now I don't know.

And, No. 4, we need an emergency alert system in force. Okay? Say something happened and you cannot control it, who will do this? Okay? Say you already pass everything, say this is -- the facility is very, very good, no problem. Okay. Everything is under control. But something will happen, like earthquake, okay, no one know where it happened.

MICHAEL KRAUSE: Okay.

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BING CHEN: So do you have a disaster preparedness program in force? Do you have a plan? Say if something happened and you cannot control it, okay, it's not your fault. Maybe it's not the company's fault, but you cannot control it. And we already know the pollution. We already know the toxic materials. And how do you do that? We need something --

MICHAEL KRAUSE: Okay.

BING CHEN: -- in force.

MICHAEL KRAUSE: Okay. Keep going, Bing. Keep

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going.

BING CHEN: So we have half of government, and we need a feasible way to be evacuated from the accident. We don't know where you can go, maybe here, right, in case.

MICHAEL KRAUSE: Okay. Bing, could you submit those to us?

BING CHEN: No more?

UNIDENTIFIED SPEAKER: Let him finish.

MICHAEL KRAUSE: But we have to treat everybody equally.

UNIDENTIFIED SPEAKER: That's okay. Let him finish.

UNIDENTIFIED SPEAKER: Shut up.

BING CHEN: There's 5, 6, 7, 8. Very quick.

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Very quick. Okay?

UNIDENTIFIED SPEAKER: E-mail address. Your e-mail address.

MICHAEL KRAUSE: Okay. All right. Bing, we're going to have to move on to the next one, but we want to see those, that listing, for sure.

BING CHEN: 5 is -- oh. 5 is place a warning sign around this facility. Okay? When you drive by, I will see, okay, there's a pollution here, okay, please close your window, turn down your air inside circulation, something like that. Okay?

MICHAEL KRAUSE: Okay.

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MICHAEL KRAUSE: Okay.

BING CHEN: You need a sign. Okay? Because we don't know. We don't know.

The 5 is very important. 5 is create our --

VEERA TYAGI: Excuse me, sir, but we are required to make sure everyone has an equal opportunity to speak. So if we let you go on, we have to let everyone else go on. So if you could just wrap it up very quickly, please.

BING CHEN: Okay. Anyone want to give me a chance to continue?

UNIDENTIFIED SPEAKERS: Yes.

BING CHEN: How about you? How about you?

VEERA TYAGI: Again, I said I need you to do it

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very quickly, please.

MICHAEL KRAUSE: Quickly.

BING CHEN: Continue?

MICHAEL KRAUSE: Quickly. State your 6.

BING CHEN: Okay. So 6 is file a lawsuit against this company for everyone who lives in this affected area, for these are a number of complex issues. I don't know which companies. Maybe government can help us.

MICHAEL KRAUSE: Okay. No. 7?

BING CHEN: They already know the problem. See, someone got cancer. How do we do that? You just let them go? No. Right?

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MICHAEL KRAUSE: Okay. No. 7.

BING CHEN: 7 is we need to have our broad test for lead and also the soil test. We need to know that because right now you ask the -- the company to do the sampling, right, the soil sampling. How about the broad test. I have got the information online. You already did something. Okay.

MICHAEL KRAUSE: Okay. Then your 8?

BING CHEN: The 8 is -- that this lady have. This is the problem we already know. We want to resolve this problem as soon as possible. We don't want to leave this one alone, okay, let it go, because we live

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here and you affect us, not me, not everybody, including our children, our grandchildren, and the generation to come -- generations to come.

MICHAEL KRAUSE: Okay.

BING CHEN: So this is very serious problem.

If I have time, I go back to hear -- maybe anyone -- I want to go through your presentation.

MICHAEL KRAUSE: Okay. We are done, Bing, but --

BING CHEN: If I have time.

MICHAEL KRAUSE: Thank you. Okay. There's no time.

BING CHEN: And also these facilities -- this is the last part. You cannot --

MICHAEL KRAUSE: Bing, I'm sorry, we have to be

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considerate to these folks here that came out here.

BING CHEN: We cannot --

MICHAEL KRAUSE: They're not going to get home until very late as a result of this. Okay?

BING CHEN: But you see around, we keep going, keep learning.

VEERA TYAGI: I'm sorry, sir, but we do need to continue with public comment period. If you'd like, you can submit another card, and if we have time at the end, we can call you back up.

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BING CHEN: Okay. Also, I want to let everybody know I already send a letter to our supervisor, Janice Hahn. I'm waiting for her response. They already give me --

VEERA TYAGI: Okay. Thank you very much. So we are going to start with the next speaker.

Response to Comment SM2-3

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

In addition, South Coast AQMD and DTSC each individually host their public files and public outreach for the Quemetco facility as it relates to their individual permits and regulatory requirements. See South Coast AQMD's Facility Information Detail (FIND) for facility information and emissions information: <https://xapprod.aqmd.gov/find>. The Quemetco facility can be found by searching for Facility ID 8547. South Coast AQMD also has a website dedicated to the Quemetco proposed Project: [<http://www.aqmd.gov/home/news-events/community-investigations/quemetco>]. South Coast AQMD has a signup page so that the public can receive email alerts regarding rule development. Meeting notices, presentations and draft rules are also posted on South Coast AQMD's website so that the public has full access to our rule development process: [<http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules>].

See DTSC's EnviroStor for DTSC information on Quemetco: [https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=80001454].

In accordance with NOx RECLAIM, Quemetco has CEMS that monitor NOx and SOx. Emission reports are sent to South Coast AQMD as required by Regulation XX. As required by Cap-and-Trade, the facility also has CEMS to monitor CO2. Additionally, annual emission summaries for each permitted facility are summarized on FIND: <https://xapprod.aqmd.gov/find>. The Quemetco facility can be found by searching for Facility ID 8547. Note that FIND provides emission data from the Annual Emissions Reports and does not provide real-time CEMS data on a publicly available website.

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded 0.120 µg/m³ over a 30-day rolling average.

If there is a power supply interruption, the facility's backup power supply automatically ensures continuous operation of the air pollution control equipment. South Coast AQMD Rule 1420.1 requires public notification in the event of an unplanned shut down of air pollution control equipment in the form of an email that is sent within one-hour of the unplanned shutdown. To join the email list, click here: <http://www.aqmd.gov/sign-up> (scroll down and click the Quemetco box under the "Community Investigations" banner).

The facility has prepared an Emergency Response Plan (refer to Section 3.4 - Hazards and Hazardous Materials for more information) which is filed and monitored by the Los Angeles County Fire Department and available for review by South Coast AQMD and DTSC.

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The comment requests warning signs to be placed outside the facility. The facility is surrounded by security gates. Quemetco participated in Proposition 65⁴³ until approximately 2010 or 2011. After installation of the WESP in 2010, the facility no longer met the thresholds for participation in this Proposition 65 notification program because the WESP substantially reduced all ambient releases of toxics on the Proposition 65 list of toxic chemicals. Proposition 65 required that, warning of potential exposure to certain chemicals be posted and provided for visitors to certain areas of the facility.

Outside of the fenceline of the facility, Proposition 65 warnings have not been provided since 2010, because the potential environmental exposure risk has been less than Proposition 65 risk levels. Quemetco compares the results of source tests to exposure levels beyond the fenceline to confirm whether environmental exposures from the Facility's emissions are below Proposition 65 safe harbor levels. Since 2010, the results have confirmed that the risk from the facility is below Proposition 65 safe harbor levels. For these reasons, Quemetco is no longer required to send out letters to members of the community who were previously on the Proposition 65 notification list.

As part of the EIR, an HRA, which analyzes the potential health risks from the proposed Project to the surrounding areas, was prepared (see Section 4.2 and Appendix D). The HRA evaluated the potential impacts of the proposed Project and determined that impacts would be less than significant. Additionally, the EIR assessed transportation in the NOP/IS Section XVII and the EIR in Sections 3.6 and 4.6; all potential impacts would be less than significant and there is no substantial evidence supporting additional signage. Finally, South Coast AQMD does not have the authority to require this type of notification.

With respect to filing a claim lawsuit, the comment is outside the scope of the proposed Project or the South Coast AQMD permit modification considerations and does not raise any issues related to the NOP/IS or potential environmental impacts of the proposed Project; therefore, no further response is required.

Quemetco has safety measures and practices in place for its employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for its employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures. As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to its employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

⁴³ Proposition 65 requires businesses to notify Californians about significant amounts of chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment.

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The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. As a lead agency, South Coast AQMD's must comply with all requirements of CEQA, including an analysis of a proposed project's *environmental* impacts. This does not include screening or testing of any facility's employees' blood.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

The NOP/IS analyzed the proposed Project's potential impacts to geology and soils and found them to be less than significant, therefore this topic it is not analyzed further in the EIR. The facility also maintains a contingency plan and fire prevention plan which is approved by the Los Angeles County Fire Department as the CUPA agency, an Underground Storage Tank Monitoring and Emergency Plan which is approved by Los Angeles County Fire Department and Los Angeles County Public Works Department, and the facility trains staff on procedures for emergency preparedness. It should also be noted that the facility is strictly regulated by multiple agencies (e.g., DTSC, CalEPA, Los Angeles County Fire Department and Los Angeles County Public Works Department) to ensure that hazardous materials are not released, whether from a geologic event or otherwise. The comment does not raise any geology and soils issues which were not previously analyzed or considered, nor does the comment provide evidence that supports additional seismic modeling is required for a project with no ground disturbance.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today's operations and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalized exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

Detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C in the EIR. Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from

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the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. The feasibility of each of these alternatives was evaluated against the project objectives; facility closure would not meet the project objectives and therefore is not a feasible alternative.

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Comment SM2-4 – Chris Sanchez

CHRIS SANCHEZ: All right. Well -- okay. I

Came with a prepared statement. And after hearing your presentation, I had all kinds of questions. But one of the -- one of the things that came out of the meeting with the Coalition in North Whittier a week after the meeting here, the two doctors were asked by someone in the audience, "So if this is -- the toxins are in our soil, in our trees, in our grass, and whatever, how are we to be able to go into our backyards and enjoy our properties? And our home values will go down." And the

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doctors said, "Well, you need to be very cautious. You need to wear gloves if you're going to play in the garden. If you have small children, you need to tell them not to touch their nose, their eyes, their mouth, their ears. If you have any kind of a scratch or a cut, you need to wash it immediately."

And I think the two minutes can go a little bit longer because I was held back.

So in my estimation -- oh, and, "You have to take off your shoes before you come in the house because you're bringing in the toxins from the outside into the inside," which means if it's in the air, it's going to be in your trees, it filters down, if you're in the backyard, it's going to be filtering on you. It goes in the pools, on the decks, on the grass, in the dirt, in the soil, in the food that we eat when we garden and we have food from the garden. So are we supposed to go out in our backyards to enjoy what we've worked very hard for with Haz-Mat suits? And how do you keep a child from touching his eyes, his nose, his mouth?

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So we are being put into a very difficult situation, because even if you have visitors come over and family come over, "Wash your hands. Don't touch your eyes. Don't touch your face. Don't touch anything."

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You have to wash down the deck, you have to wash down the trees, you have to wash down everything before you can enjoy your property. Okay?

So now with questions. If you're only responsible for the air and the air settles on all this other stuff, then DT -- whatever that is -- is supposed to be taking care of the soil and everything else that happens. Okay. But everything, by the time it hits there, it's hit trees, me, and everything else that I'm wearing and taking into the house. And my pets, as well. And they lick themselves clean. So those toxins are also going into them.

Sorry if this is going to be a little bit disjointed.

Okay. So you mentioned that you get a monthly report, and if there is a violation at the beginning of the month and you get your report at the end of the month, you have had 30 days of violation. Why is not the violation noted immediately and sent to your office so that --

MICHAEL KRAUSE: Right.

CHRIS SANCHEZ: -- it can be discovered --

MICHAEL KRAUSE: Okay, Chris. For a quick clarification, yeah, I did -- you're right. I did not note that. However, if there was the exceedance, those

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would be reported to us.

CHRIS SANCHEZ: Immediately?

MICHAEL KRAUSE: It's within the 24-hour period

when they get that information.

CHRIS SANCHEZ: Okay. I appreciate that.

MICHAEL KRAUSE: All right. Thank you, Chris.

Response to Comment SM2-4

Refer to Chapter 2 – Proposed Project for more detailed descriptions of the lead, responsible and commenting agencies in Section 2.6: Permits and Approvals. South Coast AQMD has authority over air permits, air quality, GHG and air toxics emissions. DTSC is responsible for the potential Hazardous Waste Facility Operation and Post-Closure Permit.

The purpose of this assessment is to evaluate baseline (existing setting) conditions and proposed Project impacts. A description of the baseline condition is presented in Section 2.6 and Chapter 3 – Environmental Setting provides detailed environmental and regulatory setting for all five impact areas: Section 3.2: Air Quality and GHG Emissions, Section 3.3: Energy, Section 3.4: Hazards and Hazardous Materials, Section 3.5: Hydrology and Water Quality and Section 3.6: Transportation. Chapter 4 – Environmental Impact Assessment presents the impact assessment of the proposed Project when compared to the aforementioned baseline condition.

Please refer to Master Response on DTSC Soils Investigations and Remediation.

Specifically, to estimate public health impacts (for people and family pets) from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources under normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution

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control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections of to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. If there is an exceedance of multi-metals and/or criteria pollutants detected by the facility's CEMS or air monitoring stations, the exceedance is reported to South Coast AQMD within a 24-hour period. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded $0.120 \mu\text{g}/\text{m}^3$ over a 30-day rolling average.

The decision to approve or deny permits is made by the South Coast AQMD Executive Officer or designee in accordance with Health and Safety Code Section 42300(a).

Comment SM2-5 – Luis Ceballos

LUIS CEBALLOS: Good evening, panel. My name is Luis Ceballos. I live in Avocado Heights.

First of all, let's talk about Quemetco. They opened the doors 45 years ago so -- something like that. 45 years ago, there was no population here around the area. Most trees, open fields. So the laws, I guess, and the environment rules, whatever you call it, was

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different than today.

Today it's a big community here, schools, kids, senior citizens, name it. A lot of bunch of houses around Quemetco. Giving Quemetco the increase of production, you are giving the tools to destroy us. I wish any of you live here close in the area so you can join us in the fight, but it's kind of impossible. I know you've got a hard job to do. But put down in your conscience. You have a lot of people here. I was part of the community 25 years ago in Vernon, and finally we closed Exide.

One of the things are is the fight is hard, I tell you. After seven or ten years, not to quit. I move, you know, to a different area, but I never stopped fighting, you know, for the right. I'm old already. My time, I guess, is very close. I have a kid who had, you know, cancer and that's proven that's caused by the Vernon facility which is Exide.

Now how many people here have cancer and perhaps, or for sure, it's Quemetco is responsible. You

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put that in your -- you have to be -- I mean, we can talk over here all night about chemicals. I don't know much about chemicals, but I know the harm they do to the community and the people. All right?

But bottom line is, Quemetco, they don't want

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to get more power, but they want more money. Which is natural. It's a factory. It's a facility. But the job for you guys, the job for you or your assignment is to stop it, I mean to look into it more with a heart. Never mind sometimes the rules, regulations. They pass, don't pass, comply or not comply. The people, that's where it counts. The community, that's where it counts.

And right now it's overcrowded regarding the traffic. We have so much traffic. Anything to blame. But one thing I tell you, increase it 25 percent, you're giving a big, real weapon to Quemetco to start killing more and doing more harm to this community.

People, we had enough already. Please, put down your minds and your heart. Do your work. Give us a big favor and don't grant this permission. I know we are not going to kick them out of here. I wish, you know, we can close the doors. But for God's sake, don't commit that. And do it for yourself and for the community and the hope that God will, you know, reward you guys for the realization.

Thank you.

Response to Comment SM2-5

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

The EIR includes a health risk assessment which analyzes the potential health risks to the surrounding areas and follows South Coast AQMD methodology (see Section 4.2 and Appendix D.1). The result of the HRA indicated the proposed Project's potential impacts will be less than significant from the proposed Project. Specifically, to estimate public health impacts, separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. Detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C in the EIR.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

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Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Comment SM2-6 –Hacienda La Puente Unified School District Director of Facilities, Mark Hansberger

MICHAEL KRAUSE: Okay. Hi, Mark.

MARK HANSBERGER: Good evening, panel, audience. I'm Mark Hansberger, director of facilities for Hacienda La Puente Unified School District. I'm here on behalf of district administration. I a couple of comments.

We read through the notice of --

MICHAEL KRAUSE: Preparation.

MARK HANSBERGER: -- preparation. Some specific comments about scope and then some about procedure.

It mentions in the notice -- the notice that there will be additional hours of operation, but it doesn't address how maintenance and ongoing upkeep of the equipment will be addressed. There was a failure in at least 2017 and 2018 of equipment related to power shutdowns that resulted in violations.

It seems premature to begin processing this notice or the EIR until those violations have been addressed so that you can include any of those issues in the notice and in the final EIR. We'd ask that you hold until those are completed.

In addition, the soil study hasn't been completed to date. We believe it's inadequate at this point. It needs to be expanded to address additional

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background sites, particularly those at the schools, parks, and other areas that are sensitive to children, and we'd ask that you hold until those items are completed.

We'd also ask that the emergency proto- -- one of the speakers here mentioned the emergency -- emergency notification procedures. We in the district are not aware that either of those incidents, those violations that occurred, resulted in any notification to the district. So we have children around these sites, at least four within the initial one-mile perimeter. School buses travel by, parents travel by cars. We never received a notification of a fence-line violation, which means our kids were subject to higher-than-normal exposure levels.

We will be submitting a written notice from the superintendent's office, but we thank you for your time.

MICHAEL KRAUSE: Great. Mark, can you tell us which schools, by chance?

MARK HANSBERGER: The four schools in your one-mile perimeter, it's in your notice, but it's Palm Elementary, Los Robles Elementary, Los Altos High School, and --

UNIDENTIFIED SPEAKER: Orange Grove.

MARK HANSBERGER: -- Orange Grove. There you

Response to Comment SM2-6

The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility. South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Currently the facility is a 24-hour operation; with the proposed Project, the facility will continue to be a 24-hour operation. The facility implements daily inspection and maintenance of its air pollution control systems. Under the existing and proposed Project schedules, there are (and will continue to be) times when the facility is closed from one day to several weeks a year for equipment and facility maintenance. Additionally, the facility performs daily maintenance activities in compliance with its permit conditions and best practices to maintain its operations and housekeeping.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today's operations and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalized exceedance with curtailment of facility operations. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. Please Refer to Master Response for DTSC Soil Investigation and Remediation.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

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The EIR includes an HRA. Separate HRAs were conducted for the baseline (existing setting) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The ambient monitoring stations at Quemetco's fenceline are in place to verify that the ambient levels of lead concentrations are less than the aforementioned limits in South Coast AQMD Rule 1420.1 and the National Ambient Air Quality Standards (NAAQS) lead standards ($0.15 \mu\text{g}/\text{m}^3$ averaged over a rolling 90-day period).

When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded $0.120 \mu\text{g}/\text{m}^3$ over a 30-day rolling average.

In addition, Rule 1420.1 requires public notification in the event of an unplanned shut down of air pollution control equipment in the form of an email that is sent within one-hour of the unplanned shutdown. To join the email list, click here: <http://www.aqmd.gov/sign-up> (scroll down and click the Quemetco box under the "Community Investigations" banner). The EIR analyzed the potential impacts of the proposed Project. All impacts would be less than significant.

Comment SM2-7 – Carol Oldham

CAROL OLDHAM: And on a Saturday, she said. My background is that in the '80s, when we had small children, we bought a new home in West Covina, and

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we found out after too late that 200 feet from us was a toxic waste -- toxic site, dump they called it, but it's a toxic dump. We didn't know. It wasn't told to us.

We received all these assurances that we've heard today about safety and how safe it is. To make it short, after the three years, we had to leave. Our house was filled with vinyl chloride above the level that was set and it infected -- it affected our health, my health, and the value of our property.

And so here I am again. And we've been getting these warnings about Quemetco for years. We have been here 35 years in Hacienda Heights.

Now -- now that we -- I mean, we already knew that there are dangers. Now they want to expand, and they are asking you to approve it. They're paying you to do this.

So why are we entertaining any decision about this expansion, is my question.

MICHAEL KRAUSE: Thank you, Carol.

Response to Comment SM2-7

Quemetco is an existing operating facility which operates pursuant to existing permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria.

To allow the facility to recycle more batteries and to eliminate the existing Compliance Stop Period, Quemetco is proposing to modify existing South Coast AQMD permits to: 1) increase the rotary/kiln feed dryer and reverberatory furnace feed rate limit from 600 tpd to 750 tpd; 2) increase the amount of total coke material (e.g., calcined coke, petroleum coke, or a combination thereof) allowed to be processed in the rotary/kiln feed dryer and reverberatory furnace from 600,000 lbs/month to 750,000 lbs/month; and 3) allow petroleum coke, in lieu of or in addition to calcined coke, to be used as a smelting reagent in the reverberatory furnace and electric arc furnace. Currently, the facility's rotary/kiln feed dryer and reverberatory furnace typically operate approximately 18-23 hours per day; however, with the proposed increase in the rotary/kiln feed dryer and reverberatory furnace permit limit, the rotary/kiln feed dryer and reverberatory furnace may operate up to 24 hours per day and as a consequence, with the hourly throughput expected to stay the same, the refined lead product output would increase from approximately 460 tpd to 575 tpd. No physical changes to the facility are needed to implement the proposed Project. The type of feed stock received for processing is not expected to change as a result of the proposed Project.

Pursuant to South Coast AQMD Rule 301, Quemetco was required to pay permit application submittal fees. In addition, because the proposed changes to the existing permits are considered a project subject to CEQA, Rule 301 also requires Quemetco to pay fees to cover costs associated with evaluating the proposed Project and preparing the necessary CEQA documents. South Coast AQMD prepared a NOP/IS, the first step in the CEQA process, which describes the proposed project and identifies the environmental topic areas that would be adversely affected by the project requiring further review in an EIR. South Coast AQMD circulated the NOP/IS for public review and comment and held two CEQA scoping meetings to alert the community to the proposed Project, the permit evaluation process, the CEQA review process, and to discuss the contents of the NOP/IS and the next steps.

South Coast AQMD then prepared a Draft EIR, the second step in the CEQA process. The purpose of the EIR is to provide a more extensive analysis of the environmental topic areas previously identified in the NOP/IS. The EIR evaluated whether the proposed Project could cause a significant effect on the environment as compared to the existing physical conditions in the environment (known as baseline conditions). South Coast AQMD circulated the Draft EIR for public review and comment and, although not required, is holding a public meeting to alert the community to the proposed Project, the permit evaluation process, the CEQA review process, and to discuss the contents of the Draft EIR and its conclusions.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-8 – Michael Williams

MICHAEL WILLIAMS: Good evening. Thank you for a professional presentation this evening as opposed to the last one.

I noticed today in your presentation that the used batteries are from North America. And last night

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online I found three bills of lading from Samoa, China, and Italy to Quemetco West LLC. That's my first comment.

My second comment is, as I look through all these proposed increases, what I come up with is 25 percent. 25 percent drying furnace fuel, 25 percent coke materials, 20 percent increase in operating hours, 25 percent in refined lead production, and you have six employees. So being an old aerospace guy, jeez, all those 25-percenters will probably lead me to a preliminary conclusion that there will be a 25 percent increase in pollutants.

My third comment is Appendix A to your NOP is the schools within a two-mile radius. And you keep talking about a quarter-mile radius, but there's actually 22 schools within a two-mile radius. So why aren't the samplings and tests being conducted which encompasses all those schools and not just a quarter-mile radius? Because a quarter-mile radius is not going to have many schools in the City of Industry.

Finally, I never see in these things, I don't see any summary which talks about the quality of life of the residents who are in or near this facility. I think a lot of people here this evening, that's what they really want to talk about, is the quality of life of the

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residents.

So all of these will be in my written comments to you. Thank you very much.

Response to Comment SM2-8

The sources of feed stock are described in Section 2.4 of the EIR. Suppliers of feed stock include scrap yards, battery manufacturers, and used battery brokers located primarily throughout the western United States, generally west of the Rocky Mountains. These brokers acquire lead bearing scrap on the open market from many sources. This scrap is often re-sold and, as a result, there is the possibility that the facility may occasionally receive and process some small quantities of scrap from international sources indirectly through these brokers. See also Chapter 5 – Alternatives for a discussion of the potential environmental impacts from exporting California generated batteries out of state and out of country.

The proposed Project is a capacity upgrade which would modify the existing facility permits to allow an increase in the facility's feed rate without physical modifications to the existing facility. The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The facility is currently a 24-hour operation and the proposed feed rate increase only applies to the rotary kiln/feed dryer and reverberatory furnace; all of the other permitted operations are not limited by the 600 tpd daily feed rate. While there may be a 25% increase in the permit limit on the rotary/kiln feed dryer and reverberatory furnace as well as in refined lead, the proposed Project's estimated increase emissions may not be directly proportional to the feed rate increase due to the facility's complex air pollution control systems. However, the potential increased emissions are not greater than

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South Coast AQMD's thresholds (See Table 4.2-5, 4.2-7, 4.2-8 and 4.2-9). All of the proposed Project's potential impacts, including air pollutants, GHGs, and air toxics emissions would be less than significant, therefore mitigation measures are not required.

The information regarding the schools located within a two-mile radius of the Quemetco facility was presented for informational purposes and was not intended to be a comprehensive map of all sensitive receptors. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the applicable significance criteria for each environmental topic area. For example, the Health Risk Assessment in Section 4.2 (as supported in Appendix D.1) of the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles, and beyond two miles), while some of the other environmental checklist questions call for smaller radii, such as hazards and hazardous materials refers to impacts within one-quarter mile of a school or two miles of an airport.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, address historic soil contamination and do not necessarily reflect today's operations and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. DTSC has been working with Quemetco to address historic soils contamination through collection of soil samples, establishment of a work plan for corrective action and implementation of that work plan. Please refer to Master Response for DTSC Soil Investigation and Remediation.

Detailed information regarding Quemetco's permit violations and settlements are discussed in Section 3.2 and Appendix C in the EIR.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Comment SM2-9 – Richard Kamimura

RICHARD KAMIMURA: Quemetco, arsenic. It's a chemical toxic poison that is used by choice. They are using this, and they're emitting it from their stacks. Consequently, this poison is getting to our neighborhood for many, many years, 40, 45 years, and this is an intentional process. Until the regulators change their attitude and their priorities, nothing will be done.

When they choose a pound of lead over a pound of human life, something is wrong. And until they do something about it, nothing will be done. I think the people here are finally fed up and they are going to say no more poisoning. That air, that emission is poisoning our children 20 hours a day, six days a week, and you want to allow it 7/24, all the time. What do you tell your children, "You don't breathe. That's the only way

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we can protect you"?

Thank you.

Response to Comment SM2-9

South Coast AQMD’s mission includes a responsibility to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.”

As described in Chapter 2 - Proposed Project, Quemetco is currently a 24-hour facility that is permitted to handle and process secondary lead-acid battery feed stock and other materials. The dismantling of secondary lead-acid batteries and lead scrap involves the release of many toxic chemical and compounds and for this reason the Quemetco processing of these hazardous materials is within enclosed structures with extensive hazardous materials controls and air pollution controls and managed by regular facility cleaning and inspections (See Chapter 2 – Proposed Project, Section 2.4: Project Background). The facility is required to operate multiple air pollution control systems at all times. Four (4) onsite ambient air monitors located at Quemetco’s fencelines (see Figure 2-8 in the EIR) continuously monitor ambient lead and arsenic concentrations at the facility boundary. Information about South Coast AQMD’s offsite air monitoring station is located here: <http://www.aqmd.gov/home/news-events/community-investigations/quemetco/air-monitoring>.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

The EIR includes an analysis of the health risks from existing and potential toxic emissions from the proposed Project, including arsenic, following South Coast AQMD methodology and guidance (see Section 4.2 and Appendix D). Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project’s potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

In Chapter 3 – Environmental Setting, in Section 3.2: Air Quality and GHG Emissions, Table 3.2-8 Quemetco’s Annual Reported TAC Emissions, Quemetco’s reported arsenic emissions have been less than six (6) pounds per year between 2014 and 2019. In Chapter 4 – Environmental Impact Analysis, Section 4.2: Air Quality and GHG Emissions, Table 4.2-5 presents the potential daily emissions for the proposed Project and Table 4.2-6 presents the potential annual emissions for the proposed Project. The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions including arsenic), energy, hazards and hazardous materials, hydrology and

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water quality, and transportation impacts. The analysis in the EIR concluded that all proposed Project's potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required. This South Coast AQMD CEQA assessment does not include modeling of estimated past historic arsenic emissions.

Comment SM2-10 – Carla Martinez

CARLA MARTINEZ: Yes. Carla Martinez. I was raised here in Hacienda Heights. We have been here since 1972. I went to Cedar Lane Junior High, went to Wilson High School. I moved away to the beach area. I had been living in Laguna Beach for the past -- I came home two years ago from Laguna Beach. And ever since I got home -- I'm talking about quality of my health. My health has gone down. I've gotten really sick since I moved back to Hacienda Heights two years ago.

I'm looking here, what are the symptoms of lead poisoning. I haven't been able to understand what's wrong with me. I have gone to all the doctors. I've had them check my stomach, I've had them check my blood, and they can't find what's wrong.

And so I just went -- my mom told me about this today, and I went online to see what are the symptoms of lead poisoning, and I have all of them. Two years back in Hacienda Heights and I keep get sicker and sicker. I was not sick in Laguna Beach. I was not sick in Hermosa Beach. I wasn't sick in San Diego where I've been 25

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years. The moment I got back to Hacienda Heights two years ago, I am sick, and I've always been a healthy person.

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So what are the symptoms? Gastrointestinal, constipation, nausea, and vomiting. My stomach is in so much pain, and I don't even know why. The gastroenterologist can't find anything wrong. There's joint pain. So it says pain areas in the abdomen and joints. That's what I have, a lot of pain in my stomach and a lot of pain in my joints that they can't find. The rheumatoid arthritis can't find it. The gastroenterologist can't find it. It's something deeper than that.

I am going to be going to an allergist, and I'm going to be having a lead test. I'm going to have all this checked out, and I'm going to be forwarding you my results because I suspect it has to do with this.

So my thing is I am a businesswoman. I'm an investment advisor. I'm a smart lady, and I can get things done. Okay? So you're dealing with a very smart woman. Okay? My own business.

And I -- okay. I have a little bit of time.

So my question to you is by raise of hands, how many of you live in Hacienda Heights, you, panel? No, not you guys. The panel.

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Raise your -- no, I just want to know how many of you live in Hacienda Heights? Please raise your hands. None of you.

How many of you live in City of Industry? None of you.

All right. I did look at everything about the legal proceedings, and I saw that -- how there's been a lawsuit about the DA. Sometimes I think the hardest way to go is to deal with attorneys to deal with this because we're not going to get anywhere around with these guys. And I'm -- from what I've heard today, we don't have a whole lot of hope in you guys. I hope to change that.

So very quickly before I finish here, if you wanted to shut down this company, what are the three things we need to get done to shut them down? And for anyone who wants to talk to me, come in the back. We need to get together and form a group.

So very quickly, I'm ending, what are the three things we need to get done here, whether we need legal help to shut this company down, because they certainly have a horrible track record. So please give that to us.

Thank you.

Response to Comment SM2-10

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility. Please also refer to Master Response on DTSC Soils Investigations and Remediation.

To respond about the commenters concerns about medical health issues, Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

For more information about DTSC's soils investigations, visit their website at: <https://dtsc.ca.gov/hw-projects/quemetco-battery-recycling/>. For more information about the potential for lead in your soils, you may contact Elsa Lopez at Elsa.Lopez@DTSC.CA.GOV.

The South Coast AQMD rules and regulations which are applicable to the facility and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits. The EIR analyzes the proposed Project's environmental impacts and concludes that all potential impacts would be less than significant.

Comment SM2-11 – Clean Air Coalition of North Whittier and Avocado Heights Coordinator, Rebecca Overmyer-Velazquez

REBECCA OVERMYER-VELAZQUEZ: Hi. My name is Rebecca Overmyer-Velazquez, and I coordinate the Clean Air Coalition of North Whittier, Avocado Heights, and there's a few of us in the audience here who have our T-shirts on. We are a group. There is a group. We have been working on this issue for the last four to five years. We have a website, we have a Facebook page, and we are -- you need to get in touch with us, please. If you're not -- if you're not on our e-mail list, if you haven't been on our Facebook page, please visit it.

And we will be coordinating more of these meetings to make sure that our -- the folks who are in charge of protecting our health know that we care, that you care. We're not going away. We're not going away.

So I just want to say -- there's a couple of things here. I have two numbers. Two numbers, 24,000 and 135 million. 24,000 trucks a year just to this facility. I don't think I need to remind you that in the City of Industry there are warehouses, there are factories, there's a freeway, and there are railroads. The Alameda Corridor goes right through this. 24,000 truck trips just to this facility in one year. 135

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million gallons of drinking water every year going through this facility and getting polluted and then pushed into the waste -- into this treatment facility. A hundred -- I have to save my water. We are in a drought. Colorado River supplies are being reduced to Southern California because of climate change. Where -- our aquifers are poisoned, folks, Superfund sites. San Gabriel Valley is one of the largest Superfund sites in the -- the San Gabriel Valley aquifer is a major Superfund site. There's so much pollution in there, they can't even -- they've got to figure out where their wells are going -- what wells are we going to get water from. And they want to use 135 million gallons a year? Folks, that's just not right. Where are we going drink water? And then they recycle this water?

Do you know -- do we know if the recycling of water actually concentrates contaminants? Do we know that yet? We haven't really done recycled water, drinking water, on a big scale. That's what we're talking about in terms of trying to save this area with drinking water, to keep drinking water here. There's a lot -- that's a big problem, and I don't -- and your initial study suggests that that is not a problem. "Yeah, the San Gabriel Valley Water Company said no problem. We're going to give you all that water." No.

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That's water for everybody. It's a scarce, precious resource. You cannot give that water away to this facility.

24,000 truck trips. I just want to read really quickly --

Oh, man. How did that happen?

Okay. Well, I can't read from this. I want to point people to Page 213 -- the pages in this report. You've got to read it, folks, especially the pages about air, about air quality, because what they're -- what they're telling you in this report is really nasty. You've got serious air pollution problems coming forward if this happens. It can't happen. Thank you.

UNIDENTIFIED SPEAKER: What page?

REBECCA OVERMYER-VELAZQUEZ: Wait. Wait. Wait. Don't clap yet. It's the section on air quality and greenhouse gas emission.

MICHAEL KRAUSE: Starts on Page 2-10.

REBECCA OVERMYER-VELAZQUEZ: 2-10. Read it. Really important because that's where we're going to start breathing in more and more diesel pollution from all these trucks, from the petroleum coke that they're going to put in the furnace to burn this stuff. That's a serious health problem coming forward if they -- it can't happen.

Response to Comment SM2-11

Quemetco is an existing operating facility which operates pursuant to existing air permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria. The South Coast AQMD rules and regulations which are applicable to the facility and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Table 2-1 in Section 2.6: Project Description summarizes all of the year 2014 baseline activity levels and the proposed Project estimated activity levels. The proposed Project's baseline activities are described in detail in Chapter 3 – Environmental Setting.

Quemetco also has assurance from the San Gabriel Valley Water Company that it can and will serve water, and a waste discharge permit for processing and discharging treated wastewater with LACSD. The proposed Project is not contemplating whether to allow an increase of 135 million gallons of wastewater. Further, the proposed Project would not contribute to groundwater degradation, nor impact or be impacted by the superfund site. Further, the proposed Project has no components that will recycle the wastewater and turn it into drinking water. Proposed Project impacts from hydrology and water quality are evaluated in Section 3.5 and Section 4.5; all potential water usage and waste water discharge impacts were found to be less than significant. Quemetco is also subject to DTSC's Hazardous Waste Facility Operations and Post-Closure Permit in accordance with RCRA; this permit includes groundwater monitoring (refer to Section 3.5).

Trucks are part of Quemetco's existing day-to-day operations; as shown in Table 2-1 and evaluated in Section 3.6 and 4.6, the proposed Project's anticipated traffic impacts (15 truck round trips and 6 passenger vehicle round trips a day) would be less than significant. The potential impacts from use of petroleum coke in the furnaces as a smelting reagent is evaluated in Section 4.2 and Appendix D in the EIR. All potential impacts would be less than significant.

Comment SM2-12 – Nancy Mertiz

NANCY MERTIZ: Good evening, everybody. Look at my face. See this? If we keep letting all this keep happening, this is what we're going to look like.

MICHAEL KRAUSE: Thank you.

NANCY MERTIZ: You know? This is what we're going to look like. I don't know about what you guys are doing, but you guys aren't helping us out. Money talks, I know that. But do you know what? Come on, guys, we have got to stick together. We have got to do it for our kids. We have got to do it for us. You know, we do not want to be another City of Vernon because no one is going to help us. No one is helping them, and no one is going to help us. They still haven't gotten nothing done. They are sitting on contaminated soil, and that's how we're going to be.

So all of you guys that are sitting there that don't live here, move over, come over and stay with us a couple of years, then we'll see exactly. This is what you guys need to think about.

If they have all of this stuff that they have

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been violated for, why give them the permits? Why give them the permits? I don't understand this. But if we don't stick together, if we don't get any help, no one is going to help us, and I am not going to go down like the City of Vernon. I'm not going to go that way, sir.

Response to Comment SM2-12

Quemetco is an existing operating facility in the City of Industry which operates pursuant to existing air permits. The existing permits include conditions which limit various operations via emission standards and other criteria.

Quemetco does not operate a facility in the City of Vernon and is unrelated to any other facility in the City of Vernon. Since the proposed Project is for the Quemetco facility located in the City of Industry, the analysis in the EIR focuses on Quemetco and their proposed Project and does not address any facilities that are located in the City of Vernon, which is approximately 17 miles away.

South Coast AQMD rules and regulations which are applicable to the facility and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Comment SM2-13 – Earthjustice, Byron Chan

BYRON CHAN: Hi. Good evening. My name is Byron Chan. I'm an associate attorney at Earthjustice. I'm here to urge the South Coast to include and evaluate environmental justice impacts in its environmental impact report.

The initial study does not mention environmental justice, even though the project is surrounded by several environmental justice communities according to demographic data available on CalEnviroScreen.

The environmental justice analysis is crucial to determine whether any impacts from the project will disproportionately affect surrounding environmental justice communities.

While certain impacts may not be significant for the general population, such impacts may still be significant for environmental justice communities due to

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financial insecurity, lack of access to health care, or other special sensitivities and cumulative effects.

Studying the disproportionate impacts to environmental justice communities is a crucial part of any meaningful environmental justice -- environmental analysis.

On its website, the South Coast claims that one of its top priorities is the implementation of environmental justice initiatives. To live up to this

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commitment, the South Coast must include environmental justice impacts in its evaluation -- in its evaluation of the project.

Thank you.

Response to Comment SM2-13

Please also refer to Master Response on Environmental Justice.

Under state law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. [Government Code Section 65040.12(e).] Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects. South Coast AQMD adopted an environmental justice initiative to ensure that everyone has the right to equal protection from air pollution and fair access to the decision-making process that works to improve the quality of air within their communities. Environmental justice is program is defined by South Coast AQMD as the *“...equitable environmental policymaking and enforcement to protect the health of all residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution.”* One of the South Coast AQMD's top environmental justice priorities is the implementation of ABs 617 and 134 (<http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134>). However, the Quemetco facility and its surrounding community is not currently designated as an AB 617 community

While neither the CEQA statute nor the CEQA Guidelines explicitly require consideration of environmental justice or property values when evaluating the environmental effects of the proposed Project, the South Coast AQMD considers disproportionate impacts on disadvantaged communities by evaluating the proposed Project’s potential public health and environmental impacts via its permitting process. Moreover, the EIR includes an extensive analysis of the proposed Project’s potential impacts on air quality and GHG emissions (including air toxics), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. In addition, public health impacts associated with the proposed Project were analyzed in an HRA (see Section 4.2 of the EIR). Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. The analysis of all environmental topic areas evaluated in the EIR for the proposed Project were concluded to have either less than significant impacts or no impacts. Therefore, the proposed Project would have less than significant impacts on public health.

Comment SM2-14 – Dianne Ortega

DIANNE ORTEGA: Hi. The gentleman earlier brought up the topic of intake beyond our borders, other countries. I don't understand how that's possible to bring in toxins, lead, into our community. What is it that this company is looking for? Is it the almighty dollar?

And you, as a panel -- you, as a panel, shame on you that you would allow this to affect our

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community. Why is it that it's allowed to bring from other countries? Is this true? Is it a true fact that they are coming in from other countries?

UNIDENTIFIED SPEAKERS: Yeah, for sure.

DIANNE ORTEGA: Why? How is that happening?

And three years ago they submitted for permits; is this correct? Three years, and you have allowed them to produce, violate, and destroy our community. Even after violation after violation, you continue to say, "Okay. One more time. A little longer."

You know, we battled sanitation. They continuously wanted to extend their ten-year permits. "We have got to move a little further," "We need more room to dump our waste." But you know what? The City of Hacienda Heights, the City of Industry, La Puente, we fought, and guess what, they didn't get another ten years. They were stopped at their border.

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Well, guess what, it's time for this company to be stopped. And you know what, let's export our stuff from here to the other country. And do not think that for one minute that this community is going to stop.

Sanitation, they knew what we were coming from. And, Quemetco, we're not done.

And, again, there are political representatives. Please go back to your superiors and

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let them know that this community, elections are coming. I'm so ready to get rid of and start over, and that's it. And it's up to you.

You don't live in this community, so think about it, because I don't think you would ever want to move here knowing that it's your fault that you're contaminating this community.

Thank you.

Response to Comment SM2-14

The source of feed stock is described in Section 2.4 of the EIR. Suppliers of feed stock include scrap yards, battery manufacturers, and used battery brokers located primarily throughout the western United States, generally west of the Rocky Mountains. These brokers acquire lead bearing scrap on the open market from many sources. This scrap is often re-sold and, as a result, there is the possibility that the facility may occasionally receive and process some small quantities of scrap from international sources indirectly through these brokers. See also Chapter 5 – Alternatives for a discussion of the potential environmental impacts from exporting California generated batteries out of state and out of country.

The EIR evaluated whether the proposed Project could cause a significant effect on the environment compared to the existing physical conditions in the environment (known as baseline conditions) in accordance with CEQA Guidelines Section 15002(g).

It is also important to note that the CEQA process is just one component in the overall evaluation process as required by the Public Resources Code and CEQA Guidelines and does not mean that a project will be approved or denied. South Coast AQMD is responsible for assessing the potential impacts of all its permit applications to ensure compliance with CEQA statutes and guidelines as well as other applicable rules and regulations. The preparation and public review of this EIR does not equate to the approval of the proposed Project.

The South Coast AQMD rules and regulations which are applicable to the facility and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Please refer to Master Response on DTSC Soils Investigations and Remediation.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-15 –Congresswoman Grace Napolitano Representative, Perla Hernandez

PERLA HERNANDEZ: Hello. I'm going to be wearing two hats. My first hat is for the congresswoman on behalf of Congresswoman Grace Napolitano.

This battery recycling factory is the largest west of the Mississippi.

UNIDENTIFIED SPEAKER: The only one.

PERLA HERNANDEZ: The only west of the Mississippi. It's time for them to move out. That's what the congresswoman has asked. She wants to see the report released from the DTSC regarding the critical elements that they discovered, and she wants people's homes to be also looked at, not just on the surface but go deeper, go on top of the fridges, go in the corners,

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go where the spiderwebs are. Go in. She wants us to do a real critical report.

She's fed up. It's been too long. She's been hearing about this for too long. She's asked that I share that with you.

I'm going to take off that hat now. And as a mother living in Hacienda Heights, I do not want to raise my little girl here. I'm nervous. She's three years old and very vulnerable. This is my home. Please help clean up our home. This place should not exist, and we should really be careful because the next generation will not exist.

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As a mom -- this is my neighborhood. I'm so happy that they're here. And I'm so happy that the professor from Whittier College is standing up and being so brave for so many of us.

So I just wanted to share my thoughts as a mom and as a neighbor. Please, take all this information and take it from heart. I'm a professional. I'm a doctorate student. I'm a mom. I've been in Congress working with the member for a long time. And I know the difference between bad policy and good policy. I'm letting you know right now, that this, this situation is bad. It's bad.

And I'm speaking from the grandmother that I

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work for, but I'm also speaking as the mother that I am. This is deep. This is hurting us, and I know that the congresswoman has approved every word I'm saying, but it doesn't matter. I'm speaking on my behalf.

Thank you.

Response to Comment SM2-15

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.” Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified.

The EIR evaluated whether the proposed Project could cause a significant effect on the environment compared to the existing physical conditions (known as baseline conditions) in accordance with CEQA Guidelines Section 15002(g). The EIR for the proposed Project includes an analysis of the proposed Project’s potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts from the proposed Project to the surrounding community. The analysis of these environmental topic areas in the EIR concluded that while the proposed Project may result in adverse impacts, the environmental effects were shown to be at less than significant such that no mitigation measures or alternatives analysis are required.

Nonetheless, while not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

It is also important to note that the CEQA process, including the preparation and public review of this EIR, is just one component in the overall evaluation process as required by the Public Resources Code and CEQA Guidelines. This process does not mean that a project will be approved or denied.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections of to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

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DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today's operation and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-16 – Mitzi Leyk

MITZI LEYK: All right. I'm speaking because I wrote a statement at the first meeting, as Michael well knows, regarding the traffic. And we have one exit out of our community. I live -- my neighbors are actually here -- within four blocks of Quemetco.

So we have one exit out of our residential area at Clark and 7th. So bringing -- right now, many times during the day, you can't even get out. In the morning, in the evening, it's blocked, and bringing more trucks and more pollutants into our area is stopping us. It's already a problem, and then that just brings more pollution. The traffic on the 60 Freeway, the exit on 7th is already so overrun with trucks, it's just -- it's

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a hazard to all of us.

Also, I wanted to state, you know, it's all the human people here, but we all have dogs and horses and other animals that live outside that our kids pet, kiss, hug every day, and they go out into the yard. Every dog I have had since I moved to Hacienda Heights when I got married 27 years ago has had cancer. Every single dog. I do animal rescue. I save those dogs just to die in my house.

So my veterinarian always asks me, what is going on? I do not spray pesticides in my yard. I'm allergic to a lot of chemicals. I have asthma, and I have always had, since I moved into my house in Hacienda Heights, upper respiratory problems.

Response to Comment SM2-16

The proposed Project requires modifications in the facility's South Coast AQMD's air permits. The extension of the RCRA permit with DTSC is a separate permit and separate project and is not part of this EIR.

The EIR includes a health risk assessment which analyzes the potential health risks to the surrounding areas and follows South Coast AQMD methodology (see Section 4.2 and Appendix D.1). The result of the HRA indicated the proposed Project's potential impacts would be less than significant from the proposed Project.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Further, the commenter includes a story about her pets' health issues. The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. All potential environmental impacts were evaluated and found to be less than significant; mitigation measures are not required.

The comment relates a story about removing a Jacaranda tree, which was in response to the commenters allergies and which is not relevant to the scope of the EIR or public health risks from the proposed Project.

Trucks are part of Quemetco's existing day-to-day operations; as shown in Table 2-1 and evaluated in Section 3.6 and 4.6, the proposed Project's anticipated traffic impacts (15 truck round trips and 6 passenger vehicle round trips a day) are less than significant.

The NOP/IS analyzed the proposed Project's potential impacts to biological resources and found them to be less than significant, therefore, it is not analyzed further in the EIR.

Comment SM2-17 – Marina Martinez

MARINA MARTINEZ: I would like you all to know that I'm old school. Years ago I worked in Vernon. I worked at a bakery. We lost ten people from cancer.

In the early days, it was a topic of how horses, cows, animals had tumors, cancerous tumors. Okay. That's Vernon. And a lot of people around that area are contaminated with cancer. The soil is contaminated.

So, listen, the proof is in the pudding. How many people do you know that have died of cancer or are dealing with cancer, and you know the pain and what it is to see somebody go through that? I seen it. I seen ten people that started working with me as young women, young men, healthy. Thank God, for some reason, I moved on. I left that job. But years to come down the road, ten people in there, healthy women, came down with cancer tumors, lung cancer, all kinds of cancer, people around the area. We weren't aware about the battery place. We were young. You know, those weren't our

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interests. Just like politics is not your interest when you're young until somebody -- you hear about it, then it rings a bell. Well, that bell rung loud for me not too long ago and brought back sad memories. I hope you don't have to deal with it.

That's all I have to say. The proof is in the putting.

Response to Comment SM2-17

Quemetco does not operate a facility in the City of Vernon and is unrelated to any other facility in the City of Vernon. Since the proposed Project is for the Quemetco facility located in the City of Industry, the analysis in the EIR focuses on Quemetco and its proposed Project and does not address any facilities that are located in the City of Vernon, which is approximately 17 miles away.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

The EIR includes a health risk assessment which analyzes the proposed Project's potential health risks to the surrounding areas and follows South Coast AQMD methodology (see Section 4.2 and Appendix D.1). The result of the HRA indicated potential impacts will be less than significant from the proposed Project.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline (existing conditions) and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

The EIR found all potential impacts would be less than significant and therefore mitigation measures are not required.

Comment SM2-18 – Janie Sanchez

JANIE SANCHEZ: My name is Janie Sanchez. I'm a resident of Hacienda Heights 45 years.

I just want to know why we have not been receiving letters. I have a letter here dated 2000. July 2000. It came to my house. It wasn't addressed to me, but it came to my house, and it was from Quemetco.

They mentioned here all the different things that were going on with the company. At the time they said they had 200 employees and that every year those employees would get tested along with their families.

I want to know how are those employees doing 17 years later? How are their families doing 17 years later?

And, also, what they mentioned in this

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letter -- somehow or other, I had -- I was cleaning out my file and I was going to throw it away and I kept it. And for some reason -- thank God I kept it, because I have some information here that you guys never brought up. I want to know what's going on with those people that were there 17 years ago. Where are they? Where is their family?

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We have 21 schools or 22 schools in the area. How are those kids doing? The water, the dirt. I live across the street from the junior high school. Every day the kids are out there playing. What does everybody say now, the kids have to go outside and play and get exercise. Before, four or five years ago, they were inside on their computers. Now we want them out. Out where? Where the dirt is at? Where the air, the grass, everything that they are breathing is coming from the environment that we have?

I live about two and a half miles, maybe three miles from Quemetco. I understand that these letters are only going out to certain people -- or only 6,000; is that correct?

MICHAEL KRAUSE: It went up to over 10,000, this latest one.

JANIE SANCHEZ: 10,000.

MICHAEL KRAUSE: Yes.

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JANIE SANCHEZ: I would like to be one. I would like to -- for our neighborhood that is only three miles away to receive it. Maybe everybody in Hacienda Heights to receive it.

JANIE SANCHEZ: You know what? I was -- last night, I was canvassing Vons, and I'm going to do that again, and I'm going to get all my neighbors' addresses and I'm going to bring them to you so that they can get this letter and that they know about this meeting. And maybe next time we'll have a bigger group.

MICHAEL KRAUSE: Great.

JANIE SANCHEZ: Thank you.

Response to Comment SM2-18

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. All of the proposed Project's potential environmental impacts would be less than significant.

The information regarding the schools located within a two-mile radius of the Quemetco facility was presented for informational purposes and was not intended to be a comprehensive map of all sensitive receptors. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the applicable significance criteria for each environmental topic area. For example, the HRA in Section 4.2 (as supported in Appendix D.1) of the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles), while some of the other environmental checklist questions call for smaller radii such as hazards and hazardous materials refer to impacts within one-quarter mile of a school or two miles of an airport.

Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

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The address has been added to the public notification list for the proposed Project. At the time of the release of the NOP/IS for the 32-day public review and comment period (which was extended for an additional 24 days), 6,445 people were notified of the proposed Project. Similar to the notification process for the NOP/IS, the Draft EIR was released for at least a 60-day public review and comment period. A Notice of Completion of the Draft EIR was sent to other agencies with jurisdiction over the facility, all interested parties who have previously asked to be included on the notification list for the proposed Project including attendees of both CEQA scoping meetings, as well as all addresses located within 2-mile radius of the facility. In total, 13,210 people were notified (12,500 letters and 710 emails) of the Draft EIR for proposed Project. In accordance with CEQA, South Coast AQMD prepared the NOP/IS and EIR. These documents and other relevant documents may be obtained by calling the South Coast AQMD Publication Request Line at (909) 396-2039; by contacting the South Coast AQMD Public Information Center by phone at (909) 396-2432 or by email at PICrequests@aqmd.gov, or by accessing the South Coast AQMD's CEQA website at: <http://www.aqmd.gov/home/research/documents-reports/lead-agency-permit-projects>.

Quemetco has safety measures and practices in place for their employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for their employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures. As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to their employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. This does not include screening or testing of any facility's employees' blood. Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, by visiting their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Comment SM2-19 – Andrea Gordon

ANDREA GORDON: My name is Andrea Gordon. I live in Hacienda Heights. I'm opposed to the Quemetco -- I can't even say it -- Quemetco plant operation in any form. I don't want them to expand, and I don't want them to operate. They have a long history

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of pollutants, of violations, even if they are considered by your agencies to be minor violations which allows them to continue to operate for, it seems like years before there's any resolution to the issue, that's too long for us. We live here.

I'm a cancer survivor. My cancer was determined to be environmental. That was 20 years ago. City of Hope told me, "You've got six months." Thank you, God, I'm still here and they do good work, but I don't want to do it again, ever, ever, and I don't want any of my neighbors to do it again.

And what I want to know that I haven't seen anything addressed here so far has to do with the employees and the family members because those employees track home chemicals. Their clothes get washed in the washing machines and the dryers at home. Their family members are getting exposed. I'm sure of it. Those chemicals don't go away easily. That's why they are so dangerous to people's health.

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So what I want to know is, how many OSHA complaints have been made? I'm not talking violations where it was determined to be a violation, but I'm talking a complaint made to OSHA over the last 25 years.

I want to know how many workers' comp filings and of what type there have been by all the employees at

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that facility, all of them. Whether they are there now or not, I don't care. How many over the last 25 years have filed workers' comp complaints? And then, of course, what type of complaint, what was the resolution of that complaint, you know, all of the additional information that goes along with that.

And then I want to know from the union, because their employees are represented by unions. How many complaints and of what type have their unions filed on behalf of their workers who work at that plant?

And then one final thing is that at the Clean Air Coalition meeting that was held recently in North Whittier, a doctor under contract for Quemetco was going around to the people in the audience asking if they wanted free lead testing.

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Well, my neighbor who lives miles from the Quemetco plant wanted to sign up for free lead testing. She thought it was a great thing to get free testing. Well, I think those results would be used to skew the outcome. You know, they tested X number of people for lead and so many people didn't have it, X percent. Well, she's too far away and she's up on top of a hill. I doubt that she's going to get polluted way up there. She will likely get polluted as she goes back and forth, you know, in and around the surrounding areas and

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streets around the plant. Those things are critically important.

And if there's just one last thing, if I could do one sentence. Just one sentence, please.

MICHAEL KRAUSE: Sure.

ANDREA GORDON: Thank you.

This is on behalf of the gentleman.

MICHAEL KRAUSE: Of Bing, uh-huh.

ANDREA GORDON: He says, "In my humble opinion, now there is only one choice between saving the business and saving the victims. It is a dilemma and mutually exclusive in front of you. Which one will you choose?"

BING CHEN: Thank you.

ANDREA GORDON: "I'm hoping it's the victims."

BING CHEN: Thank you very much.

MICHAEL KRAUSE: Thank you, Andrea.

Response to Comment SM2-19

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

South Coast AQMD’s mission includes a responsibility to: “All residents [who] have a right to live and work in an environment of clean air and we [South Coast AQMD] are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.” South Coast AQMD also has a responsibility for assessing the potential impacts of all proposed Projects to ensure compliance with CEQA statutes and guidelines as well as other applicable rules and regulations.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

The EIR includes an analysis of the proposed Project’s potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. Detailed information regarding Quemetco’s permit violations and settlements (including OSHA) are discussed in Section 3.2 and Appendix C of the EIR including any potential OSHA violations. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility’s current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

Specifically, to estimate public health impacts from the proposed Project’s air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter

radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Quemetco has safety measures and practices in place for its employees to follow to prevent worker exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for their employees on an annual basis to ensure workers do not bring lead dust home on their clothes. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures.

As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to their employees to screen for elevated lead levels every three months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. These procedures ensure that Quemetco employees do not bring lead dust home to their families or neighbors. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA). Further, any OSHA complaints made are outside the scope of this CEQA assessment. Additionally, any labor union complaints are outside the scope of this CEQA assessment. The South Coast AQMD's scope for this CEQA assessment is triggered by its responsibilities to respond to Quemetco's request to modify its air permit as described in Chapter 2 of the EIR; the analysis of this EIR is clearly guided by CEQA Guidelines, case law and South Coast AQMD's procedures for evaluating its air permits. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. This does not include screening or testing of any facility's employees' blood. This also does not include OSHA or labor union complaints.

The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. As described above, South Coast AQMD's CEQA responsibility as a lead agency are defined by compliance with all requirements of CEQA, which includes an analysis of *environmental* impacts, and which does not include requiring screening or testing of any facility's employees' blood.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For

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more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Comment SM2-20 – Maria Avila

MARIA AVILA: Hi. Good evening, everyone, and thank you for being here.

Myself, I have been in Hacienda Heights for a little bit over eight years. I'm raising a family here. And moving to the community, for me, was the best thing because I felt like I was working hard to get a better

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opportunity, a better living environment for my children. And come to find out, I probably brought them to a toxic environment, which is very heartbreaking for me because moving out of the community where we were at, I figured, "Well, they're going to do better in life because of more opportunities."

Now I find that -- I have the results from the USC study in my hand, and, you know, it makes me almost want to cry because of the levels of exposure that my children are going through are extremely high.

If you guys can see this far, this is all the kids that were tested. This is my kid over here. So if you look at this and if this was a race, my kids would be winning. This is something I don't want them winning at. Levels of arsenic, lead, cadmium that are so high that I feel like I have -- I'm poisoning my kids every day by just staying in the home that we're in.

When I got these results, I immediately worried and I started reaching out to a couple of your agency people at the AQMD. I tried, and I found Charlie Tupac, which was of no help.

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At the DTSC, I was in contact with Elsa, which I found to be very laughable at all the information I got from her as well.

I reached out to Hahn's office, Ian Calderon's

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office, and both Lauren and Samantha at their office were very kind to listen to my frustrations and listen to me vent. And although they -- they tried -- I don't know if they're here tonight. If you are, if you could just raise your hand. But they were kind enough to listen to my concerns and my questions, and that's pretty much it. I haven't heard or seen them at any of these meetings.

And I want to thank the representative from Napolitano's office for being here today. It warms my heart to know where she stands.

And I would like to know where Solis stands on this, the representative for Avocado Heights.

I want to know where Hahn stands on this. I want to know what their opinion is or where they want to take this.

I want to know where Calderon stands on this and what they're going to do for us as residents and the community.

I'm just kind of -- I'm tired. I'm tired of living -- I come home every night from a long day of work, and all I can see walking up to my home is visual particles of chemicals everywhere. And like they said, you know, we wipe our feet before we go in the house and we have the kids wash their hands before they do

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anything from coming in from outside. And, you know, we shouldn't have to live that way. It's not a way of living.

I don't go to work every day, 40 hours a week plus, to come home and feel like I'm a prisoner in my own home. I don't want to go outside, I don't want to be in the yard. Why? Because I see chemicals everywhere.

And I urge you guys to please, for now at least, not increase the 25 percent and work with the community in the future to find a better resolution for everyone. It's easy to say, "Shut them down" and whatnot. But let's just move forward to finding a better resolution to where we can all live in peace. And if they are going to continue to operate, let's make sure that these permits and these Class I violations, Class II violations have been addressed and taken care of.

And I feel it's very unfair that it would take two years, two and a half years for the soil samples to be released. And for you guys to make a decision before those samples are released, I think would be an injustice to the community.

MICHAEL KRAUSE: Thank you, Maria.

Response to Comment SM2-20

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility including children. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at:

<http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>. The comment refers to a USC study; see Comment NOP-24 and Response to Comment NOP-24. The comment refers to Hahn; see Comment NOP-6 and Response to Comment NOP-6. The comment refers to Napolitano; see Comment SM2-15 and Response to Comment SM2-15.

The South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. South Coast AQMD cannot issue a permit until all permit violations have been resolved. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today's operations and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-21 – Marilyn Kamimura

MARILYN KAMIMURA: My name is Marilyn Kamimura.

I'm from Avocado Heights.

I wasn't originally going to speak, but then I listened to everybody, and I've -- I've lived in Avocado Heights for 47 years. I've done many environmental issues, including trash, rail yards, but I will say Quemetco at this point to me is the worst because I am a grandmother.

We had worked with USC to get our own soil testing, but they -- and then we did that. And then we were part of Clean Air coordinating with USC as far as the nail and urine testing.

And as we -- as people went door to door, I realized, of the number of sick people in Avocado Heights off of Lomita, 4th, 5th is considered ground zero just because of wind draft.

Your May 2016 health risk assessment for arsenic showed that the wind -- that the arsenic plume went two miles to Vineland Drive-in in our direction. So my concern -- it was by modeling. There was no testing of actually how much arsenic and what kind of arsenic it was.

So my concern is that I have two-and-a-half- and four-and-a-half-year-old grandchildren. Now, my

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level of lead in my soil is 250. So now we have cleaned all my patio, my grandchildren have to wash their hands. I am so afraid for them. And that's why I'm here now. I believe this -- this definitely should not -- the project should be denied.

And another thing about water. Rebecca didn't finish up. The water is sulfide. Even the sanitation district has mentioned, and it is in that initial study, is the amount of sulfide that is going to go in your water that would be an adverse impact to you.

So, most of all, I want to bring up to DTSC, when I've heard from Ian Calderon's rep that we're going to have a meeting on November 8th, is that true, at the Hacienda Heights Community Center where you will release the soil results? This is what we understood as an agreement, and I'd like to bring it up now so all these people can know that DTSC is coming out with those soil reports on November 8th at Hacienda Heights Homeowners -- this community center from 6:00 to 8:00 o'clock.

PETER GARCIA: Yes, we are in the process of planning such a meeting.

MARILYN KAMIMURA: Okay.

PETER GARCIA: The date is -- the date is still unconfirmed, but a meeting will come up very soon.

MARILYN KAMIMURA: That -- that was the date as understood.

PETER GARCIA: Yes.

MARILYN KAMIMURA: Okay. I just want people to understand the date is now. We are not going to keep waiting on it.

And another thing, the original was supposed to have been a mile. If the arsenic plume went two miles, shouldn't that testing have gone a mile? That was the original plan. Because more people are really being contaminated. That's why I'm here. We need to all stick together, and that's what counts.

Thank you.

Response to Comment SM2-21

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

The comment refers to a USC study; see Comment NOP-24 and Response to Comment NOP-24. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast

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AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Arsenic was modeled as part of the HRA. Ambient arsenic concentrations are monitored at Quemetco's fenceline monitors, South Coast AQMD's downwind ambient monitor at Closet World, and CARB's and South Coast AQMD's regional monitoring stations throughout the air basin (see Section 3.2 in the EIR). Section 4.2 of the EIR presents the local prevailing wind patterns in the area around Quemetco with wind rose graphics.

This HRA does not use nail and urine samples as part of this CEQA assessment. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts and this does not include requiring collecting nail or urine samples.

DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today's operations and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

The baseline sulfide levels in the wastewater are included in Section 3.5 of the EIR. The hydrology and water quality analysis in Section 4.5 of the EIR find all potential water quality impacts to be less than significant. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-22 – Crystal Ramos

CRYSTAL RAMOS: Hi. I'm Crystal Ramos. I've been a resident of Hacienda Heights since I was two. So I grew up my entire life out here. I've been a resident, I have played soccer, I went to the schools out here, I went to the church out here.

This is affecting the community center that we are sitting in right now. Right now this is affecting exactly where we're all at.

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I go to St. John Vianney Catholic Community. I've gone there my entire life. There's several other churches in the area, there are several other schools.

This is also affecting a huge chunk of -- what irks me is that you're not -- you are not giving the information to people who don't have the education to understand it. That graph. I study sociology and public administration, so I can talk legislation all day long. But when I look at the graph, I don't really understand these chemicals. I don't understand any of it. It's not layman's terms. That's not easy for somebody that's a college graduate, let alone a working-class citizen who hasn't had the ability to have that.

The people that are working in these facilities wear PPE, personal protective equipment, that is pounds -- pounds, pounds, pounds of heavy. The type of procedures they have to go through just to go into it is ridiculous.

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I've worked in occupational safety and health, I've worked in insurance, I've worked in regulatory management. I understand these things, and it's not okay. And I've worked for large companies that have been cited by Cal/OSHA and they have a set amount of time that they are allowed to do it and that's it. And

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if they don't do it, they are supposed to be shut down.

The fact that the people in the community don't even know about it is beyond me. I found this out because my mom told me about it. And I started to find this information and send it to the neighbors. Everyone wants to know, how many people has this affected? How many people have gotten sick from this? What is going on with the water? What is going on with the air? What is going on with the soil?

And you only tested a small sample size. And if you're proposing to increase this, again, another 25 percent above what's already proposed, what's already there, which is irrelevant at this point, the soil results, because it's from two years ago, they have not only increased their production from two years ago, their production, but they are also projecting to increase 25 percent, how much more is that? 25 percent, can we increase that radius 25 percent of those schools? Our schools are impacted. My little sister goes to school out here.

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I've grown up with stomach issues, joint issues. I'm 26 years old. That's not okay. That's not. And at some point, we need to speak -- we need to speak up for everybody, for the people who are of color who don't have these representatives for them on the

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board. And you guys, your whole job for South Coast Air Quality Management is to represent the people, is to represent and manage and regulate what is going on in the environment.

I don't understand why we are allowing an excess amount on top of what's already been violated and then permit more? Why is two pounds or three pounds of lead being emitted a day okay if less than five deciliters in a child's blood causes brain damage?

I mean, I just -- it's something we have got to think about, guys. And this really hits a soft spot because my kids, if I want kids, I probably wouldn't even be able to have them because they are all going to die before they are even born, with these issues.

This is not okay. I just -- I appreciate you guys coming out here and listening to us and allowing the panel to give us the opportunity to speak, but these are real issues, and there's not a lot of people my age here to represent me, my -- the people that I grew up with, and all the kids that we played soccer with and had all this exposure to. So that's what I'm really asking for.

Thank you.

Response to Comment SM2-22

Quemetco has safety measures and practices in place for their employees to follow to prevent worker exposure to toxic materials per OSHA requirements. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for its employees on an annual basis. Because of the importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures.

The South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. Ambient lead emissions are monitored 24-7 by Quemetco's onsite fence-line air monitoring stations and South Coast AQMD's offsite downwind ambient lead monitor at Closet World; these monitors show the facility is not contributing to a violation of local, state and federal lead air quality standards. Quemetco is regulated by South Coast AQMD's Rule 1420.1 which includes emission standards for lead and other TACs from large lead-acid battery recycling facilities. South Coast AQMD Rule 1420.1 is more stringent than Federal Regulation X - NESHAP. Rule 1420.1 also requires Quemetco to prepare annual compliance demonstrations. Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

The information regarding the schools located within a two-mile radius of the Quemetco facility was presented for informational purposes and was not intended to be a comprehensive map of all sensitive receptors. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the significance criteria for each environmental topic area. For example, the Health Risk Assessment in Section 4.2 (as supported in Appendix D.1) of the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles), while some of the other environmental checklist questions call for smaller radii, such as hazards and hazardous materials refer to impacts within one-quarter mile of a school or two miles of an airport.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

Hydrology and water quality is evaluated in Section 4.5 of the EIR; all potential water quality impacts would be less than significant.

Air quality and GHG emissions are evaluated in Section 3.2 and 4.2 in the EIR; all potential air quality and GHG emissions impacts are less than significant.

Please refer to Master Response on DTSC Soils Investigations and Remediation. DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination and do not necessarily reflect today's operations and compliance with South Coast AQMD requirements including but not limited to Rule 1420.1 which was designed to curb toxic emissions and penalize exceedances with curtailment of facility operations. The

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proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required under the scope of this CEQA evaluation.

The facility is currently a 24-hour operation and the proposed feed rate increase only applies to the rotary kiln/feed dryer and reverberatory furnace; all of the other permitted operations are not limited by the 600 tpd daily feed rate. While there may be a 25% increase in the permit limit on the rotary/kiln feed dryer and reverberatory furnace as well as in refined lead, with the existing air pollution control systems in place, the proposed Project estimated increase in emissions may not be directly proportional to the feed rate increase as summarized in Section 4.2 of the EIR. However, the increased emissions are not greater than South Coast AQMD's thresholds (See Table 4.2-5, 4.2-7, 4.2-8 and 4.2-9). The air pollutant, GHG and air toxics emissions would be less than significant, mitigation measures are not required.

Comment SM2-23 – Duncan McKee

DUNCAN MCKEE: Okay. So, you know, the community has done a really great job here bringing up some points. I have some questions that maybe you could answer them afterwards so you don't chew up my three minutes.

But the bottom line is, we need to be looking for an additional one or two facilities to process these excess batteries. This community should not bear the brunt of batteries coming from all over the world. And I won't go through the details, but if anybody wants to see the documents, I can show them to you. They are coming from all over the world. I think somebody already brought that up.

Okay. Also, the elected officials need to get involved. Supervisor Hilda Solis should be supporting our community in making sure this increase and throughput does not occur and that the inevitable cleanup of the contamination that has been documented to exist in and around that facility in the community begin immediately.

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The soil testing the DTSC recently did is a farce. Okay? They need to go back to the soil testing that was done previously and test those areas and figure out how we are going to clean up the mess so that the little children that are playing in it are not exposed to the contamination that's there.

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I can take -- I challenge DTSC and AQMD to come with me any day of the week, and I will take you with your XRF to areas in our community where there are children, where there are hazardous waste levels of lead. Okay? Any day you guys want to go, I'll take you there. Okay?

So our elected officials really need to get behind the communities here.

And there's a couple of petitions right here floating around. One of them is to close this facility. The other is to deny this increase in throughput.

And this calcined carbon coke that's substituting petroleum coke for calcined carbon coke, in the past, AQMD permitted Quemetco to feed excess, previously separated plastic and rubber, into their furnaces to be used as reducing agents and fuel. And since they can't use that anymore, since that was deemed an unacceptable practice, then now we are going to use dirtier-burning petroleum coke?

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And the fact that these guys -- that you've tested excess of some of these contaminants and you're even considering this is ridiculous. What we ought to be considering is an additional facility to process these materials and how we are going to put additional emission control equipment at Quemetco to help reduce the emissions that we're being exposed to. Bottom line.

Response to Comment SM2-23

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility.

South Coast AQMD meets periodically with politicians and their assistants to answer questions about the proposed Project and provide updates regarding the permit review and CEQA process. DTSC's soils remediation activities, as described in more detail in Section 3.4 of the EIR, are addressing historic soil contamination. Please refer to Master Response on DTSC Soils Investigations and Remediation. The proposed Project assessed in this EIR does not result in any soils disturbance (on or offsite) nor any changes that would affect the existing soil conditions, therefore no further soils analysis is required.

The potential impacts from use of petroleum coke in lieu of or in addition to calcined coke in the furnaces as a smelting reagent is evaluated in Section 4.2 and Appendix D in the EIR and show that the use of petroleum coke as a smelting reagent would have no new impact on furnace emissions nor change emissions profiles over what is measured when calcined coke is used as a smelting reagent.

Chapter 4 – Environmental Impact Analysis in the EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. Chapter 5 of the EIR analyzes the following alternatives to the proposed Project: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

The source of feed stock is described in Section 2.4 of the EIR. Suppliers of feed stock include scrap yards, battery manufacturers, and used battery brokers located *primarily* throughout the western United States, generally west of the Rocky Mountains. These brokers acquire lead bearing scrap on the open market from many sources. This scrap is often re-sold and, as a result, there is the possibility that the facility may occasionally receive and process some small quantities of scrap from international sources indirectly through these brokers. See also Chapter 5 – Alternatives for a discussion of the potential environmental impacts from exporting California generated batteries out of state and out of country. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-24 – Laverne

LAVERNE: I'm going to make short and sweet.

I don't care about all the politics of it. I don't care about you guys because apparently you guys don't care about us. You don't live in the area. You're sitting there with smug faces. You don't care less. You are in cahoots with the company. Let's be realistic.

I asked certain people certain questions when I got here, and da-da, da-da, da-da. They didn't give me a straight answer. Okay?

But bottom line is greed. Who gives you the

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right, who gives that company the right to play God and say who lives and who dies? And like that lady asked earlier, none of you raised your hand when she asked you who lives in the area. Where do you live? You don't live here. Where do your kids go school? They don't go to school here.

It's about this. Fattening up your pocket. Well, it's not worth anything if you have to make that money over and over. So you're selling yourself cheap. You're selling us cheap.

You can look at me all you want. I really don't care. What I do care about is my community, my kids, my grandkids, and everybody else here. I don't -- I'm not going to stand here and dress it up for you. Okay? You guys know. You know.

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What are you trying to make it, a Walking Dead?

A serial -- a program on TV. Is that what you want?

Well, I don't care. My pocket is getting fatter. I'm getting ready to buy this new home. I'm ready to go on vacation. I'm buying my wife this.

Shame on you, Peter. Shame on you, whatever your name is. Shame on you, you, you, you. That look on your face, you couldn't care less.

These reports are fake. Why don't we -- just as soon as you get them, why don't we get them? I

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looked on the Internet. This is kept hush-hush. Why?

The only reason something is kept hush-hush and is not publicized is because there's something to hide.

There's something to hide. You guys are in bed with the company. Bottom line. Yes? No? If I'm wrong, tell me now.

You. If I'm wrong, tell me no. And this gentleman with the yellow tie -- my favorite color, by the way -- I asked you the second question, da-da, da-da, da-da. And I looked at this, talked to the other gentleman, and I do the same thing. I'm very direct. I'm not trying to make it sound good. It is what it is. It's greed. You making money and fattening your pocket is worth more than a human life.

Let me tell you something, I pray to God it doesn't come to your house and your kids. Let's see what you do then. Okay?

MICHAEL KRAUSE: Thank you, LaVerne.

Response to Comment SM2-24

This comment requested the facility to shut down and/or relocate. Refer to Master Response to Shut Down and/or Relocate the Facility

Quemetco is an existing operating facility which operates pursuant to existing air permits issued by South Coast AQMD. The existing permits include conditions which limit various operations via emission standards and other criteria. The facility is required to operate multiple air pollution control systems at all times.

To allow the facility to recycle more batteries and to eliminate the existing Compliance Stop Period, Quemetco is proposing to modify existing South Coast AQMD permits to: 1) increase the rotary/kiln feed dryer and reverberatory furnace feed rate limit from 600 tpd to 750 tpd; 2) increase the amount of total coke material (e.g., calcined coke, petroleum coke, or a combination thereof) allowed to be processed in the rotary/kiln feed dryer and reverberatory furnace from 600,000 lbs/month to 750,000 lbs/month; and 3) allow petroleum coke, in lieu of or in addition to calcined coke, to be used as a smelting reagent in the reverberatory furnace and electric arc furnace. Currently, the facility's rotary/kiln feed dryer and reverberatory furnace typically operate approximately 18-23 hours per day; however, with the proposed increase in the rotary/kiln feed dryer and reverberatory furnace permit limit, the rotary/kiln feed dryer and reverberatory furnace may operate up to 24 hours per day and as a consequence, with the hourly throughput expected to stay the same, the refined lead product output would increase from approximately 460 tpd to 575 tpd.

No physical changes to the facility are needed to implement the proposed Project. The type of feed stock received for processing is not expected to change as a result of the proposed Project. Detailed information regarding Quemetco's alleged permit violations and settlements are discussed in EIR Section 3.2 and Appendix C.

The EIR includes an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from the proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions.

Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required.

Prior to issuing a permit, Health and Safety Code Section 42301(b) requires that an established air district permit system prohibit a facility from receiving a permit unless the air district is

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satisfied that the project being permitted will comply with all South Coast AQMD, CARB, and U.S. EPA regulatory requirements. The South Coast AQMD performs a thorough permit analysis to evaluate the maximum potential emissions from the permitted equipment and the resulting potential health risk impacts. Permit conditions are developed to provide operating parameters to ensure emissions stay below acceptable permit limits and risk levels as established through regulatory requirements. As a result of the permitting analysis, if a permit is issued, it is expected that the facility is or will be able to meet all air quality related regulatory requirements and operate in a manner that is protective of public health. The South Coast AQMD Executive Officer or designee will consider whether to approve the project after considering the permit evaluation and the CEQA analysis. (Health and Safety Code Section 42300(a); South Coast AQMD Administrative Code, Section 15.3.)

Furthermore, all permitting agencies are cooperatively reviewing permit applications which affects their permitting jurisdiction; in this case, both the South Coast AQMD and DTSC as a responsible agency in this EIR.

Moreover, after permits are issued, South Coast AQMD compliance staff conduct regular inspections to ensure that equipment and processes are operating in compliance with the applicable rules and regulations.

In accordance with CEQA, the South Coast AQMD prepared the NOP/IS and EIR. These documents and other relevant documents may be obtained by calling the South Coast AQMD Publication Request Line at (909) 396-2039; by contacting the South Coast AQMD Public Information Center by phone at (909) 396-2432 or by email at PICrequests@aqmd.gov, or by accessing the South Coast AQMD's CEQA website at:

<http://www.aqmd.gov/home/research/documents-reports/lead-agency-permit-projects>.

Information regarding Quemetco is available on the South Coast AQMD's website at

<http://www.aqmd.gov/home/news-events/community-investigations/quemetco>

The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-25 – Annelle Albarran

ANNELLE ALBARRAN: I'm Annelle Albarran, and I have a couple of questions.

First of all, why was it decided that you would

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do the testing with only -- within two miles only -- within a two-mile radius? Why was the decision to do that, in your initial study, you did a two-mile radius.

MICHAEL KRAUSE: Are you referring to the outreach, Annelle?

ANNELLE ALBARRAN: Pardon me?

MICHAEL KRAUSE: Are we referring to the outreach?

ANNELLE ALBARRAN: No. In the initial study, for example, you have a two-mile radius and 21 schools being impacted within that 21 -- within the two-mile radius that you looked at. Two-mile radius of the facility. So I -- I would like to know why it's only within two miles because it's obviously impacting a higher, you know, higher number of people besides two miles.

MICHAEL KRAUSE: Right. So there's an impact area. You know, like there's exposure and then a potential impact area, and that's the area that was determined to be highlighted for those schools.

VEERA TYAGI: As we do the analysis, if we find -- as we do the analysis or as we get public comment, and if we find that the area needs to be broadened, then we can absolutely do that. But,

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generally speaking --

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ANNELLE ALBARRAN: So these 21 schools that you have here, are they going to be looked at?

VEERA TYAGI: We will evaluate the health risk impacts to that entire area.

ANNELLE ALBARRAN: Okay. So you are saying -- how long is it going to be -- you're going to have to release a draft environmental report, right? How long is it going to be before you release that environmental report?

VEERA TYAGI: I'm sorry. Go ahead.

MICHAEL KRAUSE: It's okay. Please.

VEERA TYAGI: You know, at this point, we cannot answer that question because, as we told you earlier, we do need to make sure that any kind of issue with the notices of violation are resolved. Until we know that has been resolved and can guarantee those problems will not occur again, then we will not and cannot issue -- or release the draft EIR.

But, generally speaking, a draft environmental impact report can take a few months to prepare at least.

ANNELLE ALBARRAN: Okay. Michael -- Michael mentioned that once the environmental report gets released, there will be mitigations mentioned in the report. Does that mean that if you come back with mitigations and if those mitigations are implemented by

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Quemetco, does that mean that there's a possibility the permit will be extended?

MICHAEL KRAUSE: Right. So just for clarification, so mitigation would actually be part of the CEQA, you know, the CEQA document.

ANNELLE ALBARRAN: Right.

MICHAEL KRAUSE: And yes, they would have to be implementing those in order -- before we -- we -- it's one of many things in the document, right, that we evaluate and will be required upon the facility to do. Once we decide that document is whole and has served its purpose, we can then certify that at that point if those permits are ready. Yes, those would go in concert.

ANNELLE ALBARRAN: Yeah. So there have been nine violations in the last three years, and then three violations in the last eight months that we've had. So and the permits to keep operating, keep being extended. Why?

MICHAEL KRAUSE: Right. And we mentioned that, too, that there's -- again, no permit is going to be issued until any of those violations need to be cleared. And again, on the CEQA end, I think we look at it even a step further. We say, what is the cause of that? How is that being corrected? And ensuring that those won't happen again because, as you and everybody notices, that

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you need to get back to this point of compliance and then ensure that if there is going to be any sort of increase, that you're not going to be compounding that, that this is not going to be adding on to any of these issues we are already, you know, tackling now.

ANNELLE ALBARRAN: So you are -- so that goes to, you know, my question -- back to my question, is why are you looking at an area that is so narrow? And, you know, they keep getting violations and you keep extending permits, and a lot of people are being impacted, a lot of people are not notified. Those people that are being impacted, they are not notified.

Within the two-mile radius that you have here in the initial study, you have 21 schools. If you say that you have 1,000 kids per school, that's 21,000 kids within a two-mile radius. If you increase it to the three-mile or four-mile radius, which is Hacienda Heights, North Whittier, Avocado Heights, or even -- you're going to have hundreds of thousands of kids that are going to be impacted.

MICHAEL KRAUSE: Okay. All right. Thank you, Annelle.

ANNELLE ALBARRAN: So what are you doing? Quemetco has been in the community for 60 years. It's time for them to go. Thank you.

Response to Comment SM2-25

Refer to Master Response to Shut Down the Facility.

The South Coast AQMD rules and regulations which are applicable to the facility, and will continue to apply to the proposed Project, and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits.

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and, hazardous materials, hydrology and water quality, and transportation impacts. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

The information regarding the schools within a two-mile radius of the Quemetco facility was presented for informational purposes and was not intended to be a comprehensive map of all sensitive receptors. The proposed Project's environmental impacts in both the NOP/IS and EIR were analyzed according to the significance criteria for each environmental topic area. For example, the HRA in Section 4.2 (as supported in Appendix D.1) of the EIR utilizes a 10-kilometer grid which is equivalent to 6.2 miles), while some of the other environmental checklist questions calls for smaller radii, such as hazards and hazardous materials refer to impacts within one-quarter mile of a school or two miles of an airport. The analysis of these environmental topic areas in the EIR concluded that the proposed Project would result in less than significant impacts; therefore, mitigation measures are not required.

Under CEQA, project alternatives and mitigation measures are required when potentially significant impacts are identified. The EIR concluded that all of the proposed Project's potential environmental impacts would be less than significant such that no mitigation measures or alternatives analysis are required. Nonetheless, while not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR includes a discussion of project alternatives that were considered, with some at the suggestion or in response to public comment, including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 - Offsite Facility, and Alternative 4 - Close the Facility.

Comment SM2-26 – Lucy Pedregon

LUCY PEDREGON: Good evening. My name is Lucy Pedregon, and I'm representing the Hacienda Heights Improvement Association as well as the Clean Area Coalition, and I have a few other hats that I wear in the community.

But I just want to say and begin with I'm a resident here for 40 years of which I've been attending these meetings, these same kind of Q and A meetings, for the last 30 years. So this is nothing new. This is old stuff, repetitious stuff.

But let me begin first with Proposition 65. 20 years ago when it went into effect, my understanding was that it mandated Quemetco to mail letters of their -- of Quemetco's status or their reports on how it was operating and how far the lead extended in the community.

I received my letter. I'm about three or four miles away from Quemetco. I received my letter, and I got a map that showed that it reached, at that time, I think it was either 9th Street or Valencia. So for the last 19 years, at least, you're in violation because I

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haven't heard from you since then. I haven't received my report and neither have the residents here received a report on how far Quemetco is toxifying the community.

Also, let me see, I did take a tour of your facility, and that was quite a few years ago. And I want to thank you for protecting me. You gave me garb that I came out looking like a spaceman, and I took a tour of your facility.

Also, it was mentioned earlier where -- what's happened to all your former employees? And I do remember your executive director about 18 years ago being a very young man who shared that he loved Hacienda Heights and he would ride his bikes along the hills. He was young. Now he's gone. It would be interesting to see what happened to him.

I do, by chance, have a friend who worked at Quemetco, and maybe you remember him, Alfredo Avilas. When he retired, he quickly took his family out of Hacienda Heights and moved to Ontario, far away from here.

And I do have another person I'm familiar with that worked in Quemetco, but I'm not at liberty to disclose that person.

Okay. And I just wanted to share a few thoughts with you on that, and if you run out of water, I'd be glad to get you a glass of water from the kitchen.

Thank you.

MICHAEL KRAUSE: Thank you, Lucy.

Response to Comment SM2-26

The comment asks about Quemetco employees; hiring and personnel matters are not environmental matters for CEQA purposes.

The South Coast AQMD rules and regulations which are applicable to the facility and will continue to apply to the proposed Project and the facility's compliance history, including current compliance status, are discussed in Section 3.2 and Appendix C of the EIR. The various regulatory and permitting requirements applicable to Quemetco have become more rigorous and expansive over time (e.g., South Coast AQMD Rule 1420.1). Additionally, the air pollution control technology in operation at the facility has advanced substantially over time. A detailed explanation of the facility's current air pollution control systems is provided in Chapter 2. Further, the proposed Project includes the addition of a carbon monoxide (CO) continuous emissions monitoring system (CEMS) to the Wet Electrostatic Precipitator (WESP) stack to measure compliance with CO emission limits. The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts. The analysis concluded that all impacts would be less than significant such that no mitigation measures or alternatives analysis are required. Nonetheless, while not required by CEQA for projects with less than significant environmental impacts, Chapter 5 of the EIR includes a discussion of project alternatives that were considered, with some at the suggestion or in response to public comment, including: Alternative 1 - No Project (i.e., not going forward with the proposed Project), Alternative 2 - Reduced Capacity Project, Alternative 3 – Offsite Facility, and Alternative 4 - Close the Facility.

Quemetco participated in Proposition 65⁴⁴ until approximately 2010 or 2011. After installation of the WESP in 2010, the facility no longer met the thresholds for participation in this Proposition 65 notification program because the WESP substantially reduced all ambient releases of toxics on the Proposition 65 list of toxic chemicals. Proposition 65 required warning of potential exposure to certain chemicals posted and provided for visitors to certain areas of the facility. Outside of the fenceline of the facility, Proposition 65 warnings have not been provided since 2010, because the potential environmental exposure risk has been less than Proposition 65 risk levels.

Quemetco compares the results of source tests to exposure levels beyond the fenceline to confirm whether environmental exposures from the Facility's emissions are below Proposition 65 safe harbor levels. Since 2010, the results have confirmed that the risk from the facility is below Proposition 65 safe harbor levels. For these reasons, Quemetco is no longer required to send out letters to members of the community who were previously on the Proposition 65 notification list.

Quemetco has safety measures and practices in place for its employees and visitors to follow to prevent worker and visitor exposure to toxic materials. For example, employees are required to wear protective uniforms (or Tyvek® suits) and respirators to protect them from lead exposure. Additionally, the facility conducts mandatory health and safety training for their employees on an annual basis and all visitors go through safety training and are provided protective suits and respirators to wear before allowed to enter the processing side of the facility. Because of the

⁴⁴ Proposition 65 requires businesses to notify Californians about significant amounts of chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment.

Appendix B – Comments Received on the NOP/IS and During CEQA Scoping Meeting and Responses to Comments

importance of personal hygiene in the control of ingestion of lead, more frequent training and coaching is implemented to control personal habits that may increase exposures.

As required by CalOSHA and Department of Public Health, Quemetco periodically administers blood lead tests to their employees to screen for elevated lead levels every three (3) months for permanent employees. In addition, to ensure effectiveness of training, Quemetco conducts more frequent (monthly) blood lead monitoring of new hire employees. If an employee's blood levels exceed any action thresholds, that employee repeats monthly blood tests and enters a coaching program. If blood levels are elevated, Quemetco voluntarily uses an outside specialist to investigate issues and identify the potential source of the contamination. Given these are OSHA requirements, the results of the blood testing information are protected under the Health Insurance Portability and Accountability Act (HIPAA).

Additionally, all visitors are provided a mandatory safety training and given safety gear to wear prior to being allowed to enter the operations side of the facility.

The South Coast AQMD rules and regulations which are applicable to the Quemetco facility have extensive requirements for addressing emissions of lead and other toxics, but none require the screening or testing of any facility's employees' blood. As a lead agency, South Coast AQMD must comply with all requirements of CEQA, including the analysis of a proposed Project's *environmental* impacts. This does not include requiring screening or testing of any facility's employees' blood.

Quemetco actively partners with Los Angeles County Department of Public Health to pay for blood tests for members of the public including those who live or work near the facility. For more information about free blood lead testing, please call Los Angeles County Department of Public Health's Quemetco Hotline at (213) 738-3232. For more information about Los Angeles County Department of Public Health's on-going support for the Quemetco community, visit their website at: <http://www.publichealth.lacounty.gov/eh/docs/quemetco/ProtectYourHealthBooklet-en.pdf>.

Information regarding Quemetco is available on the South Coast AQMD's website at <http://www.aqmd.gov/home/news-events/community-investigations/quemetco>. South Coast AQMD Rule 1420.1 requires public notification in the event of an unplanned shut down of air pollution control equipment in the form of an email that is sent within one-hour of the unplanned shutdown. To join this notification email list, click here: <http://www.aqmd.gov/sign-up> (scroll down and click the Quemetco box under the "Community Investigations" banner).

Comment SM2-27 – Thomas Lohff

THOMAS LOHFF: Yes, I'm Thomas Lohff, a resident here since 1960, and I don't see anywhere around here anything saying what Quemetco's actual maximum capacity is. I know it exceeds 600 tons per day because many times I've sat there and watched how they've processed many of their batteries when it rains. The place actually literally smokes from the ground up.

One day I actually called the fire department and told them, "Quemetco is smoking from the ground up. They're on fire." Five minutes later they called me back and said, "Quemetco always look like that."

Well, they don't always look like that because when you're out there doing your source testing, there's never anything coming out of their stacks. They always look great. I wonder how you could get any information when they don't have anything coming out of their stacks.

Also, I have a couple hypothetical problems.

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Supposing Quemetco was emitting a lethal toxic plume, somebody was standing outside there at the bus stop and they dropped over unconscious. Two things. One, would the SCAQMD even know that this instantaneous burst came out and killed somebody? And, two, if they did know, how long would it be before you determined that there was a toxic plume coming out of Quemetco?

I guess that's -- that does it.

Response to Comment SM2-27

See Chapter 2 – Proposed Project, Section 2.6: Project Description for more detailed discussions about facility capacity. As described, the current feed rate limit is 600 tpd and the facility can operate with a feed rate limit up to 700 tpd without making physical modifications. Quemetco's maximum capacity is limited by its Title V permit, which was issued and is enforced by South Coast AQMD. With the limit of furnace feed rate permit condition, Quemetco operates with a compliance period which is measured from noon the previous day until noon the following day. When the daily feed limit is reached during one 24-hour cycle, Quemetco stops feeding by turning off the rotary feed drying furnace and dropping the firing rate of the burner in the reverberatory furnace from operational mode (e.g., 16-20 million British Thermal Units (MMBTU)) to idle mode (e.g., 5-6 MMBTU).

The comment does not provide any level of detail where the South Coast AQMD staff could research the compliance history to establish if Quemetco was issued a NOC or NOV for Rule 401 – Visible Emissions. Section 3.2 and Appendix C of the EIR present detailed information regarding Quemetco's alleged permit violations and settlements; there are no Rule 401 – Visible Emissions permit violations in the past 10 years. Additionally, steam generated from pavement and warm operations buildings on humid days does not qualify as visible emissions. The air quality impacts of the proposed Project are discussed in Section 4.2 and Appendix D. The EIR also includes an HRA, which analyzes the potential health risks to the surrounding areas from the proposed Project (see Section 4.2 and Appendix D).

See Chapter 2 – Proposed Project, Section 2.4.7: Air Pollution Control Systems of the EIR for descriptions of existing air pollution control equipment, back-up power and air monitoring stations and Section 2.6: Project Description for a description of CEMS monitoring on the WESP stack. When permit violations are found, the facility receives a NOV and is required to take further actions to remedy the violation. When conditions in Rule 1420.1 are violated, the facility is required to submit a compliance plan identifying additional lead reduction strategies, a curtailment plan, and a study assessing the economic, technical, and physical feasibility of achieving a lower point source emission limit of 0.003 lb/hour, if the ambient lead concentration exceeded 0.120 µg/m³ over a 30-day rolling average.

Further, if someone from the community notices a plume and calls 1-800-CUT-SMOG or submits a complaint online via <https://www.aqmd.gov/home/air-quality/complaints>, a South Coast AQMD inspector will come out to the community to investigate.

Additionally, as described in Section 3.4: Hazards and Hazardous Materials, the facility has prepared an Emergency Response Plan which is filed and monitored by the Los Angeles County Fire Department and details how the emergency responders would coordinate a response with South Coast AQMD and DTSC. The EIR for this proposed Project concluded that all potential environmental impacts would be less than significant.

Comment SM2-28 – Alice Munoz

ALICE MUNOZ: Good evening, everyone. My name is Alice Munoz. And I'm just a kindergarten teacher that teaches in a local school. But I just want to say that there's no report, there's no permit, there's no special 402 rules, no fence-line monitoring, no doctor company -- no company doctor, no fancy lawyers in fancy suits that would ever justify children breathing this toxic air day in and day out in this community, and I'm so sorry for the children that they have to breathe this air.

And I think it's time -- someone mentioned that there's 21,000 kids that go to school in this community. I don't think that they deserve to breathe this air. At

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least for one day, and maybe they should have a sit-out. I think it's time for this kind of action that would send a message to the company and that the company would know that the community means business because this is a fight, and it's not going to stop. And Quemetco needs to know that we mean to fight.

Thank you.

Response to Comment SM2-28

The EIR includes an analysis of the proposed Project's potential air quality and GHG emissions (including an HRA which analyzes air toxic emissions), energy, hazards and hazardous materials, hydrology and water quality, and transportation impacts.

Of the environmental topic areas analyzed, air quality (including air toxics) and GHG emissions, and hazards and hazardous materials (accidental releases and fire hazards) directly correlate to public health. Specifically, to estimate public health impacts from the proposed Project's air toxics emissions, the EIR includes preparation of an HRA. Separate HRAs were conducted for the baseline and proposed Project conditions to determine the net increase in health risk (from mobile and stationary sources during normal operations and described in detail in Appendix D.1: Technical Air Quality Methods and Emissions Assumptions). Sensitive receptors within a 5,000-meter radius distance from the facility were included in the residential receptor analysis (also referred to as a 10-kilometer grid which is equivalent to 6.2 miles).

Table 4.2-8 in the EIR shows that the potential incremental (net) cancer risk impacts, inclusive of both stationary and mobile sources during normal operations, from proposed Project would be less than the South Coast AQMD threshold for MEIR and MEIW receptors. The proposed Project's potential non-cancer risk net impacts, which are represented as Maximum Chronic Hazard Index and Maximum Acute Hazard Index, are also less than their respective South Coast AQMD significance thresholds. For these reasons, the potential net health risk impact from the proposed Project would not generate significant public health impacts from toxic air emissions. Furthermore, analysis in the EIR concluded that all potential impacts identified for any environmental topic area including potential impacts to public health (specifically including air quality and GHGs, and hazards and hazardous materials, accidental releases or fire hazards) would be less than significant; therefore, mitigation measures are not required.

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