



**(Letter Sent Via Email)**

December 9, 2019

Lijin Sun, J.D., Program Supervisor, CEQA IGR  
South Coast Air Quality Management District  
Planning, Rule Development & Area Sources  
21865 Copley Drive  
Diamond Bar, CA 91765-4178

**Subject: OC Waste & Recycling Responses to SCAQMD Comments on MND for Proposed Bee Canyon Greenery Composting Operation at FRB Landfill (SCH No. 2019099059)**

Dear Lijin Sun:

The County of Orange, OC Waste & Recycling department (OCWR) has the following responses to SCAQMD's comment letter dated October 17, 2019 regarding the Mitigated Negative Declaration (MND) for the proposed Bee Canyon Greenery Composting Operation at the Frank R. Bowerman (FRB) Landfill.

**Comment 1:**

"Processed green waste is currently used as ADC in the FRB Landfill. As such, VOC emissions from the existing green waste decomposition are collected and destructed by the existing landfill gas collection and destruction system. On the other hand, the proposed project will be an open windrow composting operation, where VOC emissions will be emitted fugitively instead of being collected in the existing landfill gas collection system. The MND did not include information on how emissions from the existing green waste decomposition in Table L were calculated. Since existing emissions were used as emission credits to derive net operational emissions, the Lead Agency should provide additional information on how existing emissions are collected and destroyed by the existing landfill gas collection and destruction equipment, and provide additional information on how existing emissions, particularly from VOC and ammonia in Table L, were calculated in the Final MND as substantial evidence to support the finding that the proposed project's operational air quality impacts based on net new emissions will be less than significant."

**Response 1:**

Solid waste materials that are currently decomposing inside the FRB Landfill is an existing condition that is not part of the proposed project. The proposed project is for open windrow composting only, that would occur on top of the landfill and soil stockpile. In addition, VOC emissions associated with the decomposition of green waste within the landfill is not comparable to VOC emissions from open windrow composting, since the green waste inside the landfill is mixed with many other waste types. In addition, VOC emissions generated inside the landfill are captured by the landfill gas collection system. In order to establish a relative

baseline, LSA assumed that VOC emissions associated with the current use of processed green material as alternative daily cover (ADC) at the landfill would be comparable to VOC emissions generated by open windrow composting, since both are aerobic processes that use green waste.

**Comment 2:**

“Compliance with South Coast AQMD Rule 1133.3

*South Coast AQMD Rule 1133.3 – Emissions Reductions from Greenwaste Composting Operations*

Since the Proposed Project includes greenwaste composting operations, the Proposed Project is subject to the requirements of South Coast AQMD Rule 1133.3, specifically as follows:

Under Subparagraph (d)(2)(A), the Lead Agency should cover each active phase compost pile with a six-inch layer of (screened or unscreened) finished compost within 24 hours of initial pile formation and shall not turn the pile for the first seven days.

Under Subparagraph (d)(2)(B), the Lead Agency should water each active phase compost pile for the first 15 days after the initial pile formation, within six hours before turning that pile, shall be wet at a depth of at least three inches. In Clause (i) under Subparagraph (d)(2)(B), being wet is determined by a squeeze ball test.

Under Subparagraph (d)(2)(B), if the pile needs to be turned within the first seven days for managing temperature or pathogen reduction pursuant to Title 14 Division 7, Chapter 3.1, Section 17868.3 of the California Code of Regulations, the operator does not need to re-apply the finished compost cover and shall apply water for the first fifteen days of the active phase.”

**Response 2:**

OCWR will comply with the specific SCAQMD Rule 1133.3 regulations mentioned in the SCAQMD comment. This information will be added to the Final MND.

**Comment 3:**

“It is important to note that the emissions factors in Rule 1133.3 are used to calculate emissions from the active composting phase. Emissions from the curing phase of a green waste composting operation should be included in the total emission calculations. For more information on the uncontrolled and controlled emission factors for the active phase and subsequent curing phase of greenwaste composting operations can be found here:

<https://www.aqmd.gov/docs/default-source/planning/annual-emission-reporting/guidecalgreenwaste.pdf>.”

**Response 3:**

The air quality analysis included as Appendix C to the MND did account for the curing phase of the proposed composting operation. The emission factors that were used were from

<http://www.aqmd.gov/docs/default-source/planning/annual-emission-reporting/guidecalcgreenwaste.pdf?sfvrsn=6>):

- VOC: 4.25 (active) + 0.42 (curing) = 4.67
- NH<sub>3</sub>: 0.46 (active) + 0.20 (curing) = 0.66

The SCAQMD Rule 1133.3 (<http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1133-3.pdf>, page 6) reports active phase emissions (4.25 for VOC and 0.46 for NH<sub>3</sub>)."

**Comment 4:**

*"Additional South Coast AQMD Permitting and Compliance Requirements"*

In addition to South Coast AQMD Rules 402, 403 and 1133.3, the Proposed Project will be subject to the requirements of the following South Coast AQMD Rules and Regulations, which should be discussed in the Final MND to demonstrate that the Proposed Project will comply with them. Information on each of the rules and regulations is available on the South Coast AQMD's website at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book>.

- Rule 201 – Permit to Construct
- Rule 203 – Permit to Operate
- Rule 401 – Visible Emissions
- Rule 1133 – Composting and Related Operations
- Rule 1150 – Excavation of Landfill Sites (for example, excavation work associated with preparation and/or construction of the project may need a Rule 1150 Landfill Excavation Management Plan)
- Regulation 13 – New Source Review
- Rule 1401 – New Source Review of Toxic Air Contaminants
- Regulation 30 – Title V Permits"

**Response 4:**

In response to this comment, Jeff Arbour, Environmental Services Manager for OC Waste & Recycling spoke to several staff members at SCAQMD to determine which SCAQMD Rules and Regulations, in addition to Rules 402, 403 and 1133.3, would govern the proposed open windrow green waste composting operation at the FRB Landfill. Mr. Arbour was informed by SCAQMD staff that per SCAQMD Rule 301, a permit will be required for the motor and dust emissions from the track mounted screener. However, Mr. Arbour will continue to work with SCAQMD staff during the permitting phase of the project to ensure that OC Waste & Recycling complies with all required SCAQMD Rules, Regulations and Permits that will be required for the proposed Bee Canyon Greenery composting operation at the FRB Landfill.

**Comment 5:**

"The Proposed Project will be required to submit complete and timely permit applications to South Coast AQMD for the following equipment:

Applications for Permit to Construct and Permit to Operate will be required for screeners used to screen finished compost.

Applications for Permit to Construct and Permit to Operate will be required for engines powering the screeners, if the engines are rated above 50 brake horsepower (bhp) and are not used for locomotion of the screener.

Applications for Permit to Construct and Permit to Operate will be required for engines powering the pumps at the pump station, if the engines are rated above 50 bhp."

**Response 5:**

Please see Response 4, above.

**Comment 6:**

"South Coast AQMD's Engineering and Permitting staff should be consulted in advance to determine whether or not any additional permitting and compliance will need to be filed and approved by South Coast AQMD prior to the start of construction or operation of the Proposed Project. Any assumptions used in the Air Quality Analysis in the Final MND will be used as the basis for permit conditions and limits for the Proposed Project. Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at <http://www.aqmd.gov/home/permits>."

**Response 6:**

OCWR will coordinate with SCAQMD staff regarding permitting and compliance for the project during the permitting phase of the project, prior to the start of construction or operations.

**Comment 7:**

**Other Comment**

"While the CEQA Guidelines do not prescribe the level of technical details in a MND, there is some guidance on how to handle technical details in an environmental impact report (EIR). "Writing Environmental Impact Reports in plain language" (CEQA Guidelines Section 15006(q)). "The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review (CEQA Guidelines Section 15147)."

“After reviewing the Air Quality Analysis in the main body of the MND, South Coast AQMD staff found that the Analysis was substantially deficient and lacking. The Analysis in the main body of the MND did not discuss South Coast AQMD’s air quality CEQA significance thresholds for construction and operation, or the methodology that was used to analyze the Proposed Project’s regional and localized construction and operational air quality impacts. Additionally, the Analysis did not disclose the Proposed Project’s regional or localized construction and operational emissions, although they were disclosed in the technical appendix.

The MND, together with all of the technical appendices, is an information document to inform decision makers and the public about the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)). The Air Quality Analysis in the main body of the MND should be revised in a manner that will include meaningful and useful information about the Proposed Project’s air quality impacts from construction and operational activities. For example, the main body of the Final MND should include a summary of the environmental setting, regulatory framework that guide the assessment of the Proposed Project’s air quality impacts, methodology (including modeling tools and any assumptions used), analysis, and findings from the Air Quality Technical Report (Appendix C) and include a reference to Appendix C. This recommendation will foster informed decision-making and meaningful public participation.”

**Response 7:**

OCWR acknowledges this comment and will include the requested air quality summary in the main body of the Final MND.

**Comment 8:**

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in the responses. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative or useful to decision makers and the public who are interested in the Proposed Project.”

**Response 8:**

This comment is acknowledged. Please see Responses 1-7 above.

Please let me know if you would like to discuss any of the responses above. I can be reached at (714) 834-4107 or by email at [john.arnau@ocwr.ocgov.com](mailto:john.arnau@ocwr.ocgov.com).

Sincerely,

A handwritten signature in cursive script, appearing to read "John J. Arnau".

John J. Arnau  
CEQA Manager





# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

SENT VIA E-MAIL AND USPS:

October 17, 2019

[john.arnau@ocwr.ocgov.com](mailto:john.arnau@ocwr.ocgov.com)

John Arnau, CEQA Manager  
Orange County Waste & Recycling  
601 N. Ross Street, 5<sup>th</sup> Floor  
Santa Ana, CA 92701

**Mitigated Negative Declaration (MND) for the Proposed  
Bee Canyon Composting Operation at the Frank R. Bowerman (FRB) Landfill (SCH No.: 2019099059)**

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

**South Coast AQMD Staff's Summary of Project Description**

The Lead Agency proposes to construct and operate an open windrow composting facility in a 30-acre area of the FRB Landfill to assist cities in Orange County (County) as well as the County unincorporated areas in meeting the Senate Bill 1383's requirements for the diversion and recycling of organic waste materials (Proposed Project). The FRB Landfill is a Class III landfill that only accepts municipal solid waste for disposal from commercial haulers and vehicles operating under commercial status and that no hazardous or liquid waste can be accepted<sup>1</sup>. Processed green waste is currently used as alternative daily cover (ADC) at the FRB Landfill. Construction of the Proposed Project is expected to take two months<sup>2</sup>. Once the Proposed Project becomes operational in 2020<sup>3</sup>, processed green waste and agricultural material will be diverted to the Proposed Project for composting for 306 days a year with a maximum daily tonnage of 437 tons per day (tpd)<sup>4</sup>, which was reduced from a maximum daily tonnage of 595 tpd<sup>5</sup>. Processed green waste and agricultural material will be placed in a designated unloading area that can accommodate storage of approximately 1,092 cubic yards of incoming materials<sup>6</sup>. Any contaminated or highly odorous loads will be immediately transported to the active landfill for disposal<sup>7</sup>. On-site water trucks will be used to add moisture during composting<sup>8</sup>. The composting process consists of 12 weeks of active composting followed by eight weeks of curing, resulting in a total of 20 weeks or five months<sup>9</sup>. Finished compost will be stockpiled on-site prior to being loaded out for delivery to end users<sup>10</sup>.

**South Coast AQMD's Summary of the Air Quality Analysis**

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions based on the worst-case scenario assumption using a maximum daily tonnage of 595 tpd and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional and localized construction air quality impacts would be less than significant<sup>11</sup>. The Lead Agency

<sup>1</sup> MND. Page 3.

<sup>2</sup> Appendix C: *Air Quality-Health Risk-GHG-Energy Impact Analysis*. Page 25.

<sup>3</sup> *Ibid.* CalEEMod Annual Run, Section 1.0 Project Characteristics. PDF Page 47.

<sup>4</sup> The Lead Agency reduced the size of composting operation from a maximum daily tonnage of 595 tpd to 437 tpd. MND. Page 50.

<sup>5</sup> *Ibid.* Table 1. PDF Page 45 and Page 50.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.* Page 12.

<sup>11</sup> MND. Section 2.3 Air Quality. Pages 25 through 27.

also found that the Proposed Project's operational air quality impacts would be less than significant, with net new 3.6 pounds per day (lbs/day) of VOC emissions<sup>12</sup>. The Lead Agency included in the MND discussions on applicable South Coast AQMD rules, including Rule 402 – Nuisance, Rule 403 – Fugitive Dust, and Rule 1133.3 – Emissions Reductions from Greenwaste Composting Operations<sup>13</sup>.

#### South Coast AQMD Staff's Comments on the Operational Air Quality Analysis

In Appendix C to the MND, the Lead Agency explains that operational "[e]missions from existing conditions and [the] proposed open windrow composting were calculated based on SCAQMD's *Guidelines for Calculating Emissions from Greenwaste Composting and Co-Composting Operations* [...]. Composting and ADC use of green waste would be expected to have similar emissions rates, as shown in Table L<sup>14</sup>". Table L shows that the proposed open windrow composting process will result in the same amount of VOC emissions at 2,779 lbs/day as the existing green waste decomposition and that the Proposed Project's net new VOC emissions will be 3.6 lbs/day from mobile and off-road sources<sup>15</sup>. As a result, the Lead Agency found that operation of the Proposed Project would not exceed South Coast AQMD's air quality CEQA operational significance threshold for VOC emissions at 55 lbs/day.

Processed green waste is currently used as ADC in the FRB Landfill. As such, VOC emissions from the existing green waste decomposition are collected and destructed by the existing landfill gas collection and destruction equipment<sup>16</sup>. On the other hand, the Proposed Project will be an open air windrow composting operation, where VOC emissions will be emitted fugitively instead of being collected in the existing landfill gas collection system. The MND did not include information on how emissions from the existing green waste decomposition in Table L were calculated. Since existing emissions were used as emission credits to derive net new operational emissions, the Lead Agency should provide additional information on how existing emissions are collected and destroyed by the existing landfill gas collection and destruction equipment, and provide additional information on how existing emissions, particularly from VOC and ammonia in Table L, were calculated in the Final MND as substantial evidence to support the finding that the Proposed Project's operational air quality impacts based on net new emissions will be less than significant.

#### Compliance with South Coast AQMD Rule 1133.3

##### *South Coast AQMD Rule 1133.3 - Emissions Reductions from Greenwaste Composting Operations*

Since the Proposed Project includes greenwaste composting operations, the Proposed Project is subject to the requirements of South Coast AQMD Rule 1133.3<sup>17</sup>, specifically as follows:

- Under Subparagraph (d)(2)(A), the Lead Agency should cover each active phase compost pile with a six-inch layer of (screened or unscreened) finished compost within 24 hours of initial pile formation and shall not turn the pile for the first seven days
- Under Subparagraph (d)(2)(B), the Lead Agency should water each active phase compost pile for the first 15 days after initial pile formation, within six hours before turning that the pile shall be wet at a depth of at least three inches. In Clause (i) under Subparagraph (d)(2)(B), being wet is determined by a squeeze ball test
- Under Subparagraph (d)(2)(B), if the pile needs to be turned within the first seven days for managing temperature or pathogen reduction pursuant to Title 14 Division 7, Chapter 3.1, Section 17868.3 of

<sup>12</sup> Appendix C: *Air Quality-Health Risk-GHG-Energy Impact Analysis*. Table L. Pages 28 and 29.

<sup>13</sup> MND. Project Description. Page 8. Appendix C: *Air Quality-Health Risk-GHG-Energy Impact Analysis*. Pages 30, 39.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.* Pages 3 through 4.

<sup>17</sup> South Coast AQMD Rule 1133.3 – Emissions Reductions from Greenwaste Composting Operations. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1133-3.pdf>.



the California Code of Regulations, the operator does not need to re-apply the finished compost cover and shall apply water for the first fifteen days of the active phase

- It is important to note that the emission factors in Rule 1133.3 are used to calculate emissions from the active composting phase. Emissions from the curing phase of greenwaste composting operation should be included in the total emission calculations. For more information on the uncontrolled and controlled emission factors for the active phase and subsequent curing phase of greenwaste composting operations can be found here: <https://www.aqmd.gov/docs/default-source/planning/annual-emission-reporting/guidecalcgreenwaste.pdf>.

#### *Additional South Coast AQMD Permitting and Compliance Requirements*

In addition to South Coast AQMD Rules 402, 403, and 1133.3, the Proposed Project will be subject to the requirements of the following South Coast AQMD Rules and Regulations, which should be discussed in the Final MND to demonstrate that the Proposed Project will comply with them. Information on each of the rules and regulation is available on the South Coast AQMD's website at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book>.

- Rule 201 – Permit to Construct
- Rule 203 – Permit to Operate
- Rule 401 – Visible Emissions
- Rule 1133 – Composting and Related Operations
- Rule 1150 – Excavation of Landfill Sites (for example, excavation work associated with preparation and/or construction of the project may need a Rule 1150 Landfill Excavation Management Plan)
- Regulation 13 – New Source Review
- Rule 1401 – New Source Review of Toxic Air Contaminants
- Regulation 30 – Title V Permits

The Proposed Project will be required to submit complete and timely permit applications to South Coast AQMD for the following equipment:

- Applications for Permit to Construct and Permit to Operate will be required for screeners used to screen finished compost.
- Applications for Permit to Construct and Permit to Operate will be required for engines powering the screeners, if the engines are rated above 50 brake horsepower (bhp) and are not used for locomotion of the screener.
- Applications for Permit to Construct and Permit to Operate will be required for engines powering the pumps at the pump station, if the engines are rated above 50 bhp.

South Coast AQMD's Engineering and Permitting staff should be consulted in advance to determine whether or not any additional permitting and compliance will need to be filed and approved by South Coast AQMD prior to start of the construction or operation of the Proposed Project. Any assumptions used in the Air Quality Analysis in the Final MND will be used as the basis for permit conditions and limits for the Proposed Project. Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

#### Other Comment

While the CEQA Guidelines do not prescribe the level of technical details in a MND, there is some guidance on how to handle technical details in an environmental impact report (EIR). "Writing Environmental Impact Reports in plain language" (CEQA Guidelines Section 15006(q)). "The information contained in an EIR

shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review (CEQA Guidelines Section 15147).

After reviewing the Air Quality Analysis in the main body of the MND, South Coast AQMD staff found that the Analysis was substantively deficient and lacking. The Analysis in the main body of the MND did not discuss South Coast AQMD's air quality CEQA significance thresholds for construction and operation, or the methodology that was used to analyze the Proposed Project's regional and localized construction and operational air quality impacts. Additionally, the Analysis did not disclose the Proposed Project's regional or localized construction and operational emissions, although they were disclosed in the technical appendix.

The MND, together with all of the technical appendices, is an informational document to inform decision makers and the public about the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)). The Air Quality Analysis in the main body of the MND should be revised in a manner that will include meaningful and useful information about the Proposed Project's air quality impacts from construction and operational activities. For example, the main body of the Final MND should include a summary of the environmental setting, regulatory framework that guide the assessment of the Proposed Project's air quality impacts, methodology (including modeling tools and any assumptions used), analysis, and findings from the Air Quality Technical Report (Appendix C) and include a reference to Appendix C. This recommendation will foster informed decision-making and meaningful public participation.

#### Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Assistant Air Quality Specialist, at [amullins@aqmd.gov](mailto:amullins@aqmd.gov) or (909) 396-2402, should you have any questions.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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