

DOCKETED

Docket Number:	08-AFC-08A
Project Title:	Hydrogen Energy Center Application for Certification Amendment
TN #:	201398
Document Title:	Sierra Club California Public Records Act Request to Wasco and Response 12-10-13
Description:	N/A
Filer:	Andrea Issod
Organization:	Sierra Club
Submitter Role:	Intervenor
Submission Date:	12/10/2013 3:21:33 PM
Docketed Date:	12/10/2013



December 10, 2013

Mr. John Heiser
California Energy Commission
1516 Ninth Street, MS-40
Sacramento, CA 95814-5512
john.heiser@energy.ca.gov

Re: City of Wasco Documents Regarding Amendment to Conditional Use Permit for Savage Coal Facility (08-AFC-8A)

Dear Mr. Heiser,

Please find attached documents from the City of Wasco regarding the proposed amendment to the conditional use permit for the Savage Coal Facility in response to the Sierra Club's November 22, 2013 California Public Records Act request. This document has been e-filed with the Commission and served on parties via the Commission's e-filing system.

The City is accepting written comments on the proposed action to increase the allowable volume of coal at the terminal from 900,000 tpy to 1,500,000 tpy and to expand the definition of the fuel from bituminous coal to "non metallic materials." Comments will be accepted via email to Robert Mobley at romobley@ci.wasco.ca.us and the City expects to hold a public hearing on January 13 at council chambers.

Please let me know if you have any questions. Thank you.

Sincerely,

Andrea Issod, Staff Attorney
Sierra Club Environmental Law Program
85 Second St, Second Floor
San Francisco, CA 94105
andrea.issod@sierraclub.org
(415) 977-5544



November 22, 2013

via Facsimile

Vickie Hight, City Clerk
Public Records Request
746 8th Street
Wasco, CA, 93280
Fax: (661) 758-5411

Dear Ms. Hight:

Pursuant to the California Public Records Act (CPRA), Govt. Code §§ 6250-6270, Sierra Club is writing to request the documents described below.

Sierra Club is the nation's oldest grassroots organization. It has more than 603,000 members nationwide, including more than 144,000 members in California. Sierra Club is dedicated to the protection and preservation of the natural and human environment. Sierra Club's purpose is to explore, enjoy and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; and to educate and enlist humanity to protect and restore the quality of the natural and human environments.

One of Sierra Club's priority national conservation campaigns involves promoting smart energy solutions. Sierra Club is particularly interested in ensuring that coal plants comply fully with all applicable statutes and regulations. This campaign organizes individuals regionally and nationwide to work on coal-related issues and educates the public on these issues, including the impacts of coal on air and water quality. Local members are concerned about the potential impacts of the proposed Hydrogen Energy of California project, ("HECA") in Kern County, CA; as well as the impacts from the proximate facilities that will support this project.

Sierra Club hereby requests copies of the following records¹:

¹ For the purposes of this request, the term "records" means information of any kind, including writings (handwritten, types, electronic, or otherwise produced, reproduced, or stored), letters, memoranda, correspondence, notes, applications, completed forms, studies, reports, reviews, guidance documents, policies, telephone conversations, telefaxes, e-mails, documents, databases, drawings, graphs, charts, photographs, minutes of meetings, electronic and magnetic recordings of meetings, and any other compilation of data from which information can be obtained. Without limitation, the records requested include records relating to the topics described below at any stage of development, whether proposed, draft, pending, interim, final, or otherwise. All the foregoing are included in this request if they are in the possession of or otherwise under the control of the City of Wasco.

Sierra Club requests the following records related to the Savage Coal Services Corporation Wasco Transloading Facility, hereinafter (“Savage Coal Facility”), located at 1040 H Street Wasco, CA 93280:

1. The conditional use permit (CUP) from 1990, associated staff reports, and environmental review documents such as Negative Declaration or Environmental Impact Report under CEQA and any supporting studies; and
2. Savage Coal Facility’s recent application/request for an amendment of their 1990 CUP to increase throughput from currently 900,000 to 1.5 million tons/year; any other supplemental information submitted by the Applicant related to this request, and all ongoing updates related to this application; and
3. any notices of violations issued by the City of Wasco in the past 5 years for the Savage Coal Facility.

Exempt Records

There is no basis for claiming that the records requested herein are exempt from immediate disclosure under the CPRA. Each of these records falls within Govt. Code §§ 6250-6270 as information an agency is required to make available to the public. If, however, it is your position that any portion of the requested records is exempt from disclosure, we request that pursuant to Govt. Code § 6255(a) that you provide us with a detailed explanation of why you consider each portion exempt.²

In the event that some portions of the requested documents are properly exempt from disclosure as required by Govt. Code § 6253(a), the agency always bears the burden of justifying nondisclosure. Please redact the exempt portions and provide the remainder of the record to Sierra Club at the address listed below.³

Fees

To minimize costs, we prefer documents in electronic format, if possible. We respectfully request that any fee for the processing, production, or replication of the requested documents be waived pursuant to Public Records Act § 6253. *See N. County Parents Organization v. Dep’t of*

² Govt. Code § 6255(a) states that “the agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter...and...the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.”

³ Govt. Code § 6253(a) states that “[a]ny reasonably segregable portion...shall be available for inspection...after deletion of the portions which are exempt.” If it is your position that a document contains non-exempt segments but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Educ., 23 Cal.App.4th 144, 148 (1994) (public agencies have the power to waive fees related to record requests by nonprofit organizations pursuant to Cal. Govt. Code § 6253.1, which is now located at Cal. Govt. Code § 6253(e)). A waiver is appropriate in this case for the following reasons:

1. Sierra Club is a nonprofit, public interest organization of limited resources. Sierra Club is dependent upon modest membership fees and donations for the majority of its income. It would impose a heavy economic burden on the Club to have to pay for the duplication and mailing of the requested documents. Further, this information will not be used for commercial purposes.
2. The waiver of fees for Sierra Club is in the public interest because furnishing the requested documents primarily benefits the general public. Sierra Club represents 144,000 members throughout the State of California. A fee waiver will enable Californians and local residents concerned about potential pollution impacts from the HECA project as well as impacts from the proximate facilities that will support this project, including air pollution, pollution from the handling, storage, transport, or use of coal, to become aware of and understand such operations and impacts. Thus, the waiver of fees in this case is in the public interest.

If for any reason the City of Wasco does not waive the fees, please notify us immediately with the reasons for the denial and the costs that would be involved prior to any copying of the documents. Nothing in this request is to constitute any waiver of Sierra Club's right to seek administrative or judicial review of any denial of its fee waiver request and/or rejection of its fee category assertion.

Records Delivery

We request that the City of Wasco comply with all relevant deadlines and other obligations set forth in the CPRA. Please respond to this request promptly, as required by Govt. Code § 6253(c), which states, that "within 10 days from receipt of the request...the agency...shall *promptly* notify the person making the request of the determination and the reasons therefor."

If you have any questions about this request or foresee problems in fully releasing the requested records promptly, please contact me by phone at **(415) 977-5764** or by email at david.abell@sierraclub.org within that time period. We appreciate your cooperation and would be happy to clarify this request or otherwise simplify your efforts to comply.

Additionally, to facilitate delivery, please email electronic copies of the requested documents to this email address. If an electronic version is unavailable, please send a CD or copies of the documents to my attention at the mailing address below. Thank you for your assistance.

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Sincerely,

A handwritten signature in black ink, appearing to read 'David Abell', with a stylized, flowing script.

David Abell
Sierra Club
Environmental Law Program
85 Second St, Second Floor
San Francisco, CA 94105



David Abell <david.abell@sierraclub.org>

City of Wasco - Records Request

1 message

Duviet Rodriguez <durodriguez@ci.wasco.ca.us>

Mon, Dec 2, 2013 at 10:03 AM

To: "david.abell@sierraclub.org" <david.abell@sierraclub.org>

Good Morning,

The documents that you requested are ready to be copied. There are a total of 329 pages and the total for the copies is \$50.20

The fee waiver request cannot be granted without a policy in place and presently the city has no such policy.

Please let us know how you would like to pay for the documents and once we receive payment we will make copies. Let me know how you would like to proceed.

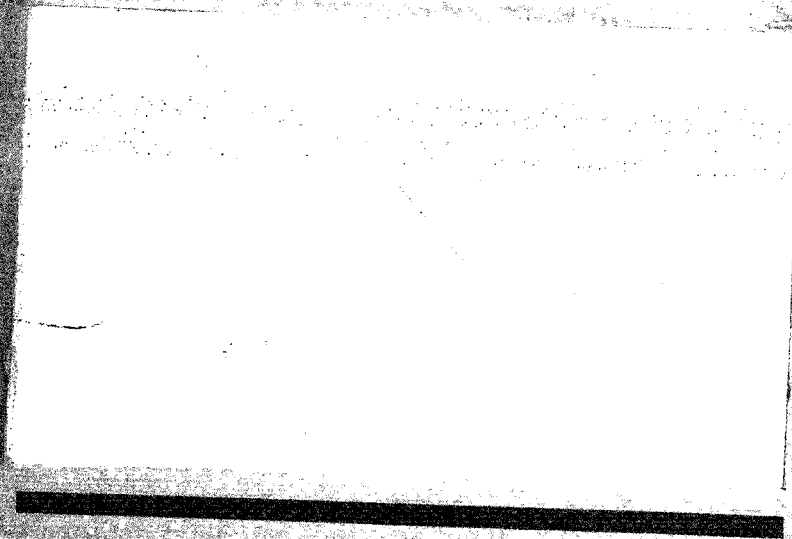
Thank you,

Duviet Rodriguez
Executive Assistant
City Manager's Office
746 8th Street
Wasco, CA 93280
Office: (661) 758-7214
Fax: (661) 758-5411

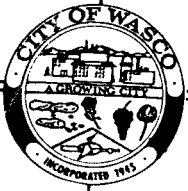
**X3e_4C4C5688.pdf**

1359K

City MANAGERS COPY



RADIAN
CORPORATION



CITY OF WASCO

746 8th Street

P. O. Box 159

Wasco, California 93280 805-758-3003

August 11, 1987

Re: CUP 489-87 (SCH#8742709)

To Whom It May Concern:

This department has recently prepared a negative declaration for assessment and revised initial study. You are being asked to consider and evaluate this project as it pertains to your area(s) of expertise. This consultation is requested to ensure that any decision by this department will reflect your concerns. Please return your comments by September 11, 1987.

Should you have any questions, please call (805) 758-3003, thank you.

Very truly yours,

Walter E. Cairns
Planning Director

Enclosures

The City with a rosy future

NEGATIVE DECLARATION

TO WHOM IT MAY CONCERN:

Pursuant to the California Environmental Quality Act of 1970 (CEQA) and the State CEQA Guidelines, the City of Wasco Planning Department has made an Expanded Initial Study of possible environmental impacts of the following described project:

APPLICANT: Savage Coal Service Corporation

CASE NO. : Conditional Use Permit 489/87

NAME OF PROJECT: Wasco Coal Transfer Station

LOCATION : NE corner of the "H" Street and "J" Street intersection in the City of Wasco.

DESCRIPTION OF PROPOSED PROJECT: Project is a Conditional Use Permit to allow a coal transfer station (900,000 tons annual capacity) on a 13 acre site in an M-3 (General Manufacturing) zone. The facility will receive and off load coal in 84 unit trains, house the coal in fully contained storage tanks and load onto fully covered trucks.

MITIGATION MEASURES INCLUDED IN THE PROPOSED PROJECT TO AVOID POTENTIALLY SIGNIFICANT EFFECTS (if required):

- 1) The applicant shall implement measures specified in the Environmental Assessment; dated August 12, 1987.
- 2) The applicant shall implement measures specified in the MEIR Update (SCH#83071810); dated November, 1983.

INCLUSION OF MITIGATION MEASURES AS PART OF PROJECT:

I, as applicant/ authorized agent, have reviewed the mitigation measures noted above and agree to include said measures as a part of this project.

Signed: Charles F. Busch

Dated: Aug 11, 1987

FINDINGS: It has been found that this project, as described and proposed to be mitigated herein, will not have a significant effect on the environment and that an environmental impact report (EIR) is, therefore, not required. A brief statement of reasons supporting such findings is as follows:


- (1) There does not appear to be a substantial body of opinion that considers or will consider the various anticipated environmental effects resulting from the proposed action to be adverse.

- (2) Anticipated construction and operation of proposed project would not appear to cause a substantial increase in existing ambient noise levels for adjoining areas.
- (3) Proposed project would not appear to have any potential for disruption or alteration of (1) an archaeological site over 200 years old, (2) an historic site or record, or (3) a paleontological site.
- (4) Proposal would not appear to conflict with established recreational, educational, religious, or scientific uses of the area.
- (6) Proposed project does not appear to have a substantial demonstrative negative aesthetic effect.
- (7) The proposed project is within the parameters addressed by the Wasco Master Environmental Impact Report (MEIR) SCH#78021461 and the Wasco Master Environmental Impact Report Update SCH#83071810.
- (8) The conditions of approval of the related Conditional Use Permit incorporate all the mitigation measures recommended as a part of this negative declaration and the environmental effects have either been eliminated or reduced to an acceptable level.

PUBLIC INQUIRY: Any person may object to dispensing with such EIR or respond to the findings herein. Information relating to the proposed project is on file in the office of the Department of Planning and Development Services at the address shown below. Any person wishing to examine or obtain a copy of that information or this document, or seeking information as to the time and manner to so object or respond, may do so by inquiring at said office during regular business hours.

A copy of the Initial Study and Environmental Assessment is attached hereto.

Dated this 7th Day of August, 1987


Walter E. Cairns
Planning Director

Wasco Planning Department
746-8th Street
Wasco, Calif. 93280
(805) 758-3003

AGENCY CONSULTATION REQUIRED: X Yes No

AGENCIES CONSULTED: PG&E, So. Cal Gas, WUHS, WUES, Wasco Rec. Dept., Pacific Bell, Warner Cable, WPUD, K.C. Health Dept., K.C. Fire Dept., K.C. Sheriff's Dept., Wasco Public Works Dept., K.C.A.C.P.D., Calif. Air Resources Board, K.C. Planning and Development Services Dept., K.C. Public Works Dept., Wasco Housing Authority, Caltrans (District 6), State Public Utilities Commission, State Department of Conservation, State Dept. of Health, California Highway Patrol, State Dept. of Fish and Game, Regional Water Quality Control Board, Office of Planning and Research.

STATE CLEARINGHOUSE NUMBER (if required): 87042709

INITIAL STUDY PREPARED BY: Martha Hyder/Radian Corporation

DATE POSTED: August 12, 1987

DATE OF NOTICE TO PUBLIC: August 12, 1987

CITY OF WASCO
INITIAL STUDY REVIEW

PROPOSED PROJECT (Title):

Wasco Coal Transfer Station

LOCATION:

(1) APN: 30-030-06

(2) On "H" Street between 9th Avenue and "J" Street in the City of Wasco, Calif.

PROJECT DESCRIPTION:

Site

Specifically, the site is located in the SW 1/4 of section 7 of T25S, R25E. It consists of 12.9 acres of property adjacent to the Atchison, Topeka, Santa Fe (AT & SF) station at Wasco. The property, itself, is located in an M-3 zone as are all surrounding properties and is bounded on all sides by paved roadways: 9th Street to the north; J Street to the south and east; H Street to the west. The general plan designation for the project site is industrial.

The proposed terminal will serve as an independent receiving and storage facility for coal delivered in trains at AT & SF lines. Four capacity covered bins will be used to store 36,000 tons of coal for consumers. On an as-needed basis, the coal will be reclaimed and loaded into covered trucks for transport to the consumers facilities.

PROCESS DESCRIPTION

Material Flow

In the receiving and storage systems, coal unloaded from railcars will flow through vibrating feeders onto a gathering conveyor. The gathering conveyor will feed a sample conveyor which will transport the coal to the sampling tower where it will pass through a mechanical sampler and flow onto the storage conveyor. The coal will then be transported to a conveyor transfer where it can be directed into a storage bin, or onto the transfer conveyor. The coal can flow to any of the storage bins through this series of 3 conveyor transfer points.

The reclaiming and loadout system, the coal can flow from any one bin or all of the bins simultaneously, through bin activator/feeders to the reclaim conveyor where it will be transported to a surge bin ahead of the calibrated weigh bin at the loadout tower. As-needed, the coal will flow into the weigh bin to provide the necessary tonnage for truck loading. After the proper amount of coal is charged in the weigh bin, it will pass through the loadout chute and into the trailer for truck transport to the consumers' facility.

The facility will utilize state-of-the-art components and design to achieve high efficiency materials handling while remaining within environmentally acceptable emission standards. The concept being to ensure that, during normal operation, the coal is not visible while at the facility.

Receiving and Storage System

Coal will enter the receiving and storage system at the railcar unloading station where strings of rail cars will be pulled through the unloading building one at a time. Each end of the building will be covered with sectioned curtains that overlap to effectively enclose one car of the string. The inside of the building will be under slightly negative pressure during unloading because air will be drawn through the curtains and down through ceiling vents around the car sides into a plenum system which vents through two baghouse collectors. The coal flows into an under-track chute system with a series of four vibrating feeders which feed a single gathering conveyor. The coal is then conveyed through the totally enclosed system to the sampling conveyor. Dust which is collected through the plenum system and from a dust pickup at the feeder transfer point is exhausted from two baghouses onto the tail pulley of the sampling conveyor and is then covered by the coal stream discharging from the gathering conveyor.

The coal stream on the sampling conveyor travels below ground under H Street and then breeches the ground and is discharged into a two stage mechanical sampler at the sampling tower. Dust which is generated at this transfer point is collected and sent to a single baghouse collector.

The coal is then discharged onto the storage conveyor, again on top of the materials exhausted onto the tail pulley from the baghouse, and travels to the first of three conveyor transfer points atop the storage bins. At this point the coal is either loaded into the first bin or it is routed to a transfer conveyor for transport to the second bin. This process continues, at operator discretion, until the coal reaches the desired bin. Each transfer point is totally enclosed and each bin is vented through one of two baghouse collectors to control dust. All dust collected will be pneumatically conveyed through a piping system to the surge bin at the truck loadout tower where it will be loaded out with the coal.

The storage bin systems are designed for four purposes:

- 1) hold all coal in active or "live" storage to reduce materials handling costs and associated dust;
- 2) eliminate dust problems associated with wind erosion;
- 3) maintain the integrity of the coal to protect the consumers investment, and;
- 4) minimize the potential of spontaneous combustion through the elimination of drafts and air infiltration.

Active or "live storage is achieved through the steeply sloped, earth berm-supported glory hole on which the steel tank systems sit. This preserves the mechanical energy imparted to the coal in the storage process for use in the reclaim process. The total enclosure provided by the steel tank reduces wind erosion, dusting and self-heating. It also protects the coal from moisture infiltration, size degradation and oxidation (Btu loss).

The potential for spontaneous combustion is reduced through the elimination of an air source by the bin enclosure and positive seal cut off gates located above the bin activators. Additionally better temperature monitoring capability during storage is attained through more accessible thermocouple placements for detection of hotspots, and through the use of bin activators which promote uniform draw down during reclaiming thus eliminating stagnation points.

Reclaim and Loadout System

Coal from storage will enter the reclaiming and loadout system via the bin activators at the bottom of the glory holes. Two systems will be used below each bin to induce variable flow onto the reclaim conveyor through a totally enclosed transfer point. The conveyor will move coal from the below ground elevation to the surface and up to the truck loadout tower into a 40 ton capacity surge bin, as-needed. Dust generated at the transfer point will be collected in a baghouse collector which will exhaust the collected material to the weigh bin. Coal will be transferred to the weigh bin, as-needed, for filling of trailers.

Five axle, single trailered trucks which utilize pneumatically operated canopy enclosures will receive the coal through a flexible rubber boot system which protrudes 18" to 24" below the canopy line to reduce fall height and create a partial enclosure for dust control. The canopy top opens to expose only 38% of the trailer top surface area during the loading process. Following loading of the trailer the canopy is closed to protect the coal and reduce dust loss during transport to the consumers facility. The trailer dump gates have manual opening and locking systems to prevent accidental spillage during transport.

Auxiliary Facilities

Auxiliary buildings planned for the facility include a single story office and maintenance shop area with approximately 15,000 square feet of combined space and 8,000 square feet of paved parking and equipment storage area. All buildings will be constructed to meet local ordinances. There will also be a truck marshalling area (approximately 45,000 square feet) which will be paved in the same manner as the on-site roadways.

In the event that stored coal is detected which is above temperatures considered safe for prevention of spontaneous combustion, it will be necessary to provide an emergency unloading pad at the facility where the coal can be spread out. The pad will be of sufficient size to accommodate 8,000 tons of coal with room for turning and cooling it. It will be concrete base with curbing to contain the material but allow for truck and equipment access. Once the coal has been cooled and stabilized it will be reloaded via front end loader at the tail pulley of the storage conveyor.

The emergency unloading pad will provide the capability of rotating or turning coal that has been stored in a wet state which promotes heating. It is a costly, time consuming process and will not be used except in case of an emergency.

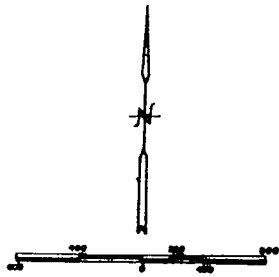
General clean up of the facilities will be accomplished without the use of water systems as normal practice. The buildings, tunnels and loadout towers will be equipped with a centralized vacuum cleanup system which exhausts to one of the baghouse collectors. All paved areas will be maintained by road sweepers.

ENVIRONMENTAL SETTINGS:

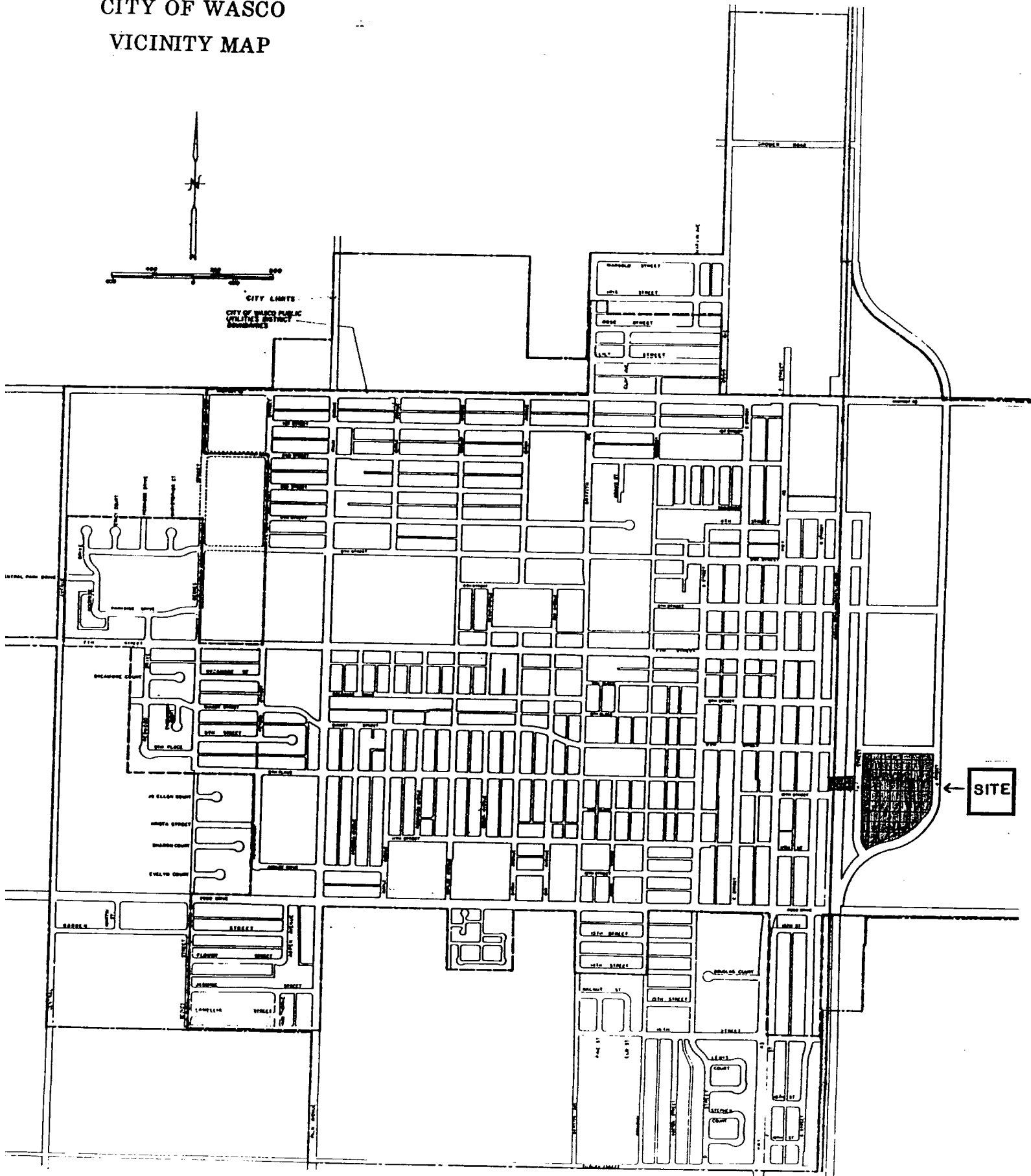
Section 2 of the Master EIR for the City of Wasco (SCH#78021461) and Chapter 3 of the Master EIR Update (SCH#83071810) is hereby incorporated as though fully set forth herein. The above describes the impacts for urban development projects and outlines the required mitigation measures required to minimize such impacts to the extent possible within the City of Wasco environment.

The Kern County Air Pollution Control District (KCAPD) has determined that this project's pollution production is well below their minimum standards and has already issued it's ATC's.

CITY OF WASCO VICINITY MAP



CITY LIMITS
CITY OF WASCO PUBLIC
UTILITY DISTRICT
BOUNDARIES



PG&E
1136 7th St.
Wasco, Calif. 93280

Southern California Gas Co.
P.O. Box 591
Visalia, Calif. 93279

WUHS
P.O. Box 250
Wasco, Calif. 93280

WUES
639 Broadway
Wasco, Calif. 93280

Wasco Recreation & Parks Dist.
1280 Poplar
Wasco, Calif. 93280

Pacific Bell
J.C. "Pete" Caldwell
1320 E. Shaw Ave., Suite 120B
Fresno, Calif. 93767

Warner Cable
201 Union Ave.
Bakersfield, Calif. 93307

Wasco Public Utility District
P.O. Box 836
Bakersfield, Calif. 93280

Kern County Health Dept.
1700 Flower St.
Bakersfield, Calif. 93305

Kern County Air Pollution Control District
Citron Toy, Chief
1601 "H" Street
Bakersfield, Calif. 93301

Kern County Fire Dept.
1025 Golden State Ave.
Attn: Engineering Dept.
Bakersfield, Calif. 93301

Kern County Sheriff's Dept.
Traffic Control
1340 Norris Rd.
Bakersfield, Calif. 93308

Wasco Public Works Dept.
Attn: Buck Nored
801 F St.
Wasco, Calif. 93280

California State Clearinghouse
Office of Planning and Research (10)
1400 Tenth Street, Room 121
Sacramento, Calif. 95814

Kern County Planning Dept.
1356 Norris Road
Bakersfield, Calif. 93308

Kern County Public Works Dept.
1350 Norris Road
Bakersfield, Ca. 93308

Wasco Housing Authority
750 H Street
Wasco, Calif. 93280

California Air Resource Board
1131 "S" Street
Sacramento, Calif. 95814

QUAD Engineering
1415 18th Street Suite 611
Bakersfield, Calif. 93301

California Transportation Dept.
District 6, Traffic Engineer
P.O. Box 12616
Fresno, Calif. 93778

Department of Fish and Game
1234 East Shaw Avenue
Fresno, Calif. 93710

California Highway Patrol
Sgt. Ted Bowes
Long Range Planning Section
Planning and Analysis Division
P.O. Box 898
Sacramento, Calif. 95804

Dept. of Conservation
Dennis O'Bryant
1416 Ninth Street, Room 1326-2
Sacramento, Calif. 95814

Dept. of Health
Attn: Charlotte Oakes
714 P Street, Room 1253
Sacramento, Calif. 95814

Public Utilities Commission
Attn: Mike Burke
505 Van Ness Ave.
San Francisco, Calif. 94102

Regional Water Quality Control Board
Region # 5
3374 E. Shields Ave.
Fresno, Calif. 93726

KERN COUNTY AIR POLLUTION CONTROL DISTRICT

AUTHORITY TO CONSTRUCT

1601 "H" Street, Suite 150
Bakersfield, California 93301-5199
Telephone: (805) 861-3682



LEON M. HEBERTSON, M.D.
Director of Public Health
Air Pollution Control Officer

ISSUE DATE: April 28, 1986

EXPIRATION DATE: April 28, 1988

APPLICATION NO. 1110001

DATE: September 13, 1985

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED TO:

SAVAGE COAL SERVICE CORPORATION

Ownership of an AUTHORITY TO CONSTRUCT may be transferred upon submission of an application and filing fee. Any emissions increase assigned to this equipment during the New Source Review Process remains with the initial bearer of this document.

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED FOR:

Coal Receiving Operation

(See attached sheets for equipment description and conditions)

S 7	T 27S	R 25E	Location: Central Valley Hwy. at H St., Wasco	Start-up Inspection Date
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Upon completion of construction and/or installation, please telephone the Manager of Engineering Evaluation. This document serves as a TEMPORARY Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For the issuance of a Permit to Operate, Rule 208 requires that the equipment authorized by this AUTHORITY TO CONSTRUCT be installed and operated in accordance with the conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize the emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth in this document must be satisfied before a Permit to Operate can be granted.

Your AUTHORITY TO CONSTRUCT can be renewed upon submission of an application and filing fee. Application must be made in advance of expiration.

Validation Signature:

Manager of Engineering Evaluation

1110001
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EQUIPMENT DESCRIPTION: Coal Receiving Operation, including the following equipment and design specifications:

- A. Railcar unloading building with sectioned curtains that overlap to effectively enclose car to be unloaded,
- B. Four under-track receiving hopper venting to dust pick-up air plenum on both sides, each exhausting to fabric collector,
- C. Two Sly, Model PC 213-6, baghouse or KCAPCD-approved equivalent, each with 3,463 ft.² cloth area and equipped with 60 hp fan @ 12 in. S.P., serving item B.,
- D. Dust return line from fabric collectors (item C.) to tail pulley of sampling conveyor (item F.),
- E. Four under-track vibrating feeders discharging to gathering conveyor, 40 hp total,
- F. 54 in. wide underground gathering conveyor equipped with dust pick-up hood at feeder/conveyor transfer point, exhausting to one baghouse in item C. and discharging to sampling conveyor, 15 hp,
- G. 54 in. wide sampling conveyor, partly underground and totally enclosed as it breeches the ground, discharging into the sampling tower, approximately 100 hp,
- H. Dust-tight sampling tower, housing a 2-stage mechanical sampler and discharging to enclosed storage conveyor,
- I. One Sly, Model PC 204-6, baghouse with 1,066 ft.² cloth area equipped with 20 hp fan at 12 in. S.P., serving dust collection system at sampling tower transfer points,
- J. Dust return line from fabric collector (item H.) to tail pulley of storage conveyor (shared with A/C 1110002).

CONDITIONAL APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware that all conditions of approval remain in effect for life of project unless modified by application.

DESIGN CONDITIONS:

1. All aboveground material conveyors shall be enclosed and sealed (dust-tight). (Rule 209)
2. Ventilation and dust collection system shall be designed for efficient entrainment of airborne particulate matter at transfer points and other emission points. (Rule 209)
3. Fabric collector shall be equipped with automatic air-pulse cleaning system. (Rule 209)
4. Fabric collector exhaust stack shall be equipped with adequate provisions to facilitate EPA Reference Method 5 stack sampling. (Rule 108.1)
5. Each fabric collector compartment shall be equipped with operational differential pressure indicator. (Rule 209)

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1110001
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OPERATIONAL CONDITIONS:

- a. Coal moisture content shall be at least 6%. (Rule 209)
- b. Process weight rate for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- c. Coal receiving capacity shall be no more than 1,750 TPH without prior District approval. (Rule 209)
- d. Coal receiving operation shall operate no more than 8 hours per day without prior District approval. (Rule 209)
- e. Fabric collector shall be strictly maintained with replacement on hand at all times. (Rule 209)
- f. Fabric collector shall be inspected regularly and shall be free any holes, tears, or openings. (Rule 209)
- g. Collected dust shall be returned to process and loaded out with coal. (Rule 209)
- h. Operator shall maintain and make available for District staff up request log of quantity of materials received and shipped. (Rule 209)
- i. No emission shall create nuisance. (Rule 419)
- j. If visible emissions exceed 0% opacity from any emission point additional dust control provision will be required. (Rule 210.1)

EMISSION SAMPLING LIMIT:

Particulate:

0.51 lbm/hr (Rule 210.1)

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

Maximum average monthly emission rate of particulate matter from entire stationary source shall not exceed number of days in month times daily amount shown as "proposed" on attached emission profiles. Average monthly emission rate shall be determined at end of each month by averaging the previous 12 months of operation (fewer than 12 if new or seasonal source).

Compliance with these emission limits shall be verified by source operator (with fuel consumption data, operational data, etc.)

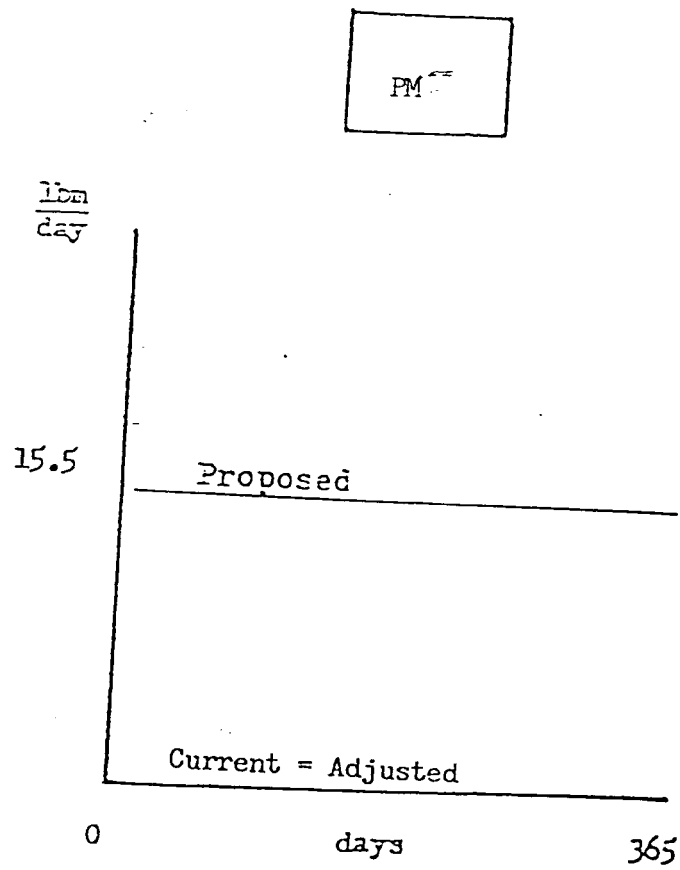
1110001
Continued

daily basis (maximum daily emission rate) and on monthly basis
(maximum average monthly emission rate) and written documentation
made readily available to District for period of one year.

RULE 210.1 (NSR) SPECIFIC LIMITING CONDITIONS:
(see attached emission profiles)

1110001-006

EMISSIONS PROFILE



AUTHORITY TO CONSTRUCT



1601 "H" Street, Suite 150
Bakersfield, California 93301-5199
Telephone: (805) 861-3682

LEON M. HEBERTSON, M.D.
Director of Public Health
Air Pollution Control Officer

ISSUE DATE: April 28, 1986

APPLICATION NO. 1110002

EXPIRATION DATE: April 28, 1988

DATE: October 25, 1985

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED TO:

SAVAGE COAL SERVICE CORPORATION

Ownership of an AUTHORITY TO CONSTRUCT may be transferred upon submission of an application and filing fee. Any emissions increase assigned to this equipment during the New Source Review Process remains with the initial bearer of this document.

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED FOR:

Coal Storage Bin #1

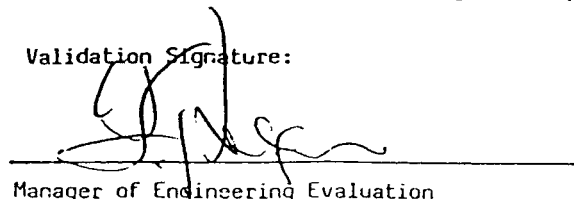
(See attached sheets for equipment description and conditions)

S	T	R	Location: Central Valley Hwy.	Start-up Inspection Date
7	27S	25E	at H St., Wasco	

Upon completion of construction and/or installation, please telephone the Manager of Engineering Evaluation. This document serves as a TEMPORARY Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For the issuance of a Permit to Operate, Rule 208 requires that the equipment authorized by this AUTHORITY TO CONSTRUCT be installed and operated in accordance with the conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize the emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth in this document must be satisfied before a Permit to Operate can be granted.

Your AUTHORITY TO CONSTRUCT can be renewed upon submission of an application and filing fee. Application must be made in advance of expiration.

Validation Signature:


Manager of Engineering Evaluation

1110002
Continued

EQUIPMENT DESCRIPTION: Coal Storage Bin #1, including the following equipment and design specifications:

- A. 54 in. wide storage conveyor with 2-way diverter gate at discharge point to storage bin #1 (item B.) or transfer conveyor #1, approximately 150 hp,
- B. 12,000 ton capacity coal storage bin #1 exhausting to fabric collector item D.,
- C. 54 in. wide transfer conveyor #1 (shared with A/C #1110003) 15 hp,
- D. Sly, Model PC 208-6, baghouse with 2,131 ft.² cloth area, equipped with a 40 hp fan at 12 in. S.P., serving dust pick-up points from item A. to item B. or C., (shared with A/C #1110003)

CONDITIONAL APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware that all conditions of approval remain in effect for life of project unless modified by application.

DESIGN CONDITIONS:

- 1. Each fabric collector compartment shall be equipped with operational differential pressure indicator. (Rule 209)
- 2. Fabric collector shall be equipped with automatic air-pulse cleaning system. (Rule 209)
- 3. Ventilation and dust collection system shall be designed for efficient entrainment of airborne particulate matter at transfer points and other emission points. (Rule 209)
- 4. All material conveyors shall be enclosed and sealed (dust-tight). (Rule 209)
- 5. Fabric collector exhaust stack shall be equipped with adequate provisions to facilitate EPA Reference Method 5 stack sampling. (Rule 108.1)

OPERATIONAL CONDITIONS:

- a. Storage bin and fabric collector shall be strictly maintained with replacement bags on hand at all times. (Rule 209)
- b. Coal moisture content shall be at least 6%. (Rule 209)
- c. Process weight for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- d. Coal storage operation shall operate no more than 8 hours per day without prior District approval. (Rule 209)
- e. No emission shall create nuisance. (Rule 419)
- f. All air displaced from silo shall vent only to fabric collectors. (Rule 209)
- g. All collected dust shall be pneumatically conveyed to surge bin at truck loadout tower and loaded out with coal. (Rule 209)
- h. If visible emissions exceed 0% opacity from any emission point additional dust control provisions will be required. (Rule 210.1)



1110002
Continued

EMISSION SAMPLING LIMIT:

Particulate: 0.12 lbm/hr (Rule 210.1)

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

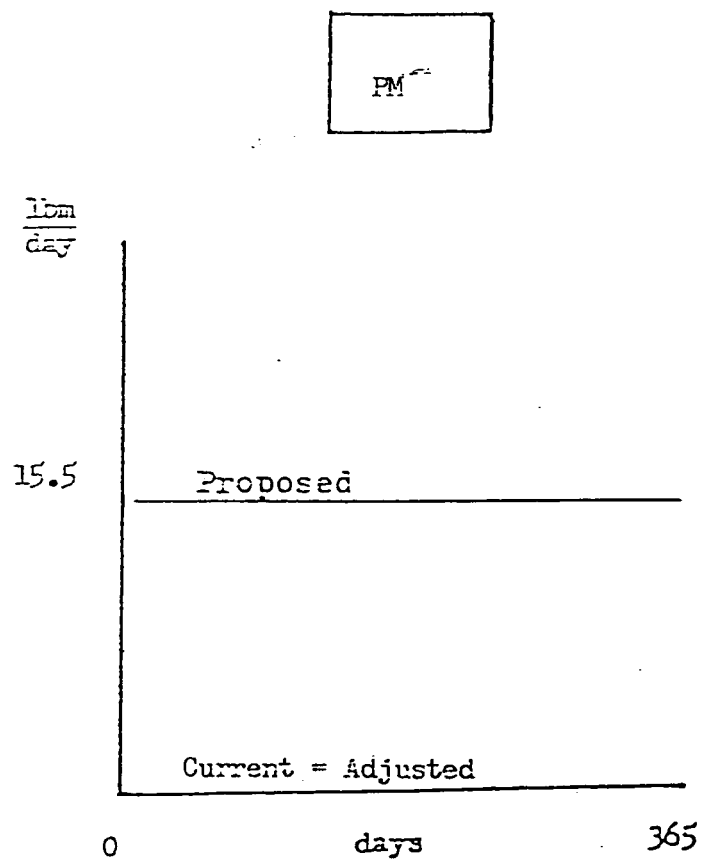
Maximum average monthly emission rate of particulate matter from entire stationary source shall not exceed number of days in month times daily amount shown as "proposed" on attached emission profiles. Average monthly emission rate shall be determined at end of each month by averaging the previous 12 months of operation (fewer than 12 if new or seasonal source).

Compliance with these emission limits shall be verified by source operator (with fuel consumption data, operational data, etc.) on daily basis (maximum daily emission rate) and on monthly basis (maximum average monthly emission rate) and written documentation made readily available to District for period of one year.

RULE 210.1 (NSR) SPECIFIC LIMITING CONDITIONS:
(see attached emission profiles)

1110001-006

EMISSIONS PROFILE



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AUTHORITY TO CONSTRUCT



1601 "H" Street, Suite 150
Bakersfield, California 93301-5199
Telephone: (805) 861-3682

LEON M. HEBERTSON, M.D.
Director of Public Health
Air Pollution Control Officer

ISSUE DATE: April 28, 1986

APPLICATION NO. 1110003

EXPIRATION DATE: April 28, 1988

DATE: October 25, 1985

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED TO:

SAVAGE COAL SERVICE CORPORATION

Ownership of an AUTHORITY TO CONSTRUCT may be transferred upon submission of an application and filing fee. Any emissions increase assigned to this equipment during the New Source Review Process remains with the initial bearer of this document.

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED FOR:

Coal Storage Bin #2

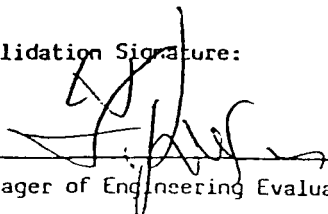
(See attached sheets for equipment description and conditions)

S	T	R	Location: Central Valley Hwy.	Start-up Inspection Date
7	27S	27E	at H St., Wasco	

Upon completion of construction and/or installation, please telephone the Manager of Engineering Evaluation. This document serves as a TEMPORARY Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For the issuance of a Permit to Operate, Rule 208 requires that the equipment authorized by this AUTHORITY TO CONSTRUCT be installed and operated in accordance with the conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize the emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth in this document must be satisfied before a Permit to Operate can be granted.

Your AUTHORITY TO CONSTRUCT can be renewed upon submission of an application and filing fee. Application must be made in advance of expiration.

Validation Signature:



Manager of Engineering Evaluation

1110003
Continued

EQUIPMENT DESCRIPTION: Coal Storage Bin #2, including the following equipment and design specifications:

- A. 54 in. wide transfer conveyor #1 with 2-way diverter gate at discharge point to storage bin #2 or transfer conveyor #2, (shared with A/C #1110002)
- B. 12,000 ton capacity coal storage bin #2 exhausting to a fabric collector,
- C. 54 in. wide transfer conveyor #2 (shared with A/C #1110002) 15 hp,
- D. Sly, Model PC 208-6, baghouse with 2,131 ft.² cloth area, equipped with a 40 hp fan at 12 in. S.P., serving dust pick-up points from item A. to item B. or C., (shared with A/C #1110002)

CONDITIONAL APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware that all conditions of approval remain in effect for life of project unless modified by application.

DESIGN CONDITIONS:

- 1. Each fabric collector compartment shall be equipped with operational differential pressure indicator. (Rule 209)
- 2. Fabric collector shall be equipped with automatic air-pulse cleaning system. (Rule 209)
- 3. Ventilation and dust collection system shall be designed for efficient entrainment of airborne particulate matter at transfer points and other emission points. (Rule 209)
- 4. All material conveyors shall be enclosed and sealed (dust-tight). (Rule 209)
- 5. Fabric collector exhaust stack shall be equipped with adequate provisions to facilitate EPA Reference Method 5 stack sampling. (Rule 108.1)

OPERATIONAL CONDITIONS:

- a. Storage bin and fabric collector shall be strictly maintained with replacement bags on hand at all times. (Rule 209)
- b. Coal moisture content shall be at least 6%. (Rule 209)
- c. Process weight for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- d. Coal storage operation shall operate no more than 8 hours per day without prior District approval. (Rule 209)
- e. No emission shall create nuisance. (Rule 419)
- f. All air displaced from silo shall vent only to fabric collectors. (Rule 209)
- g. All collected dust shall be pneumatically conveyed to surge bin at truck loadout tower and loaded out with coal. (Rule 209)
- h. If visible emissions exceed 0% opacity from any emission point additional dust control provisions will be required. (Rule 210.1)

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1110003
Continued

EMISSION SAMPLING LIMIT:

Particulate: 0.12 lbm/hr (Rule 210.1)

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

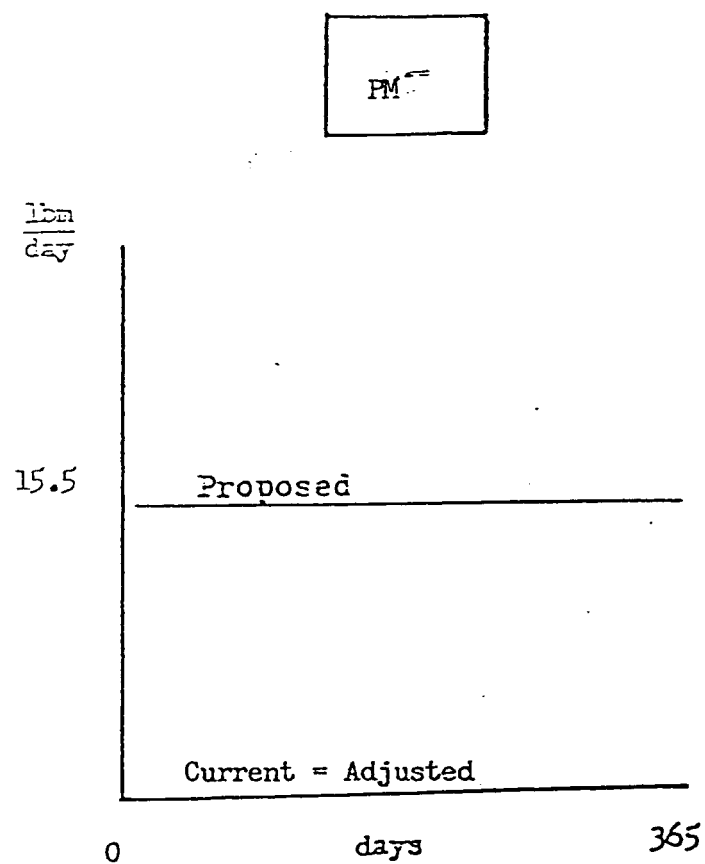
Maximum average monthly emission rate of particulate matter from entire stationary source shall not exceed number of days in month times daily amount shown as "proposed" on attached emission profiles. Average monthly emission rate shall be determined at end of each month by averaging the previous 12 months of operation (fewer than 12 if new or seasonal source).

Compliance with these emission limits shall be verified by source operator (with fuel consumption data, operational data, etc.) on daily basis (maximum daily emission rate) and on monthly basis (maximum average monthly emission rate) and written documentation made readily available to District for period of one year.

RULE 210.1 (NSR) SPECIFIC LIMITING CONDITIONS:
(see attached emission profiles)

1110001-006

EMISSIONS PROFILE



CH

AUTHORITY TO CONSTRUCT

1601 "H" Street, Suite 150
Bakersfield, California 93301-5199
Telephone: (805) 861-3682



LEON M. HEBERTSON, M.D.
Director of Public Health
Air Pollution Control Officer

ISSUE DATE: April 28, 1986

APPLICATION NO. 1110004

EXPIRATION DATE: April 28, 1988

DATE: October 25, 1985

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED TO:

SAVAGE COAL SERVICE CORPORATION

Ownership of an AUTHORITY TO CONSTRUCT may be transferred upon submission of an application and filing fee. Any emissions increase assigned to this equipment during the New Source Review Process remains with the initial bearer of this document.

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED FOR:

Coal Storage Bin #3

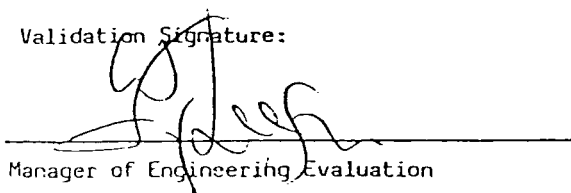
(See attached sheets for equipment description and conditions)

S	T	R	Location: Central Valley Hwy.	Start-up Inspection Date
7	27S	25E	at H St., Wasco	

Upon completion of construction and/or installation, please telephone the Manager of Engineering Evaluation. This document serves as a TEMPORARY Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For the issuance of a Permit to Operate, Rule 208 requires that the equipment authorized by this AUTHORITY TO CONSTRUCT be installed and operated in accordance with the conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize the emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth in this document must be satisfied before a Permit to Operate can be granted.

Your AUTHORITY TO CONSTRUCT can be renewed upon submission of an application and filing fee. Application must be made in advance of expiration.

Validation Signature:


Manager of Engineering Evaluation

1110004
Continued

EQUIPMENT DESCRIPTION: Coal Storage Bin #3, including the following equipment and design specifications:

- A. 54 in. wide transfer conveyor #2 with 2-way diverter gate at discharge point to storage bin #3 or transfer conveyor #3, (shared with A/C #1110005)
- B. 12,000 ton capacity coal storage bin #3 exhausting to a fabric collector,
- C. 54 in. wide transfer conveyor #3 (shared with A/C #1110005) 15 hp,
- D. Sly, Model PC 208-6, baghouse with 2,131 ft.² cloth area, equipped with a 40 hp fan at 12 in. S.P., serving dust pick-up points from item A. to item B. or C., (shared with A/C #1110002)

CONDITIONAL APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware that all conditions of approval remain in effect for life of project unless modified by application.

DESIGN CONDITIONS:

- 1. Each fabric collector compartment shall be equipped with operational differential pressure indicator. (Rule 209)
- 2. Fabric collector shall be equipped with automatic air-pulse cleaning system. (Rule 209)
- 3. Ventilation and dust collection system shall be designed for efficient entrainment of airborne particulate matter at transfer points and other emission points. (Rule 209)
- 4. All material conveyors shall be enclosed and sealed (dust-tight). (Rule 209)
- 5. Fabric collector exhaust stack shall be equipped with adequate provisions to facilitate EPA Reference Method 5 stack sampling. (Rule 108.1)

OPERATIONAL CONDITIONS:

- a. Storage bin and fabric collector shall be strictly maintained with replacement bags on hand at all times. (Rule 209)
- b. Coal moisture content shall be at least 6%. (Rule 209)
- c. Process weight for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- d. Coal storage operation shall operate no more than 8 hours per day without prior District approval. (Rule 209)
- e. No emission shall create nuisance. (Rule 419)
- f. All air displaced from silo shall vent only to fabric collectors. (Rule 209)
- g. All collected dust shall be pneumatically conveyed to surge bin at truck loadout tower and loaded out with coal. (Rule 209)
- h. If visible emissions exceed 0% opacity from any emission point additional dust control provisions will be required. (Rule 210.1)

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1110004
Continued

EMISSION SAMPLING LIMIT:

Particulate: 0.12 lbm/hr (Rule 210.1)

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

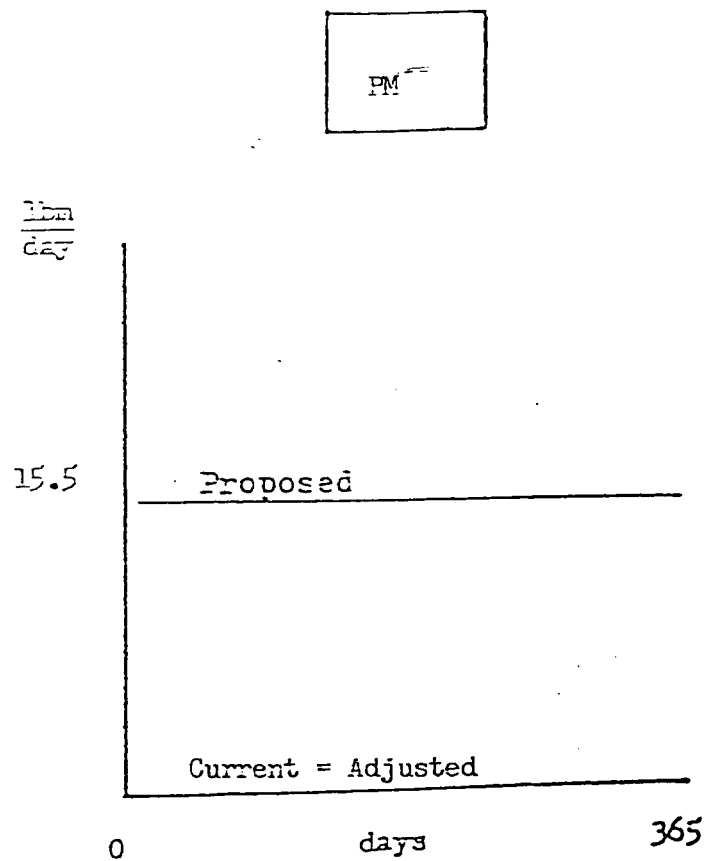
Maximum average monthly emission rate of particulate matter from entire stationary source shall not exceed number of days in month times daily amount shown as "proposed" on attached emission profiles. Average monthly emission rate shall be determined at end of each month by averaging the previous 12 months of operation (fewer than 12 if new or seasonal source).

Compliance with these emission limits shall be verified by source operator (with fuel consumption data, operational data, etc.) on daily basis (maximum daily emission rate) and on monthly basis (maximum average monthly emission rate) and written documentation made readily available to District for period of one year.

RULE 210.1 (NSR) SPECIFIC LIMITING CONDITIONS:
(see attached emission profiles)

1110001-005

EMISSIONS PROFILE



AUTHORITY TO CONSTRUCT

1601 "H" Street, Suite 150
Bakersfield, California 93301-5199
Telephone: (805) 861-3682



LEON M. HEBERTSON, M.D.
Director of Public Health
Air Pollution Control Officer

ISSUE DATE: April 28, 1986

APPLICATION NO. 1110005

EXPIRATION DATE: April 28, 1988

DATE: October 25, 1985

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED TO:

SAVAGE COAL SERVICE CORPORATION

Ownership of an AUTHORITY TO CONSTRUCT may be transferred upon submission of an application and filing fee. Any emissions increase assigned to this equipment during the New Source Review Process remains with the initial bearer of this document.

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED FOR:

Coal Storage Bin #4

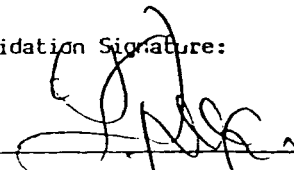
(See attached sheets for equipment description and conditions)

S 7	T 27S	R 25E	Location: Central Valley Hwy. at H St., Wasco	Start-up Inspection Date
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Upon completion of construction and/or installation, please telephone the Manager of Engineering Evaluation. This document serves as a TEMPORARY Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For the issuance of a Permit to Operate, Rule 208 requires that the equipment authorized by this AUTHORITY TO CONSTRUCT be installed and operated in accordance with the conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize the emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth in this document must be satisfied before a Permit to Operate can be granted.

Your AUTHORITY TO CONSTRUCT can be renewed upon submission of an application and filing fee. Application must be made in advance of expiration.

Validation Signature:



Manager of Engineering Evaluation

1110005
Continued

EQUIPMENT DESCRIPTION: Coal Storage Bin #4, including the following equipment and design specifications:

- A. 54 in. wide transfer conveyor #3 (shared with A/C #1110004) discharging to item B., 15 hp
- B. 12,000 ton capacity coal storage bin #4 exhausting to a fabric collector,
- C. Sly, Model PC 208-6, baghouse with 2,131 ft.² cloth area, equipped with a 40 hp fan at 12 in. S.P., serving items A. and B., (shared with A/C #1110004)

CONDITIONAL APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware that all conditions of approval remain in effect for life of project unless modified by application.

DESIGN CONDITIONS:

- 1. Each fabric collector compartment shall be equipped with operational differential pressure indicator. (Rule 209)
- 2. Fabric collector shall be equipped with automatic air-pulse cleaning system. (Rule 209)
- 3. Ventilation and dust collection system shall be designed for efficient entrainment of airborne particulate matter at transfer points and other emission points. (Rule 209)
- 4. All material conveyors shall be enclosed and sealed (dust-tight). (Rule 209)
- 5. Fabric collector exhaust stack shall be equipped with adequate provisions to facilitate EPA Reference Method 5 stack sampling. (Rule 108.1)

OPERATIONAL CONDITIONS:

- a. Storage bin and fabric collector shall be strictly maintained with replacement bags on hand at all times. (Rule 209)
- b. Coal moisture content shall be at least 6%. (Rule 209)
- c. Process weight for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- d. Coal storage operation shall operate no more than 8 hours per day without prior District approval. (Rule 209)
- e. No emission shall create nuisance. (Rule 419)
- f. All air displaced from silo shall vent only to fabric collectors. (Rule 209)
- g. All collected dust shall be pneumatically conveyed to surge bin at truck loadout tower and loaded out with coal. (Rule 209)
- h. If visible emissions exceed 0% opacity from any emission point additional dust control provisions will be required. (Rule 210.1)

EMISSION SAMPLING LIMIT:

Particulate:

0.12 lbm/hr (Rule 210.1)



1110005
Continued

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

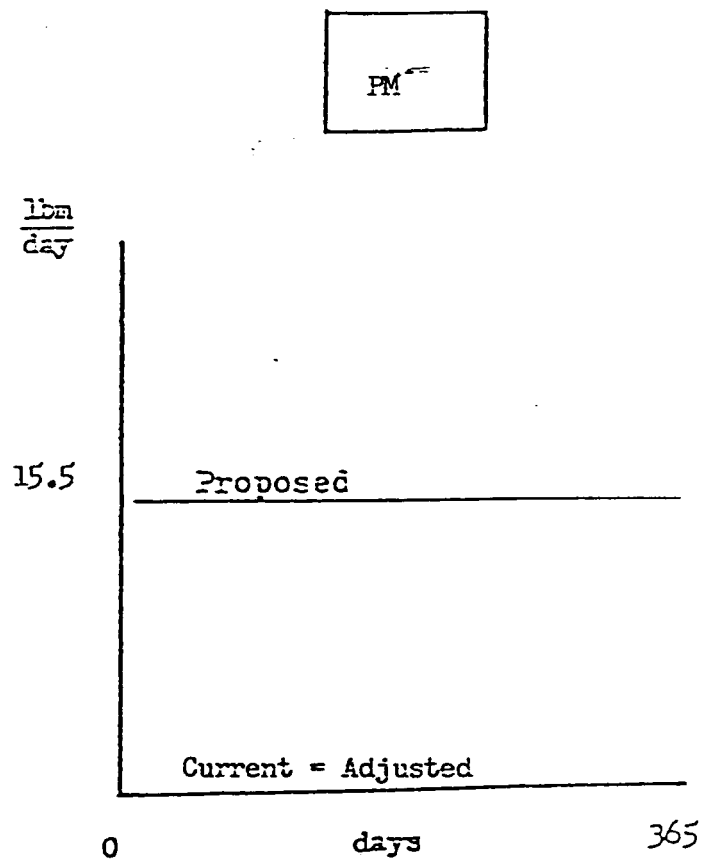
Maximum average monthly emission rate of particulate matter from entire stationary source shall not exceed number of days in month times daily amount shown as "proposed" on attached emission profiles. Average monthly emission rate shall be determined at end of each month by averaging the previous 12 months of operation (fewer than 12 if new or seasonal source).

Compliance with these emission limits shall be verified by source operator (with fuel consumption data, operational data, etc.) on daily basis (maximum daily emission rate) and on monthly basis (maximum average monthly emission rate) and written documentation made readily available to District for period of one year.

RULE 210.1 (NSR) SPECIFIC LIMITING CONDITIONS:
(see attached emission profiles)

1110001-006

EMISSIONS PROFILE



5

AUTHORITY TO CONSTRUCT

1601 "H" Street, Suite 150
Bakersfield, California 93301-5199
Telephone: (805) 861-3682



LEON M. HEBERTSON, M.D.
Director of Public Health
Air Pollution Control Officer

ISSUE DATE: April 28, 1986

APPLICATION NO. 1110006

EXPIRATION DATE: April 28, 1988

DATE: September 13, 1985

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED TO:

SAVAGE COAL SERVICE CORPORATION

Ownership of an AUTHORITY TO CONSTRUCT may be transferred upon submission of an application and filing fee. Any emissions increase assigned to this equipment during the New Source Review Process remains with the initial bearer of this document.

AUTHORITY TO CONSTRUCT IS HEREBY GRANTED FOR:

Coal Reclaiming and Truck Loading Operation

(See attached sheets for equipment description and conditions)

S	T	R	Location: Central Valley Hwy.	Start-up Inspection Date
7	27S	25E	at H St., Wasco	

Upon completion of construction and/or installation, please telephone the Manager of Engineering Evaluation. This document serves as a TEMPORARY Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For the issuance of a Permit to Operate, Rule 208 requires that the equipment authorized by this AUTHORITY TO CONSTRUCT be installed and operated in accordance with the conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize the emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth in this document must be satisfied before a Permit to Operate can be granted.

Your AUTHORITY TO CONSTRUCT can be renewed upon submission of an application and filing fee. Application must be made in advance of expiration.

Validation Signature:

A handwritten signature in dark ink, appearing to read "J. J. J.", is written over a horizontal line. Below the line, the text "Manager of Engineering Evaluation" is printed.

1110006
Continued

EQUIPMENT DESCRIPTION: Coal Reclaiming and Truck Loading Operation,
including the following equipment and design specifications:

- A. 8 reclaim feeders discharging to reclaim conveyor, 40 hp total,
- B. 36 in reclaim conveyor, 650 TPH capacity, to surge bin, 15 hp, served by item E.,
- C. 40 ton capacity surge bin with 2 discharge gates,
- D. 30 ton capacity weigh hopper equipped with cutoff gate discharging to truck,
- E. Sly, Model PC 103-6, baghouse with 400 ft.² cloth area with 7 1/2 hp fan at 12 in. S.P.,
- F. Collected dust line from fabric collector (item E.) to weigh hopper (item D.).

CONDITIONAL APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware that all conditions of approval remain in effect for life of project unless modified by application.

DESIGN CONDITIONS:

- 1. All aboveground conveyors shall be enclosed and sealed (dust-tight). (Rule 209)
- 2. Ventilation and dust collection system shall be designed for efficient entrainment of airborne particulate matter at transfer points and other emission points. (Rule 209)
- 3. Fabric collector shall be equipped with automatic air-pulse cleaning system. (Rule 209)
- 4. Reclaim feeders to reclaim conveyor transfer points shall be enclosed. (Rule 209)
- 5. Fabric collectors exhaust stacks shall be equipped with adequate provisions to facilitate EPA Reference Method #5 stack sampling. (Rule 108.1)
- 6. Each fabric collector compartment shall be equipped with operational differential pressure indicator. (Rule 209).

OPERATIONAL CONDITIONS:

- a. Coal moisture content shall be at least 6%. (Rule 209)
- b. Process weight rate for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- c. Coal receiving capacity shall be no more than 650 TPH without prior District approval. (Rule 209)
- d. Coal reclaiming and loadout operation shall operate no more than 20 hours per day without prior District approval. (Rule 209)
- e. Truck loadout shall be equipped with retractable coaxial loadout spout ventilated to fabric collector unless similar existing truck loading operation can now be demonstrated in compliance with District requirements. (Rule 209) Design details of spout and

Handwritten signature/initials

1110006
Continued

- collector shall be submitted to and approved by KCAPCD prior to construction/ installation.
- f. Fabric collector shall be strictly maintained with replacement bags on hand at all times. (Rule 209)
 - g. Collected dust shall be exhausted to the weigh bin and loaded out with coal. (Rule 210.1)
 - h. Operator shall maintain and make available for District staff upon request daily log of quantity of materials received and shipped. (Rule 209)
 - i. No emission shall create nuisance. (Rule 419)
 - j. Visible emissions shall not exceed 0% opacity from the point at which the reclaim conveyor comes above ground. (Rule 210.1)
 - k. Visible emissions shall not exceed 0% opacity from any emission point or additional dust control provisions will be required. (Rule 210.1)

EMISSION SAMPLING LIMIT:

Particulate:

0.78 lbm/hr (Rule 210.1)

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

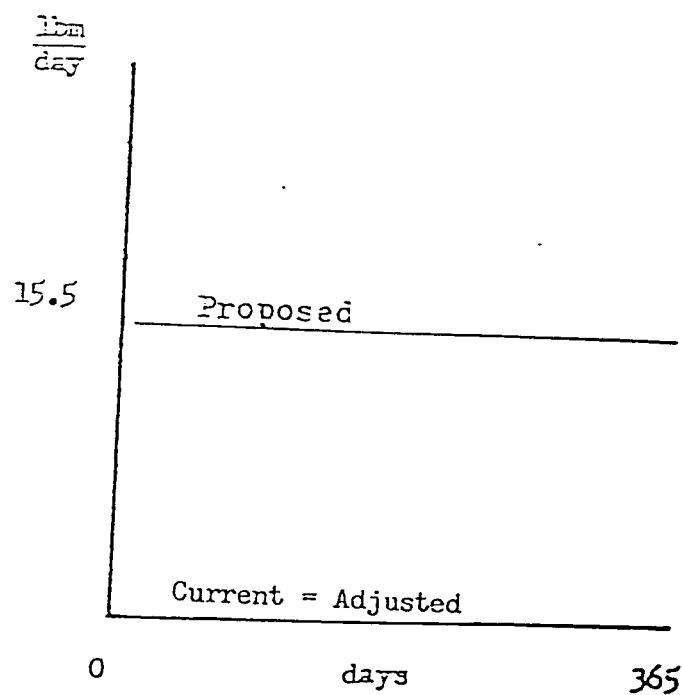
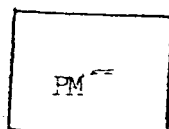
Maximum average monthly emission rate of particulate matter from entire stationary source shall not exceed number of days in month times daily amount shown as "proposed" on attached emission profiles. Average monthly emission rate shall be determined at end of each month by averaging the previous 12 months of operation (fewer than 12 if new or seasonal source).

Compliance with these emission limits shall be verified by source operator (with fuel consumption data, operational data, etc.) on daily basis (maximum daily emission rate) and on monthly basis (maximum average monthly emission rate) and written documentation made readily available to District for period of one year.

RULE 210.1 (NSR) SPECIFIC LIMITING CONDITIONS:
(see attached emission profiles)

1110001-006

EMISSIONS PROFILE



84

WASCO COAL TRANSFER FACILITY

INITIAL STUDY

AND

ENVIRONMENTAL ASSESSMENT

Prepared for:

City of Wasco, California
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12 August 1987

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
TABLE OF CONTENTS	i
LIST OF TABLES	x
LIST OF FIGURES	xi
 1.0 EXECUTIVE SUMMARY	 1-1
1.1 Project Description	1-1
1.2 Project Location	1-2
1.3 The No-Project Alternative	1-2
1.5 Summary of Impacts and Mitigation Measures	1-4
 2.0 INTRODUCTION	 2-1
2.1 Project Objectives	2-1
2.2 Savage Coal Service Corporation	2-4
2.3 Purpose of Environmental Review	2-4
2.4 Organization of This Document	2-5
 3.0 PROJECT DESCRIPTION	 3-1
3.1 Project Location	3-1
3.2 Process Description	3-1

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
3.2.1 Material Flow	3-5
3.2.2 Receiving and Storage System	3-5
3.2.3 Reclaiming and Loadout System	3-8
3.3 Auxiliary Facilities	3-9
4.0 ENVIRONMENTAL ANALYSIS	4-1
4.1 Geology and Soils	4-2
4.1.1 Geological Setting	4-2
4.1.2 Seismic Setting	4-3
4.1.3 Soils Setting	4-7
4.1.3.1 Physiographic Features	4-7
4.1.3.2 Soil Description	4-7
4.1.4 Impacts	4-8
4.1.4.1 Geological Impacts	4-8
4.1.4.2 Seismic Impacts	4-8
4.1.4.3 Soils Impacts	4-9
4.1.5 Mitigation Measures	4-10

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
4.1.5.1 Geology	4-10
4.1.5.2 Seismicity	4-10
4.1.5.3 Soils	4-11
4.2 Air Resources	4-12
4.2.1 Setting	4-12
4.2.1.1 Climate	4-12
4.2.1.2 Existing Air Quality	4-14
4.2.2 Impacts	4-14
4.2.2.1 Primary Emissions	4-18
4.2.2.2 Secondary Emissions	4-21
4.2.3 Cumulative Air Impacts	4-21
4.2.4 Mitigation Measures	4-23
4.2.4.1 Fugitive Dust Mitigation Measures - Receiving and Storage	4-26
4.2.4.2 Fugitive Dust Mitigation Measures - Reclaiming and Loadout	4-28
4.2.4.3 Cumulative Impact Mitigation Measures	4-29
4.3 Water Resources	4-31

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
4.3.1 Setting	4-31
4.3.1.1 Regional Ground - Water Resources	4-33
4.3.1.2 Regional Water Quality	4-35
4.3.1.3 Local Ground-Water Resources	4-36
4.3.1.4 Surface Water	4-36
4.3.1.5 Flooding Potential	4-36
4.3.2 Impacts	4-38
4.3.2.1 Ground Water	4-38
4.3.2.2 Surface Water	4-39
4.3.3.3 Flooding Potential	4-39
4.3.3 Mitigation Measures	4-40
4.3.3.1 Ground Water	4-40
4.3.3.2 Surface Water	4-40
4.3.3.3 Flooding Potential	4-41
4.4 Vegetation and Wildlife	4-42
4.4.1 Setting	4-42
4.4.4.1 Vegetation	4-42
4.4.4.2 Wildlife	4-42

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
4.4.2 Impacts	4-43
4.4.3 Mitigation Measures	4-43
4.5 Noise	4-44
4.5.1 Setting	4-44
4.5.2 Impacts	4-48
4.5.3 Mitigation Measures	4-51
4.6 Land Use	4-53
4.6.1 Setting	4-53
4.6.2 Impacts	4-53
4.6.2.1 Goals, Policies, and Zoning Designation	4-54
4.6.2.2 Land Use Compatibility	4-54
4.6.3 Mitigation Measures	4-54
4.7 Hazard Potential	4-55
4.7.1 Risk of Upset	4-55
4.7.2 Human Health Risk	4-58
4.7.3 Impacts	4-58
4.7.4 Mitigation Measures	4-60

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
4.8 Socioeconomics	4-62
4.8.1 Setting	4-62
4.8.1.1 Population	4-62
4.8.1.2 Housing	4-62
4.8.1.3 Employment	4-64
4.8.2 Impacts	4-64
4.8.3 Mitigation Measures	4-64
4.9 Transportation/Circulation	4-65
4.9.1 Setting	4-65
4.9.2 Impacts	4-68
4.9.3 Mitigation Measures	4-69
4.10 Public Services and Utilities	4-73
4.10.1 Setting	4-73
4.10.1.1 Fire Protection	4-73
4.10.1.2 Police Protection	4-73
4.10.1.3 Solid Waste Disposal	4-74
4.10.1.4 Wastewater Disposal	4-74

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
4.10.1.5 Water Supply	4-74
4.10.1.6 Flood Control	4-75
4.10.1.7 Natural Gas Supply	4-75
4.10.1.8 Electricity	4-76
4.10.2 Impacts	4-76
4.10.2.1 Fire Protection	4-76
4.10.2.2 Police Protection	4-76
4.10.2.3 Solid Waste Disposal	4-77
4.10.2.4 Wastewater Disposal	4-77
4.10.2.5 Water Supply	4-77
4.10.2.6 Flood Control	4-77
4.10.2.7 Natural Gas Supply	4-78
4.10.2.8 Electricity	4-78
4.10.3 Mitigation Measures	4-78
4.10.3.1 Fire Protection	4-79
4.10.3.2 Police Protection	4-81
4.10.3.3 Solid Waste Disposal	4-81
4.10.3.4 Wastewater Disposal	4-81
4.10.3.5 Water Supply	4-81
4.10.3.6 Flood Control	4-81
4.10.3.7 Natural Gas Supply	4-82
4.10.3.8 Electricity	4-82

TABLE OF CONTENTS (continued)

<u>SECTION</u>	<u>PAGE</u>
4.11 Natural Resources and Energy	4-83
4.12 Aesthetics	4-84
4.12.1 Setting	4-84
4.12.2 Impacts	4-85
4.12.3 Mitigation Measures	4-86
4.13 Cultural Resources	4-88
4.13.1 Setting	4-88
4.13.2 Impacts	4-88
4.13.3 Mitigation Measures	4-88
5.0 OVERVIEW AND CONCLUSIONS	5-1
5.1 Summary of Mitigation Measures	5-1
5.2 The No-Project Alternative	5-14
6.0 REFERENCES	6-1
6.1 Organizations and Persons Consulted	6-1
6.2 Preparers and Contributors	6-3
6.3 References Cited	6-7

TABLE OF CONTENTS (continued)

APPENDIX A - Initial Study Checklist
APPENDIX B - Structure Elevations
APPENDIX C - Site Plan
APPENDIX D - Noise Study
APPENDIX E - Agency Comments
APPENDIX F - Coal Analysis

LIST OF TABLES

<u>TABLE</u>	<u>PAGE</u>
1.4-1 Summary of Potential Impacts and Proposed Mitigation Measures . .	1-5
4.1-1 Modified Mercalli Earthquake Intensity Scale of 1931	4-5
4.2-1 Ambient Air Quality Standards	4-15
4.2-2 Air Quality Background Data	4-17
4.2-3 Facility Peak Particulate Emission Rates	4-20
4.2-4 Projected Daily Emissions From Haul Tracks, Yard Locomotives, and Trains	4-22
4.2-5 Cumulative Air Emissions	4-24
4.2-6 Summary of Sources and Control Measures	4-27
4.5-1 Existing Noise Levels	4-46
4.5-2 City of Wasco Noise Standards	4-47
4.5-3 Projected Noise Levels During Project Operation	4-49
4.5-4 Reference Comparison of Everyday Noises	4-50
4.8-1 Wasco Housing Data	4-63
4.9-1 Wasco Average Daily Traffic	4-66

LIST OF FIGURES

<u>FIGURE</u>	<u>PAGE</u>
2.1-1 Regional Setting	2-2
2.1-2 Project Location Map	2-3
3.0-1 Regional Setting	3-2
3.1-1 Project Location Map	3-3
3.2-1 Artist's Rendering	3-4
3.2-2 Material Flow	3-6
3.2-3 Canopied Truck	3-10
3.3-1 Site Layout	3-11
4.1-1 Faults In Project Vicinity	4-4
4.2-1 Annual Wind Rose for Bakersfield	4-13
4.2-2 Emission Points	4-19
4.3-1 Surface Water Features	4-32
4.3-2 Flood Zone Map	4-37
4.5-1 Existing Noise Contours	4-45
4.9-1 Wasco Street Locations	4-67
4.12-1 Artist's Rendering	4-85

1.0 EXECUTIVE SUMMARY

This Environmental Assessment has been prepared by Radian Corporation for the City of Wasco, California. The City of Wasco is the lead agency for environmental review of a coal transfer facility proposed by Savage Coal Service Corporation. This document and the accompanying Initial Study Checklist (Appendix A) present the basis for a finding by the lead agency that the project as proposed would not result in any significant adverse impacts to the environment. Measures designed to mitigate potential adverse environmental impacts have been included as part of the proposed project and would be included as required conditions of the Conditional Use Permit required from the city before the project could proceed.

1.1 Project Description

Savage Coal Service Corporation has proposed a coal transfer facility to be located on the east side of H Street between Ninth Street and J Street in the city of Wasco, California. Wasco is located in Kern County, approximately 27 miles northwest of Bakersfield.

The proposed terminal would supply coal to developers of coal-fired cogeneration projects in Kern County and nearby areas. Maximum facility throughput would be limited to 900,000 tons per year. Currently, Savage has contracts with three coal consumers in Kern County which would require the transportation of a maximum of 600,000 tons of coal per year from the terminal to an area north of Oildale, approximately 30 miles from the proposed terminal site. These independent projects have completed their own process of permitting through local, county, and state agencies and have been given approval to construct and operate their facilities. In addition, Savage is involved in contractual discussions regarding the use of the proposed Wasco terminal as a back-up source of coal for other projects which are currently undergoing California Environmental Quality Act (CEQA) review. A maximum of 300,000 tons of coal per year could be supplied to these projects if they do not obtain alternate coal supplies.

The proposed terminal would serve as an independent receiving, storage, and shipping facility for Utah coal delivered in trains at Atchison, Topeka and Santa Fe Railway Company (AT&SF) lines. Four covered silos would be used to store up to 44,000 tons of coal for consumers. On an as-needed basis, the coal would be reclaimed and loaded into covered trucks for transport to the consumers facilities.

1.2 Project Location

The site is located in the southwest quarter of Section 7 of Township 27 South, Range 25 East (T27S, R25E). It consists of 12.91 acres of property adjacent to the Atchison, Topeka and Santa Fe Railway Company (AT&SF) station at Wasco, California, 27 miles north of Bakersfield. The property is located in an M-3 zone, as are all adjacent properties, and is bounded on all sides by paved roadways: Ninth Street to the north, J Street to the south and east, and H Street to the west. The general plan designation for the project site is Industrial.

1.3 The No-Project Alternative

Selection of the no-project alternative would maintain the status quo of the area. No coal transfer facility would be constructed in Wasco. The project site would remain vacant for the immediate future; however, the site is zoned for industrial use and would probably be developed for some type of industrial usage.

The no-project alternative would avoid some of the adverse impacts that may result from the proposed project. Specifically, truck and train traffic associated with the project would be avoided at this location, although comparable truck and train traffic increases would occur elsewhere in the Bakersfield and San Joaquin areas to supply the proposed customers of the Wasco transfer facility. In addition, the proposed project site is adjacent to rail lines so that any development of the site would probably involve

increase train traffic. The proposed project would also generate minor increases in noise and air pollutant levels which would be avoided with the no-project alternative. The project site would include relatively tall structures that would be visible for some distance from the site. Other potential adverse impacts such as increased water usage, sanitary sewer requirements, etc. would be comparable to those expected from any industrial development of the site. The proposed project includes measure to mitigate all potential adverse impacts to insignificance.

On the other hand, the no-project alternative would prevent beneficial impacts of the proposed project on the Wasco economy. The project would employ 15 to 25 persons and generate up to 75 indirect jobs in the area (City of Sanger, 1986). The Wasco area has experienced an unemployment rate of 22.8 percent in 1986, so these jobs would be welcome additions to the local economy. In addition, the project would generate increased revenue for the city of Wasco in the form of property tax and a portion of the sales tax generated from local purchase of supplies and equipment. The project is consistent with city goals, policies, and zoning that encourage the development of responsible industry along the city's eastern border.

The no-project alternative would not prevent importation of coal into the San Joaquin Valley. It would instead mean that no coal transfer facility would be built in Wasco. The objective of the proposed project is to reduce overall fuel-related costs to existing and proposed coal consumers in the region by bringing fuel in on a volume basis that would qualify for reduced rail rates compared to those rates that each project would qualify for individually. Several projects requiring coal have obtained appropriate permits and are under construction in Kern County. These projects would require an alternative source of coal should the Wasco facility not be built. The no-project alternative has been rejected because the proposed project would reduce fuel transportation costs to coal consumers in the San Joaquin Valley and provide beneficial employment and revenue impacts to Wasco without creating significant adverse environmental effects.

1.4 Summary of Impacts and Mitigation Measures

Table 1.4-1 provides a summary of the expected impacts of the proposed project along with mitigation measures included in the proposed project to mitigate potential adverse impacts.

TABLE 1.4-1. SUMMARY OF POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

POTENTIAL IMPACT		MITIGATION MEASURE ^a	
<u>Geology and Soils</u>			
1.	Destruction or damage of facilities during earthquake; associated fire or human life hazard.	1.	Adherence to applicable standards of practice and building codes for seismic hazard areas; pipes with flammable liquids equipped with automatic shut-off valves and designed to minimize breakage potential.
2.	Increased erosion during or after construction.	2.	Standard construction practices adequate; subsequent covering of bare soil with trees, ground cover, or pavement with curbs and gutters.
3.	Soil subsidence.	3.	Conveyor tunnel sections with flexible, watertight connections at each joint to mitigate differential settlement; concrete foundations beneath coal silos.
4.	Loss of agricultural land.	4.	Small area removed from potential production; therefore, no mitigation required.
<u>Air Resources</u>			
1.	Fugitive dust during construction.	1.	Spray water at least twice daily.

(continued)

TABLE 1.4-1. (continued)

POTENTIAL IMPACT	MITIGATION MEASURE ^a
<u>Air Resources</u> (continued)	
2. Fugitive dust during operation.	2. Enclose all transfer and handling systems at vacuum; exhaust to fabric filter dust collectors; compliance with all Kern County Air Pollution Control District regulations and Authority to Construct/Permit to Operate conditions; sweeping of site roads to prevent re-entrainment of dust; limitation under Conditional Use Permit to 900,000 tons per year throughput.
<u>Water Resources</u>	
1. Ground-water withdrawal.	1. Facility would not use large quantities of water; therefore, no mitigation required.
2. Contamination of runoff.	2. Truck fueling and maintenance area runoff directed to oil and solid separator system; dust control measures, including enclosed transfer points and conveyors vented to baghouses, and sweeping operations would minimize coal dust in runoff; lay-down pad runoff directed to filter system to remove solids.
3. Increased flood potential.	3. Stormwater would be directed by curbs and gutters to city of Wasco storm sewer.

(continued)

TABLE 1.4-1. (continued)

POTENTIAL IMPACT		MITIGATION MEASURE ^a	
<u>Water Resources</u> (continued)			
4.	Contamination of ground water due to sanitary waste.	4.	Sewer trunkline would be installed to connect to Wasco Public Utilities District treatment system.
5.	Poor quality water supply.	5.	Monthly checks of water quality by Wasco Public Utilities District.
<u>Vegetation and Wildlife</u>			
1.	None identified.		
<u>Noise</u>			
1.	Public nuisance from construction or operation noise.	1.	All construction equipment equipped with mufflers; construction activity prohibited 9 p.m. to 7 a.m.; enclosure of all transfer equipment; noise monitoring conducted at nearest sensitive receptors; additional noise mitigation required if city noise standards exceeded; potentially annoying noise sources directed towards interior of facilities; truck noise mitigated by lowering speed limit on J Street to 35 mph and adding deceleration lane.
<u>Land Use</u>			
1.	None identified.		

(continued)

TABLE 1.4-1. (continued)

POTENTIAL IMPACT		MITIGATION MEASURE ^a	
<u>Hazard Potential</u>			
1.	Spontaneous combustion of coal.	1.	Construction of coal storage facilities to minimize self-heating; monitoring of stored coal temperatures; design of silos to minimize "old" coal; construction of laydown pad to turn and cool coal; compliance with all maintenance, inspection, and source test conditions of Kern County Air Pollution Control District (KCAPCD) and Kern County Fire Department (KCFD).
2.	Risk of coal dust or methane explosion.	2.	Enclosure of all transfer and conveyance points with air vented through baghouse; sweeping of site to minimize dust collection; proper ventilation of storage systems; removal of foreign objects in coal (metal detectors); compliance with all maintenance, inspection, and source test requirements of KCAPCD and KCFD.
3.	Health hazard from coal dust.	3.	Enclosure of all transfer and conveyance points with air vented through baghouses; compliance with all maintenance, inspection, and source test requirements of KCAPCD and KCFD.
<u>Socioeconomics</u>			
1.	Only positive impacts identified - project would provide jobs in area of high unemployment and increased tax revenues.	1.	Not applicable.

(continued)

TABLE 1.4-1. (continued)

POTENTIAL IMPACT		MITIGATION MEASURE ^a	
<u>Traffic</u>			
1.	Increased safety hazard due to truck traffic.	1.	Construct deceleration lane on J Street; lower J Street speed limit to 35 mph; install precautionary signing; designate J Street No Passing; install turn lane at H and J Street intersection; track school bus movements; schedule trucks to minimize overlap with peak school bus hours; hire and train qualified drivers; ongoing safety training for drivers and public education.
2.	Increased train traffic.	2.	Yard locomotive movements limited to 10 mph; ongoing public education.
3.	Accelerated deterioration of area roads.	3.	Savage to participate in cost of road up grade between site and intersection of Highway 46 and J Street.
<u>Public Services and Utilities</u>			
1.	Extension of fire protection to site.	1.	Adequate fire water supply provided; facility designed to minimize risk of coal fire; compliance with Kern County Fire Department requirements.
2.	Solid waste disposal.	2.	Domestic solid waste collected by city of Wasco and disposed of at approved site.

(continued)

TABLE 1.4-1. (continued)

POTENTIAL IMPACT		MITIGATION MEASURE ^a	
3.	Wastewater disposal.	3.	Only sanitary sewage generated on routine basis; disposal to existing Wasco Public Utilities District treatment system.
4.	Ground-water withdrawal.	4.	Facility would not use large quantities of water; therefore, no mitigation required.
5.	Increased flood hazard.	5.	Curbs and gutters to direct runoff to city of Wasco storm sewer.

Natural Resources and Energy

1. None identified.

Aesthetics

- | | | | |
|----|--|----|--|
| 1. | Coal silos and other facilities visible from surrounding area. | 1. | Landscape plan developed based on site study and approved by city; conformance with landscape requirements of zoning ordinance; structures painted flat, earthtone color; maintenance plan to be approved by city; lighting directed to interior of facility; sodium lights used; light standards on interior drives and parking areas limited to 12 feet in height. |
|----|--|----|--|

(continued)

TABLE 1.4-1. (continued)

POTENTIAL IMPACT		MITIGATION MEASURE ^a	
<u>Cultural Resources</u>			
1.	Disturbance of culturally sensitive sites in project area.	1.	No culturally sensitive sites identified in project vicinity; if encountered during construction, evaluation by qualified archaeologist.

^aUnless otherwise indicated, proposed mitigation measures would reduce all anticipated adverse impacts to insignificance.

2.0 INTRODUCTION

This introduction discusses the background and objectives of the proposed project and the purpose and organization of this document.

2.1 Project Objectives

Savage Coal Service Corporation has proposed a coal transfer facility to be located on the east side of H Street between Ninth Street and J Street in the city of Wasco, California. Wasco is located in Kern County, approximately 27 miles northwest of Bakersfield. The proposed regional setting for the project is shown in Figure 2.1-1.

The proposed terminal would supply coal to developers of coal-fired cogeneration projects in Kern County and nearby areas. Maximum facility throughput would be limited to 900,000 tons per year. Currently, Savage has contracts with three coal consumers in Kern County which would require the transportation of a maximum of 600,000 tons of coal per year from the terminal to an area north of Oildale, approximately 30 miles from the proposed terminal site. These independent projects have completed their own process of permitting through local, county, and state agencies and have been given approval to construct and operate their facilities. In addition, Savage is involved in contractual discussions regarding the use of the proposed Wasco terminal as a back-up source of coal for other projects which are currently undergoing California Environmental Quality Act (CEQA) review. These projects would require a maximum of 300,000 tons of coal per year.

The proposed Wasco terminal would receive coal from mines in Utah by unit-train on the Atchison, Topeka and Santa Fe Railway Company line adjacent to H Street to the west of the facility (see Figure 2.1-2). Current contracts (600,000 tons per year throughput) would require transfer from approximately 72 unit-trains of 84 cars each per year. The facility could store a maximum

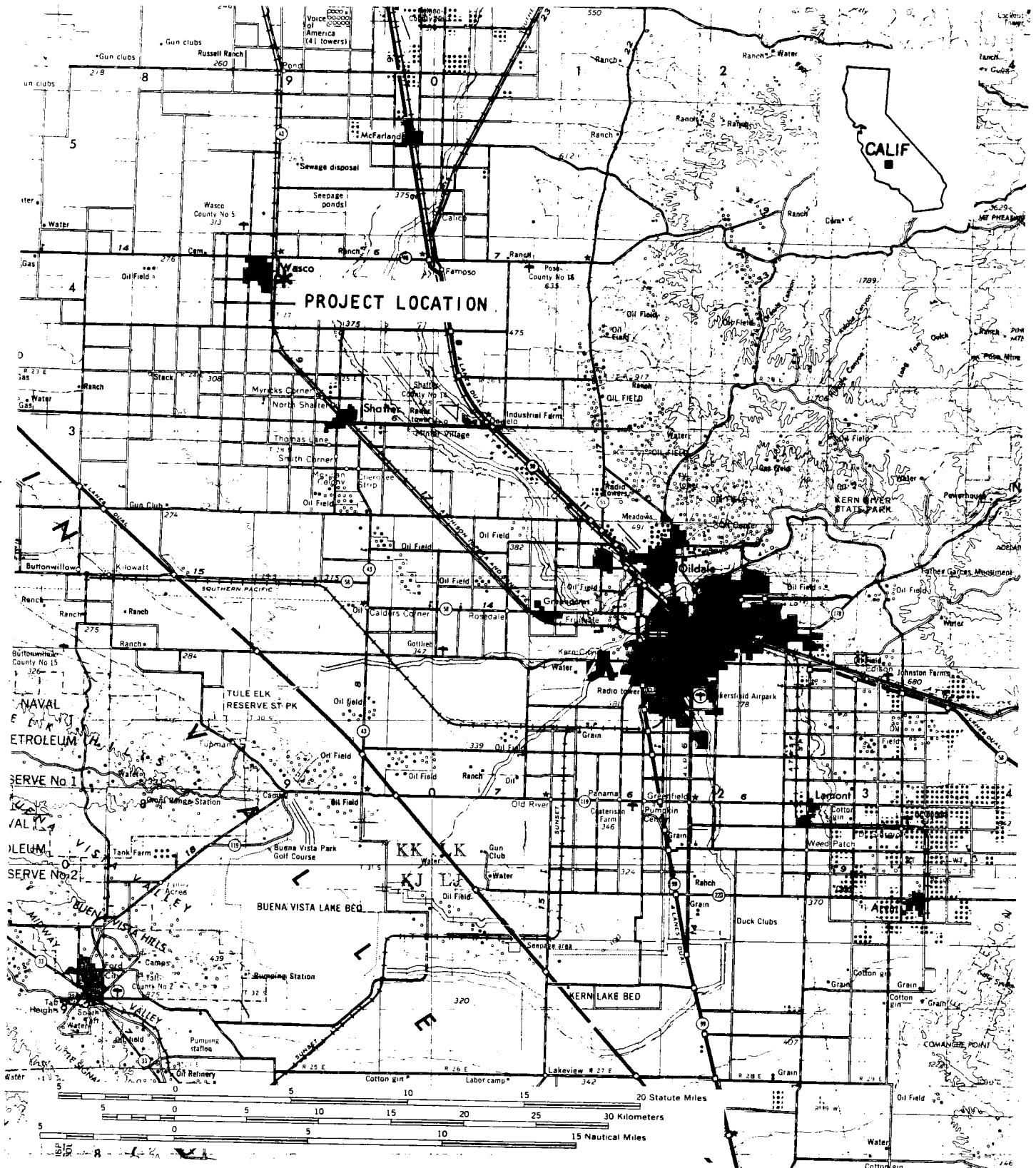
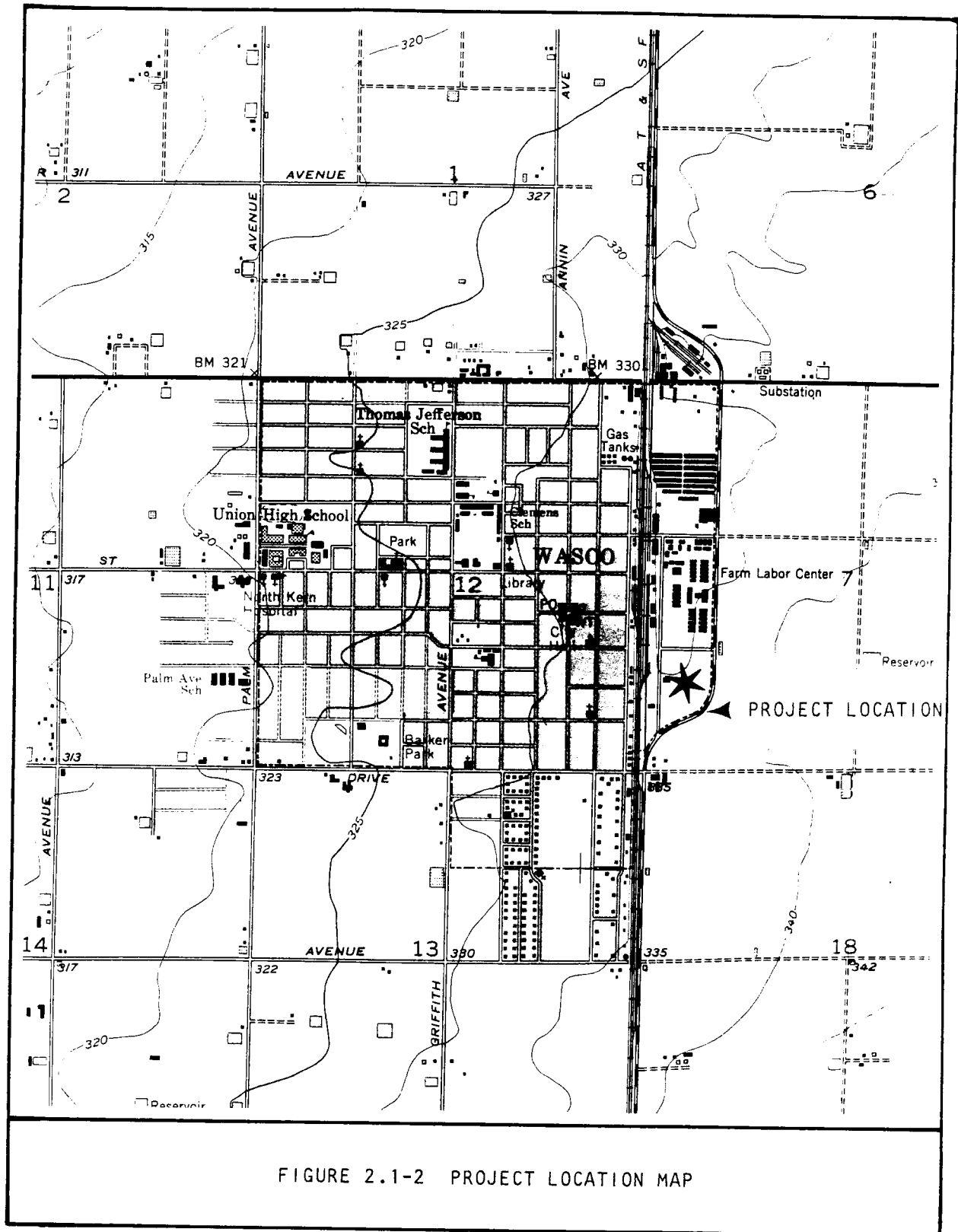


FIGURE 2.1-1 REGIONAL SETTING



of 44,000 tons on site on a continuous basis. Coal would be transported to consumers by enclosed trucks on an as-needed basis.

The objective of the project is to reduce the overall fuel-related costs to existing and proposed coal consumers in the region by bringing fuel in on a volume basis that would take advantage of reduced, unit-train rail rates rather than the higher, multiple-car rates that each project would qualify for individually. The project has been designed as a state-of-the-art materials handling facility to meet California's stringent environmental laws.

2.2 Savage Coal Service Corporation

Savage Coal Service Corporation (Savage), a subsidiary of Savage Industries Incorporated, provides coal transportation, terminal loading and unloading, and support services in the Rocky Mountain States, Texas, Oklahoma, and California. Approximately 60,000 tons of coal per day are currently transported or handled by Savage. The organization currently services coal transportation contracts from 13 terminals and maintains and operates six rails loadout facilities, many of which are in environmentally constrained areas. In response to agency concerns about fugitive dust during transport, Savage has developed an enclosed trailer to eliminate coal losses during truck transport.

2.3 Purpose of Environmental Review

The proposed project would require a Conditional Use Permit (CUP) to allow construction of a coal transfer facility in an M-3 (General Manufacturing) zone of the city of Wasco, California. As required under the California Environmental Quality Act, Section 21000 et seq. of the Public Resources Code, and the CEQA Guidelines, Title 14, Division of the California Administrative Code, the city of Wasco, California prepared and published an initial study concerning the potential environmental impacts of the proposed Wasco coal transfer facility. The city of Wasco is the lead agency for environmental review of this project. The initial study determined that the

project as proposed would not have any significant adverse effects on the environment. A Negative Declaration was subsequently prepared and submitted to the State Clearinghouse for circulation and review by responsible agencies and the public on 1 June 1987.

Comments received from reviewing agencies and citizens have been addressed and incorporated into this revised environmental assessment document. This report is intended as an informational document for citizens and public agency decision makers. The city of Wasco will revise its initial study based on information in this document and commitments from the applicant to include all required mitigation measures as part of the proposed project.

2.4 Organization of this Document

This report describes the proposed project, analyzes environmental impacts, and discusses measures proposed as part of the project to mitigate potential adverse impacts. A copy of the initial study checklist prepared by the city of Wasco for this project is included as Appendix A of this document.

The proposed project is described in Section 3.0. The project description is used as a basis from which environmental impacts may be estimated.

Section 4.0 contains a description of the Environmental Analysis for the project. The analysis was made by defining the existing environmental setting and assessing the probable impact that constructing and operating the facility would have on that setting. Measures to mitigate the effect the facility would have on the existing environment have been identified and discussed.

An overview and a discussion of the conclusions of the initial study are addressed in Section 5.0 of this document. References, preparers and contributors, and reviewing agencies are listed in Section 6.0.

3.0 PROJECT DESCRIPTION

Savage Coal Service Corporation has proposed a coal transfer facility to be located on the east side of H Street between Ninth Street and J Street in the city of Wasco, California. Wasco is located in Kern County, approximately 27 miles northwest of Bakersfield. The proposed regional setting for the project is shown in Figure 3.0-1. This section describes the proposed project location and operation.

3.1 Project Location

The site is located in the southwest quarter of Section 7 of Township 27 South, Range 25 East (T27S, R25E). It consists of 12.91 acres of property adjacent to the Atchison, Topeka and Santa Fe Railway Company (AT&SF) station at Wasco, California. The property is located in an M-3 zone, as are all adjacent properties, and is bounded on all sides by paved roadways: Ninth Street to the north, J Street to the south and east, and H Street to the west (Figure 3.1-1). The general plan designation for the project site is industrial.

3.2 Process Description

The proposed terminal would serve as an independent receiving, storage, and shipping facility for coal delivered in trains at AT&SF lines. Four covered silos would be used to store up to 44,000 tons of coal for consumers. On an as-needed basis, the coal would be reclaimed and loaded into covered trucks for transport to the consumers facilities. An artist's rendering of the proposed facility is shown in Figure 3.2-1.

The facility would handle only western bituminous coal. A typical coal sample analysis is shown in Appendix F.

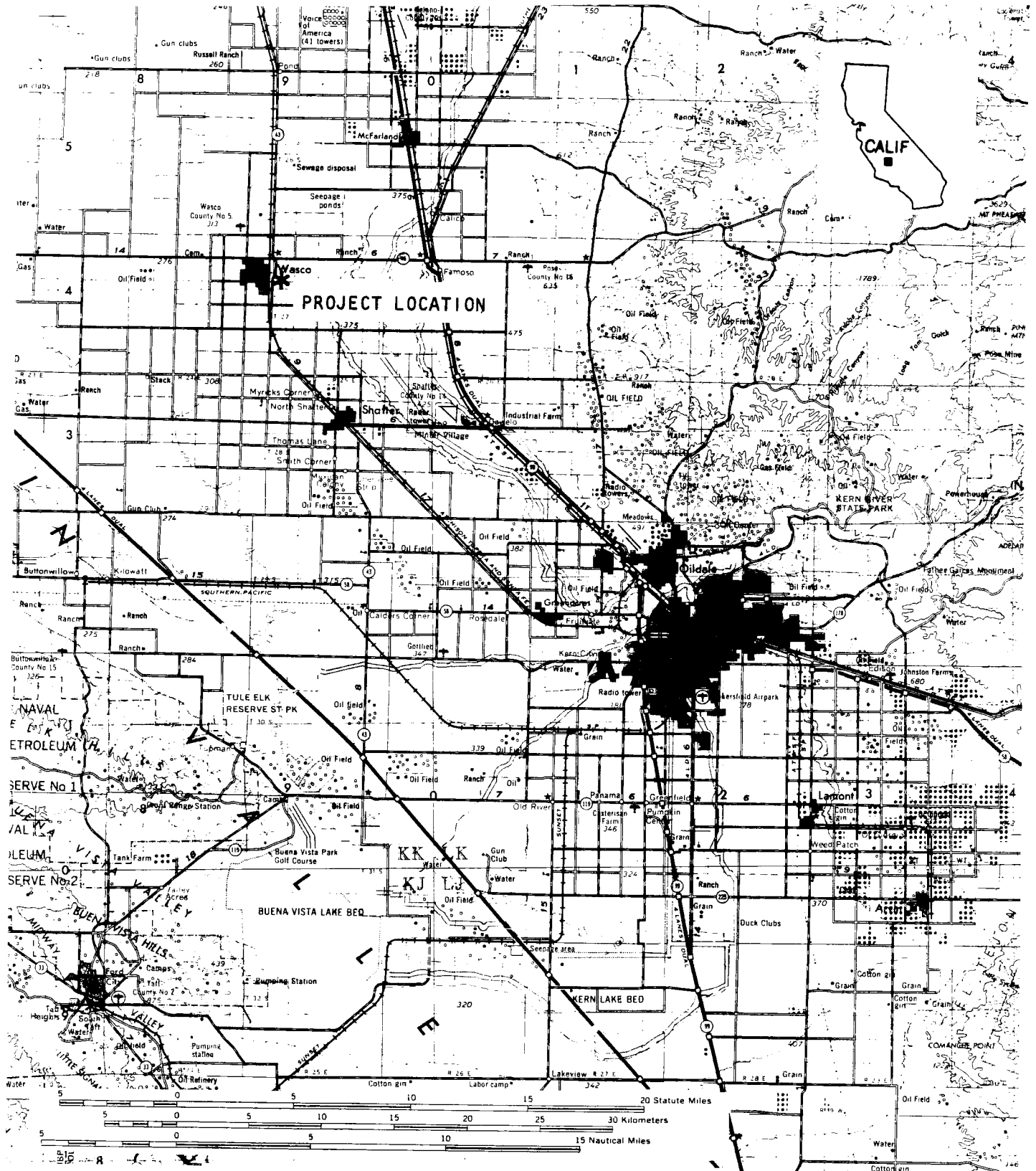


FIGURE 3.0-1 REGIONAL SETTING

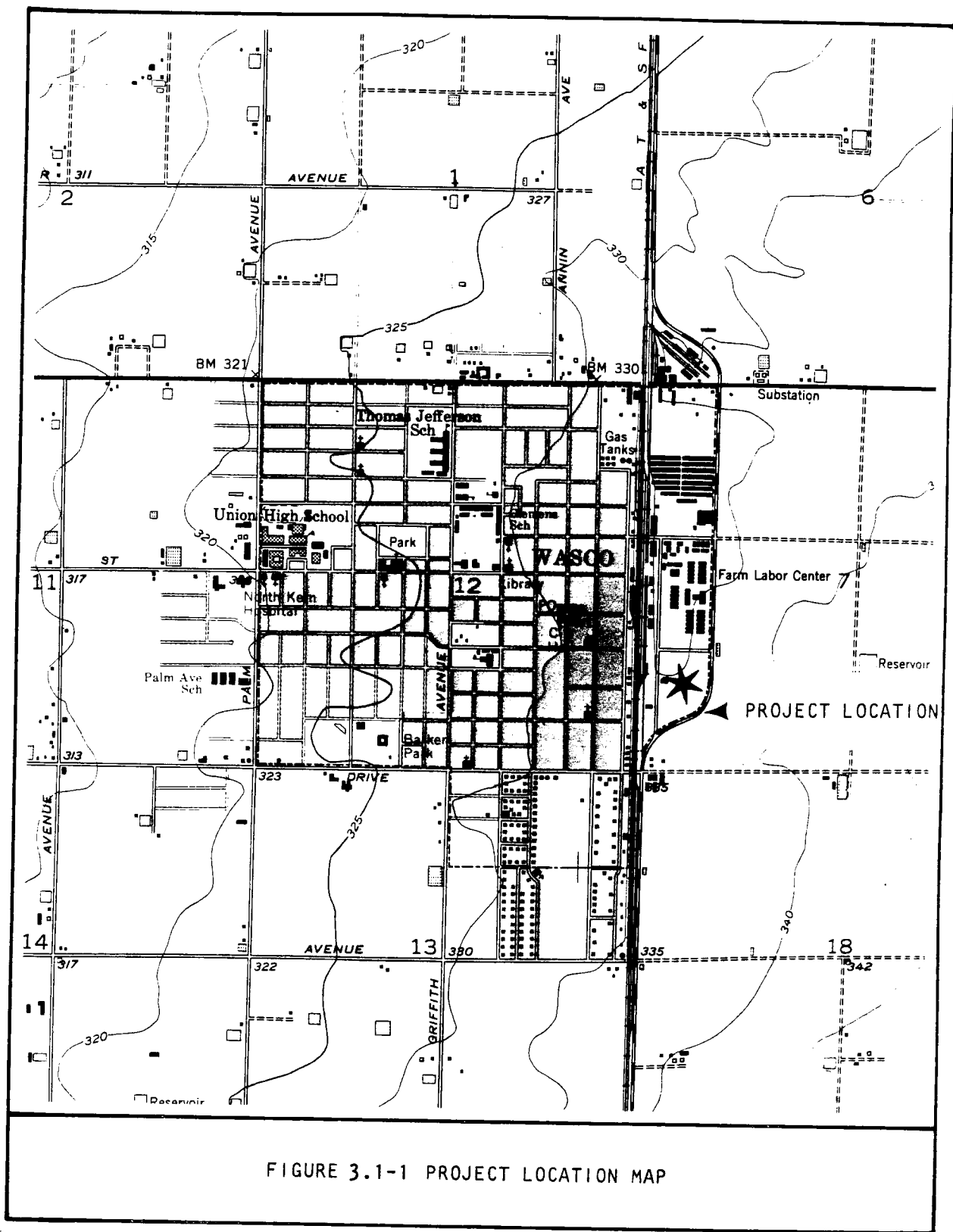


FIGURE 3.1-1 PROJECT LOCATION MAP



FIGURE 3.2-1 ARTIST'S RENDERING

3.2.1 Material Flow

In the receiving and storage systems, coal unloaded from railcars would flow through vibrating feeders onto a gathering conveyor. The gathering conveyor would feed a sample conveyor which would transport the coal to the sampling tower where it would pass through a mechanical sampler and flow onto the storage conveyor. The coal would then be transported to a conveyor transfer where it could be directed into a storage bin, or onto the transfer conveyor. The coal could flow to any of the storage bins through this series of three conveyor transfer points.

In the reclaiming and loadout system, the coal could flow from any one bin or all of the bins simultaneously, through bin activator/feeders to the reclaim conveyor where it would be transported to a surge bin ahead of the calibrated weigh bin at the loadout tower. As-needed, the coal would flow into the weigh bin to provide the necessary tonnage for truck loading. After the proper amount of coal is charged in the weigh bin, it would pass through the loadout chute and into the trailer for truck transport to the consumers' facility. The material flow through the facility is illustrated in Figure 3.2-2. Structure elevations are included as Appendix B.

The facility would utilize state-of-the-art components and design to achieve high efficiency materials handling while remaining within environmentally acceptable emission standards. The result would be that, during normal operation, the coal would not be visible while at the facility.

3.2.2 Receiving and Storage System

Coal would enter the receiving and storage system at the railcar unloading station where strings of rail cars would be pulled through the unloading building one at a time. Each end of the building would be covered with sectioned curtains that overlap to effectively enclose one car of the

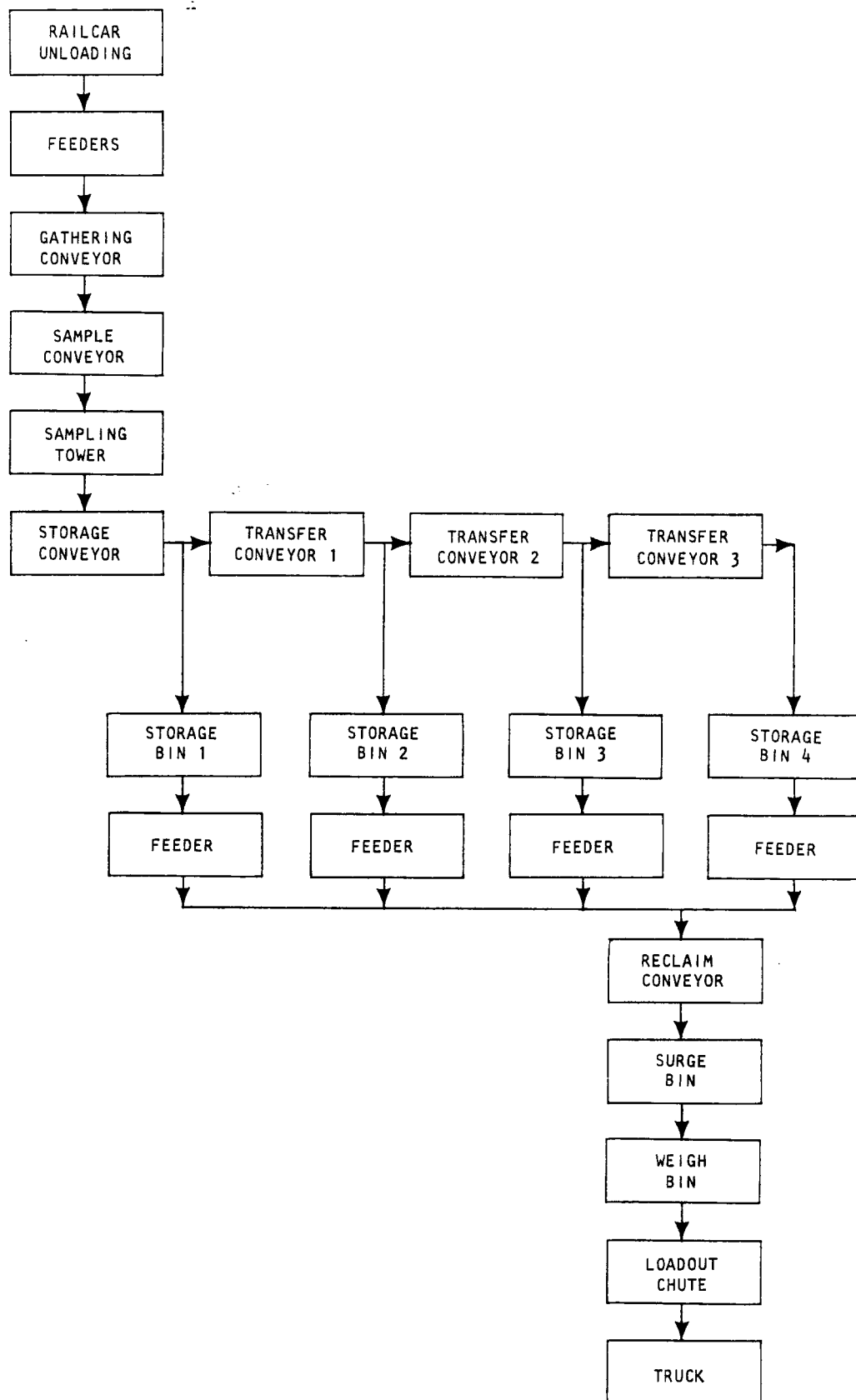


FIGURE 3.2-2 MATERIAL FLOW

string. The inside of the building would be under slightly negative pressure during unloading because air would be drawn through the curtains and down through ceiling vents around the car sides into a plenum system which vents through two baghouse (fabric filter) collectors. The coal would flow into an under-track chute system with a series of four vibrating feeders which would feed a single gathering conveyor. The coal would then be conveyed through the totally enclosed system to the sampling conveyor. Dust which would be collected through the plenum system and from a dust pickup at the feeder transfer point would be exhausted from two baghouses onto the tail pulley of the sampling conveyor and would then be covered by the coal stream discharging from the gathering conveyor.

The coal stream on the sampling conveyor would travel below ground under H Street and then breach the ground and be discharged into a two-stage mechanical sampler at the sampling tower. Dust which would be generated at this transfer point would be collected and sent to a single baghouse collector.

The coal would then discharge onto the storage conveyor, again on top of the materials exhausted onto the tail pulley from the baghouse, and would travel to the first of three conveyor transfer points atop the storage bins. At this point the coal would either be loaded into the first bin or it would be routed to a transfer conveyor for transport to the second bin. This process would continue, at operator discretion, until the coal reaches the desired bin. Each transfer point would be totally enclosed and each bin would be vented through one of two baghouse collectors to control dust. All dust collected would be pneumatically conveyed through a piping system to the surge bin at the truck loadout tower where it would be loaded out with the coal.

The storage bin systems are designed for four purposes:

- To hold all coal in active or "live" storage to reduce materials handling costs and associated dust;

- To eliminate dust problems associated with wind erosion;
- To maintain the integrity of the coal to protect the consumers investment; and
- To minimize the potential of spontaneous combustion through the elimination of drafts and air infiltration.

Active or "live" storage would be achieved through the steeply sloped, earth berm-supported glory hole on which the steel tank systems would sit. This would preserve the mechanical energy imparted to the coal in the storage process for use in the reclaim process. The total enclosure provided by the steel tank would reduce wind erosion, dusting, and self-heating. It would also protect the coal from moisture infiltration, size degradation, and oxidation (Btu loss).

The potential for spontaneous combustion would be reduced through the elimination of an air source by the bin enclosure and positive seal cut-off gates located above the bin activators. Additionally, better temperature monitoring capability during storage would be attained through more accessible thermocouple placements for detection of hot spots, and through the use of bin activators which would promote uniform draw-down during reclaiming, thus eliminating stagnation points.

3.2.3 Reclaiming and Loadout System

Coal from storage would enter the reclaiming and loadout system via the bin activators at the bottom of the glory holes. Two systems would be used below each bin to induce variable flow onto the reclaim conveyor through a totally enclosed transfer point. The conveyor would move coal from the below ground elevation to the surface and up to the truck loadout tower into a

40-ton capacity surge bin, as needed. Dust generated at the transfer point would be collected in a baghouse collector which would exhaust the collected material to the weigh bin. Coal would be transferred to the weigh bin, as needed, for filling of trailers.

Five-axle, double-trailer trucks which utilize pneumatically operated canopy enclosures would receive the coal through a flexible rubber boot system which would protrude 18 inches to 24 inches below the canopy line to reduce fall height and to create a partial enclosure for dust control. The canopy top would open to expose only 38 percent of the trailer top surface area during the loading process. Following loading of the trailer the canopy would be closed to protect the coal and reduce dust loss during transport to the consumer's facility. The trailer dump gates would have manual opening, and locking systems to prevent accidental spillage during transport. An example of the type of enclosed truck that the Wasco facility would use is shown in Figure 3.2-3.

3.3 Auxiliary Facilities

Auxiliary buildings planned for the facility include a single story office and maintenance shop, with approximately 2,800 square feet of combined space, and 8,000 square feet of paved parking and equipment storage area. All buildings would be constructed to meet local ordinances and applicable building codes. There would also be a truck marshalling area (approximately 45,000 square feet) which would be paved in the same manner as the on-site roadways. A site plan is included as Appendix C. A site layout is shown in Figure 3.3-1.

In the event that stored coal is detected which is above temperatures considered safe for prevention of spontaneous combustion, it would be necessary to provide an emergency unloading pad at the facility where the coal can be spread out and cooled. The pad would be of sufficient size to

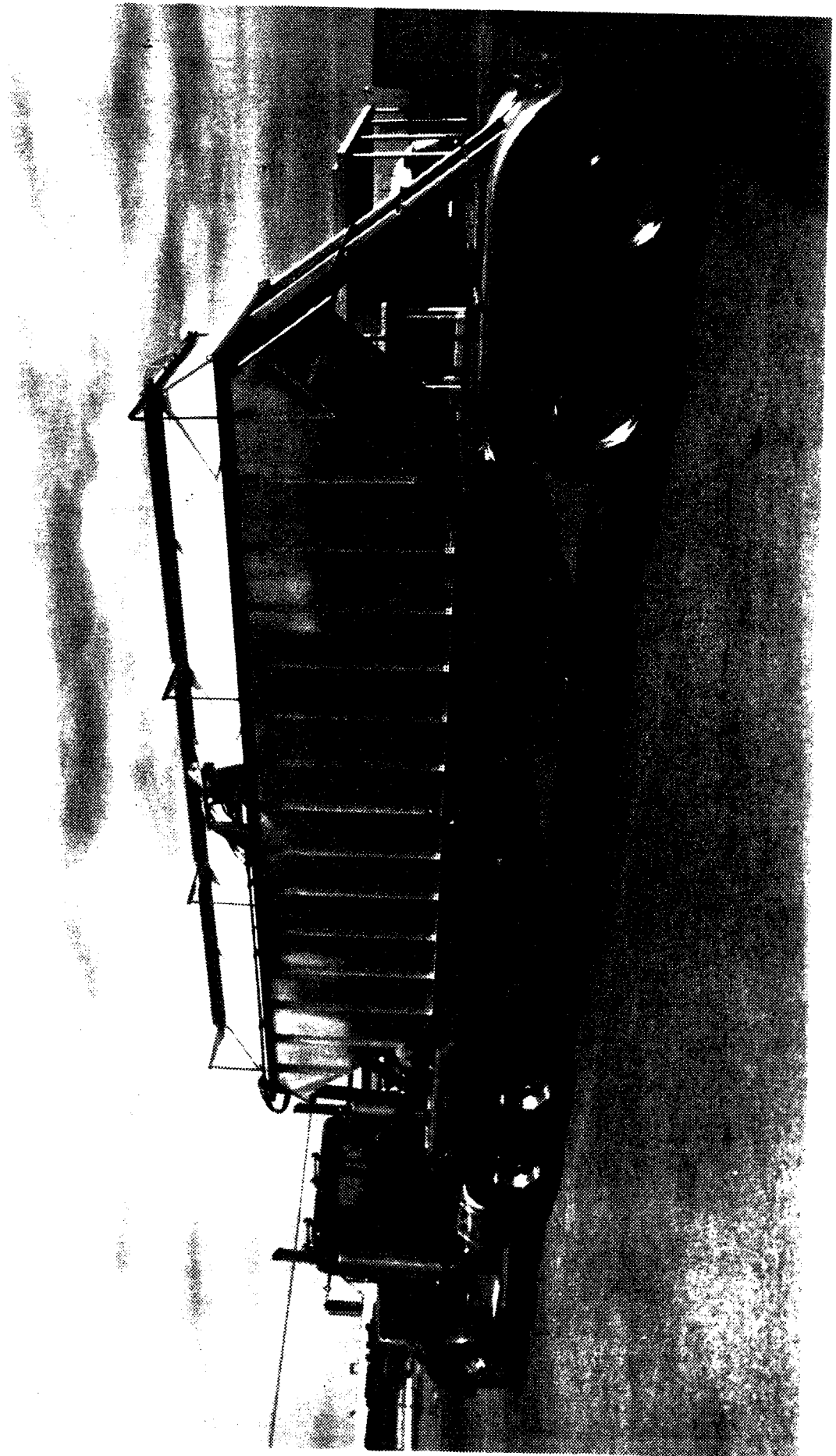


FIGURE 3.2-2 CANOPIED TRUCK

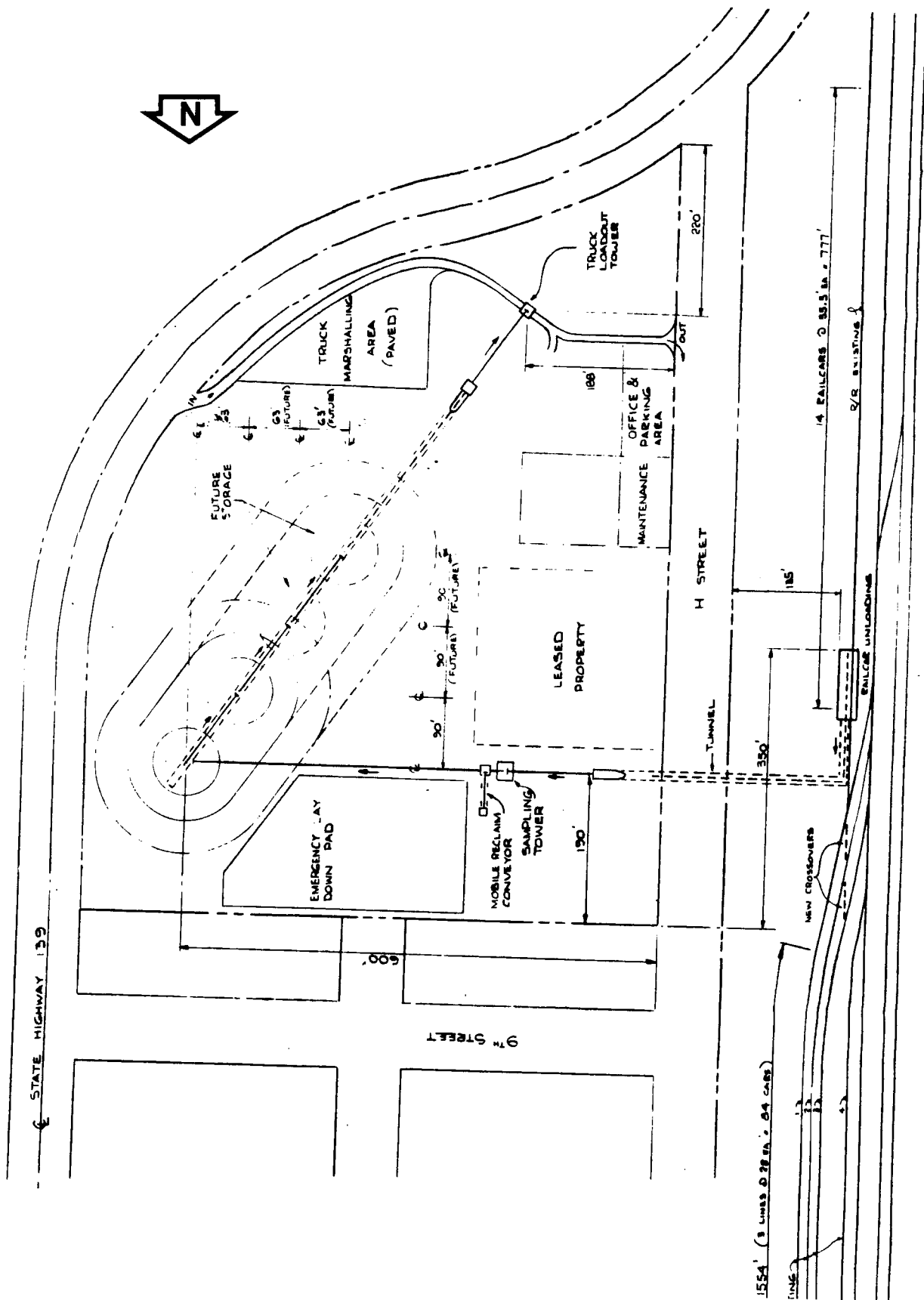


FIGURE 3.3-1 SITE LAYOUT

accommodate 8,000 tons of coal with room for turning and cooling it. It would be concrete base with curbing to contain the material but allow for truck and equipment access. Once the coal has been cooled and stabilized it would be reloaded via front end loader at the tail pulley of the storage conveyor.

The emergency unloading pad would also provide the capability of rotating or turning coal that has been stored in a wet state which promotes heating. Use of the "laydown pad" is a costly, time consuming process and would not be used except in case of an emergency. Based on the frequency with which such procedures have been needed at Savage facilities using open storage piles, which offer a greater risk for self-heating than the proposed project, the laydown pad would probably be used less than once per year (Busch, personal communication, 1987).

General clean up of the facilities would be accomplished without the use of water systems as normal practice. The buildings, tunnels, and loadout towers would be equipped with a centralized vacuum cleanup system which exhausts to one of the baghouse collectors. All paved areas would be maintained by road sweepers. Dust collected would be disposed of at an approved landfill or other site.

Stormwater would be directed off site to the city of Wasco storm sewer system. Runoff from areas subject to truck traffic, refueling, vehicle maintenance, and truck washdown would be routed through an industrial receptor filtering system, similar to that used in service stations. The filtering system would remove solids and separate oil from the runoff. Oil and solids would be periodically removed by a licensed contractor for disposal at a site approved to handle waste oil and collected solids. In addition, drainage from the laydown pad would pass through a filter system where solids would be removed. Solids collected by this system would also be removed by a licensed contractor.

Diesel fuel for truck transport operations would be stored on site in a 10,000 gallon capacity storage tank. Lube oil would be stored on site in a 1,500 gallon tank. Both tanks would comply with all applicable construction and air quality control requirements.

4.0 ENVIRONMENTAL ANALYSIS

This chapter describes the existing environmental setting, the potential impacts due to the proposed project, and measures to mitigate adverse impacts for geology and soils; air resources; water resources; vegetation and wildlife; noise; land use; hazard potential; socioeconomics; transportation/circulation; public services and utilities; natural resources and energy; aesthetics; and cultural resources in the project area.

4.1 Geology and Soils

This section describes the existing geological and soil resources in the project area. The potential impacts of the proposed project on geological and soil resources are described, along with measures designed to mitigate any adverse impacts.

4.1.1 Geological Setting

The proposed coal transfer facility site would be in the city of Wasco, in Kern County, California. The site is nearly flat with no significant topographical features. The site elevation is 335 feet above mean sea level (msl).

The regional geology of the proposed project site is influenced by the formation of the San Joaquin Valley and the alluvial (stream) processes that have been predominant during the last 2.5 million years. The San Joaquin Valley is the southern portion of a large, nearly flat, alluvial plain that is sometimes termed the Great Valley or Central Valley of California. The valley is roughly 450 miles long and typically about 50 miles wide.

The San Joaquin Valley is a long, northwest-trending structural trough that has been filled with a thick sequence of sediments (Hackel, 1966), most of which were deposited under shallow marine conditions. The San Joaquin Valley is flanked by the Sierra Nevada on the east and the coast ranges on the west.

The proposed project site is underlain by deep, Quaternary-age lacustrine sediments and alluvial sediments derived primarily from the Sierra Nevada (CH2M Hill, 1986).

4.1.2 Seismic Setting

Active faults (movement within the last 11,000 years) and potentially active faults (movement within the last two million years) have been mapped within the coast ranges and in the San Joaquin Valley as shown in Figure 4.1-1. The nearest active fault to the proposed project site is in the Kern Front area, about 12 miles to the southeast.

The active San Andreas fault runs 36 miles southwest of the site. The nearest mapped fault is about three miles east of the site but is considered to have been inactive for more than two million years. Continuing surface displacement is associated with the Pond-Poso Creek fault, 7.5 miles east of the site. This surface displacement is apparently related to ground-water withdrawal (CH2M Hill, 1986).

Very few recorded earthquake epicenters occur within the San Joaquin Valley. The nearest recorded earthquake to the site was located about 11 miles southeast, and was less than Richter Magnitude (M) 5.0.

Earthquakes associated with the San Andreas fault include the 1857 M 8+ Fort Tejon event, which caused ground rupture along the fault from Southern California to a location about 36 miles southwest of the site. The maximum credible earthquake (MCE) associated with the San Andreas is M 8.25 (CH2M Hill, 1986).

The closest recorded major earthquakes include many M 4 to 7 events associated with the Kern Front and White Wolf faults. The 1952 M 7.7 event on the White Wolf occurred about 34 miles south of the site. Earthquakes centered near the Coalinga Nose structure, an inferred active fault, include the 1985 M 6.0 and 1983 M 6.7 events, centered 60 and 68 miles west, respectively, from the site. The 1983 M 6.7 earthquake resulted in a Modified Mercalli Intensity of about V in the Wasco area (Table 4.1-1) (CH2M Hill, 1986).

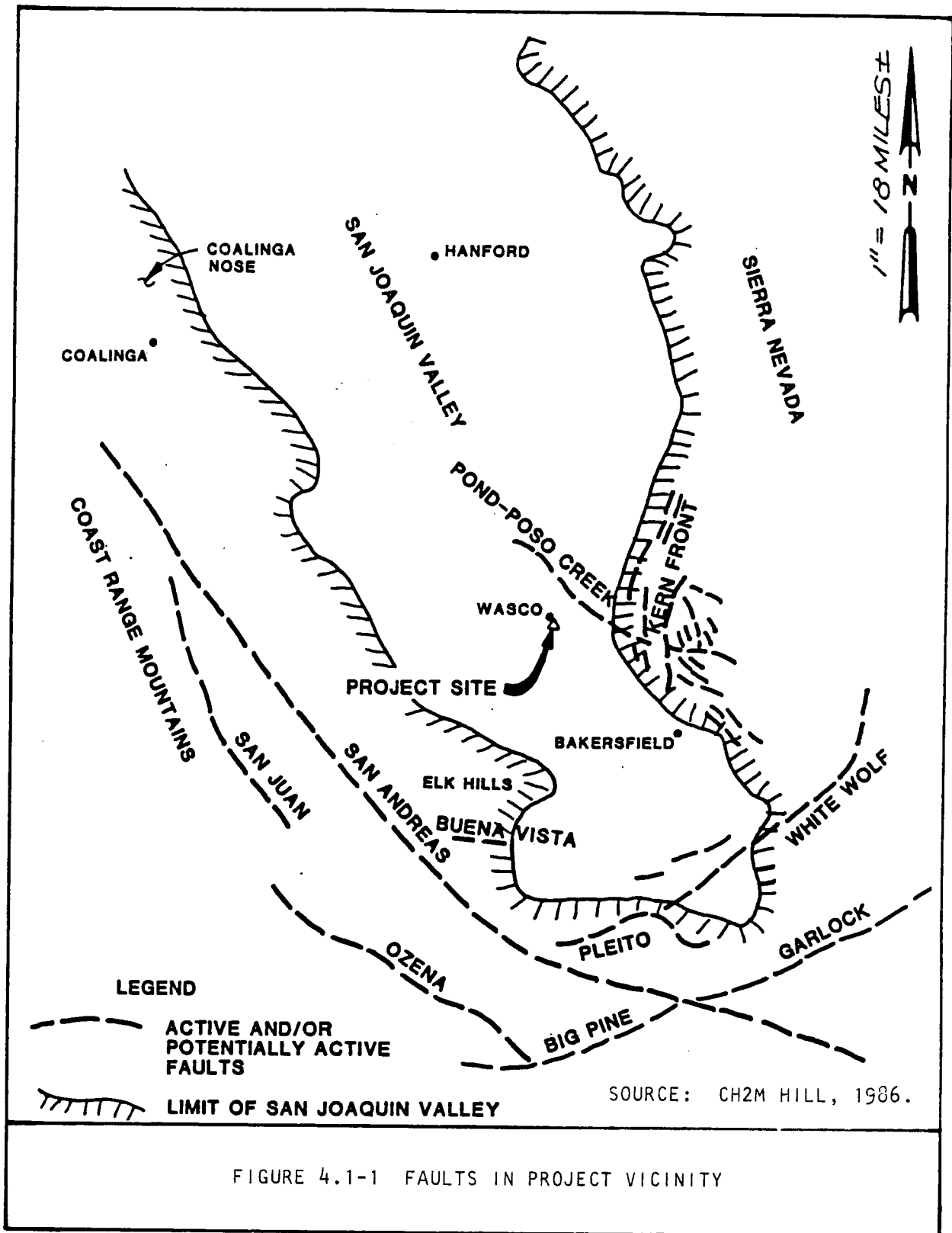


TABLE 4.1-1. MODIFIED MERCALLI EARTHQUAKE INTENSITY SCALE OF 1931

Intensity	Description of Damage
I	Not felt except by a very few specially favorable circumstances. (I Rossi-Forel Scale)
II	Felt only by a few persons at rest, especially on upper floors of buildings. Delicately suspended objects may swing. (I to II Rossi-Forel Scale)
III	Felt quite noticeably indoors, especially on upper floors of buildings, but many people do not recognize it as an earthquake. Standing motorcars may rock slightly. Vibration like passing of truck. Duration estimated. (III Rossi-Forel Scale)
IV	During the day, felt indoors by many, outdoors by few. At night, some awakened. Dishes, windows, doors disturbed; walls make creaking sound. Sensation like heavy truck striking building. Standing motorcars rocked noticeably. (IV to V Rossi-Forel Scale)
V	Felt by nearly everyone, many awakened. Some dishes, windows, etc., broken; a few instances of cracked plaster; unstable objects overturned. Disturbances of trees, poles, and other tall objects sometimes noticed. Pendulum clocks may stop. (V to VI Rossi-Forel Scale).
VI	Felt by all, many frightened and run outdoors. Some heavy furniture moved; a few instances of fallen plaster or damaged chimneys. Damage slight. (VI to VII Rossi-Forel Scale).
VII	Everybody runs outdoors. Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable in poorly built or badly designed structures; some chimneys broken. Noticed by persons driving motorcars. (VII Rossi-Forel Scale).
VIII	Damage slight in specially designed structures; considerable in ordinary, substantial buildings, with partial collapse; great in poorly built structures. Panel walls thrown out of frame structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned. Sand and mud ejected in small amounts. Changes in well water. Persons driving motorcars disturbed. (VII to I Rossi-Forel Scale).

(continued)

TABLE 4.1-1. (continued)

Intensity	Description of Damage
IX	Damage considerable in specially designed structures; well-designed, frame structures thrown out of plumb; great in substantial buildings, with partial collapse. Buildings shifted off foundations. Ground cracked conspicuously. Underground pipes broken. (IX Rossi-Forel Scale).
X	Some well-built wood structures destroyed; most masonry and frame structures destroyed with their foundations; ground badly cracked. Rails bent. Landslides considerable from river banks and steep slopes. Shifted sand and mud. Water splashed (slopped) over banks. (X Rossi-Forel Scale).
XI	Few, if any, (masonry) structures remain standing. Bridges destroyed. Broad fissures in ground. Underground pipelines completely out of service. Earth slumps and land slips in soft ground. Rails bent greatly.
XII	Damage total. Waves seen on ground surface. Lines of sight and level distorted. Objects thrown upward into air.

Source: Seismic Safety Element of the Kings County General Plan (KCRPA, 1974).

4.1.3 Soils Setting

The following subsections describe the soils and surface features of the project area and their suitability and limitations for various uses.

4.1.3.1 Physiographic Features

The proposed coal terminal would be located in the central portion of the southern end of the San Joaquin Valley, a broad low-relief alluvial plain that covers much of central southern California. The project is approximately 27 miles west of the Sierra Nevada foothills and 37 miles east of the coast ranges. The terrain in the project area is level (approximately 0.4 percent slope).

The only distinctive physiographic features near the project site are small reservoirs and canals. The nearest reservoir is 0.4 miles east of the project site. The nearest canal (the Calloway Canal) is 3 miles east of the project site.

4.1.3.2 Soil Description

The proposed coal terminal project would be located on soils of the Wasco series. The Wasco series includes Wasco sandy loam, Kimberlina fine sandy loam, Milhan sandy loam, Panoche clay loam, and Lewkalb sandy loam soil types. These soils are characterized by moderately rapid permeability, slow runoff, and slight water erosion hazard (QUAD Consultants, 1983a). Yellow to brown silty sand, low plasticity sandy silt, and clean silt soils were encountered in borings taken at the proposed project site. Generally, soil consistency was loose from ground surface to a depth of 10 feet, medium dense from 10 feet to 50 feet, and dense grading into very dense below 50 feet (CH2M Hill, 1986).

The Wasco series soils are well suited to farming, with a Soil Conservation Service Rating of II (prime agricultural land) when irrigated. The soils are well-suited to urban development also (QUAD Consultants, 1983a). The soils have a moderate to high corrosion potential. No expansive clay soils, perched water tables, or shallow water tables are found in the Wasco area (QUAD Consultants, 1983b).

4.1.4 Impacts

The following sections describe the expected impacts to geology and soils.

4.1.4.1 Geological Impacts

The geology setting of the proposed project site is generally favorable for development and no geological impacts are expected.

4.1.4.2 Seismic Impacts

Three major phenomena associated with earthquakes have been evaluated for their possible impacts to the proposed project. These are: ground rupture, liquefaction, and groundshaking.

Ground rupture associated with earthquakes could only occur along a fault zone. No faults have been mapped at the site. Ground rupture, therefore, is not expected to present a potential impact to the project site.

Liquefaction occurs when soil that is loose and saturated with water takes on characteristics of a liquid during an earthquake. The loose, fine grain silty sand, and sandy silt soils at the site may be subject to liquefaction if saturated during strong earthquake shaking. However, because ground water is not located near the surface, the potential for liquefaction at the project site is low. Test borings made on site between 15 and

17 September 1986 did not encounter water down to the maximum depth drilled (96 feet) (CH2M Hill, 1986)

The most likely seismic impact to the proposed project would be from groundshaking. The site is located at the boundary between Uniform Building Code Seismic Risk Zones 3 and 4 and is in an area which may experience events of Mercalli Intensity VII and VIII (QUAD Consultants, 1983b). These zones reflect a potential for major damage from groundshaking. The largest peak bedrock acceleration probable for the project site region is 0.33g (where g represents gravitational acceleration, approximately 9.8 meters per second squared), which represents a peak ground surface acceleration of about 0.22g. This would result from a maximum credible earthquake of M 6.25 on the Pond-Poso Creek fault, 7.5 miles from the site (CH2M Hill, 1986) (see Figure 4.1-1). Groundshaking due to an earthquake of this magnitude could result in serious damage or collapse of inadequately designed or constructed structures. The maximum peak bedrock acceleration expected from an event on the San Andreas fault to the northwest would be 0.22g (CH2M Hill, 1986).

4.1.4.3 Soils Impacts

Possible soil impacts evaluated include settlement, subsidence, increased runoff, erosion, alteration of natural drainage ways, and loss of agricultural soils.

The weight of the coal storage silos may cause as much as six inches of settlement of the soils beneath the tanks (CH2M Hill, 1986)

Wasco is located on the edge of an area subject to deep subsidence of soils because of water withdrawal. However, deep subsidence has almost ceased since the early 1950's in the Tulare-Wasco area because of the recovery of water levels in the confined aquifer system. Continued water importation by the Shafter-Wasco Irrigation District and the usage of imported water from the California Aqueduct on surrounding areas has further reduced the

overdraft. Therefore, subsidence is unlikely to affect the site significantly (CH2M HILL, 1986).

Increased runoff and erosion may result from the loss of vegetative cover and the creation of bare slopes during construction activities. Due to the low relief of the project area and the soil's lack of susceptibility to erosion, any increases in erosion and runoff would be minor.

No natural drainageways cross the project site. Therefore no impacts to natural drainageways are expected from the project.

Development of the project would result in the loss of approximately 12.9 acres of prime agricultural land. However, this acreage represents less than 0.01 percent of the total Class II soils in western Kern County. In addition, the project is located within the municipality of Wasco, in an area zoned for industrial, rather than agricultural, uses. Therefore, development of the project would not result in a significant impact to agricultural lands.

4.1.5 Mitigation Measures

The following subsections describe measures proposed to mitigate adverse impacts to geology and soils.

4.1.5.1 Geology

No significant geological impacts would result from the project. Therefore, no mitigation measures are necessary.

4.1.5.2 Seismicity

All structures would conform at least to the Seismic Zone 3 requirements of the Uniform Building Code, which requires "earthquake resistant" construction measures. The project structures would be designed to

withstand groundshaking due to maximum expected earthquake at the site without collapse. The city of Wasco reserves the right to review all structural engineering through a qualified engineer of the city's choosing, the cost of which would be reflected as an additional charge in the building permit.

4.1.5.3 Soils

The conveyor tunnel sections would be designed as short pipes with flexible, watertight connections at each joint. This would mitigate the effects of differential settlement along the reclaim tunnel.

Settlement underneath the coal storage silos would be mitigated by the placement of concrete foundations at least 12 inches below the lowest adjacent final grade. A maximum allowable bearing capacity of 3,000 pounds per square foot (psf) would be used for all structures.

Landscaping in the form of ground cover, trees, and bushes as approved by the city of Wasco would be used to mitigate increases in runoff and erosion in areas not covered by structures or paving.

4.2 Air Resources

This section describes the existing air quality in the proposed project area. The potential impacts of the proposed project on air quality are described, along with measures designed to mitigate any adverse impacts.

4.2.1 Setting

The following sections describe the existing environment in the vicinity of the proposed project with respect to climate and air quality.

4.2.1.1 Climate

The Wasco area has a Mediterranean climate typical of the San Joaquin Valley, characterized by hot, dry summers and cool winters. Maximum summer temperatures often exceed 100° F, and winter minimums drop into the twenties. Annual rainfall averages about 6.4 inches, with most precipitation occurring between January and March. Heavy fog occurs an average of 20 days each winter (QUAD Consultants, 1983a).

Meteorological conditions of interest when evaluating air quality impacts include wind speed, direction, and mixing height. Wind speed and direction determine the rate and trajectory of air pollutant movement from the stack. On an annual basis, the prevailing flow in the Wasco area is from northwest to southeast. During the summer, the prevailing flow is from northwest to southwest at velocities from six to 10 miles per hour (mph). During the winter months, the flow reverses, with the dominant winds from southeast to northwest at six to 10 mph. Wind speeds are highest in spring and lowest in fall (QUAD Consultants, 1987). The wind rose showing the average wind speeds and directions for Bakersfield (the nearest station) is included in Figure 4.2-1.

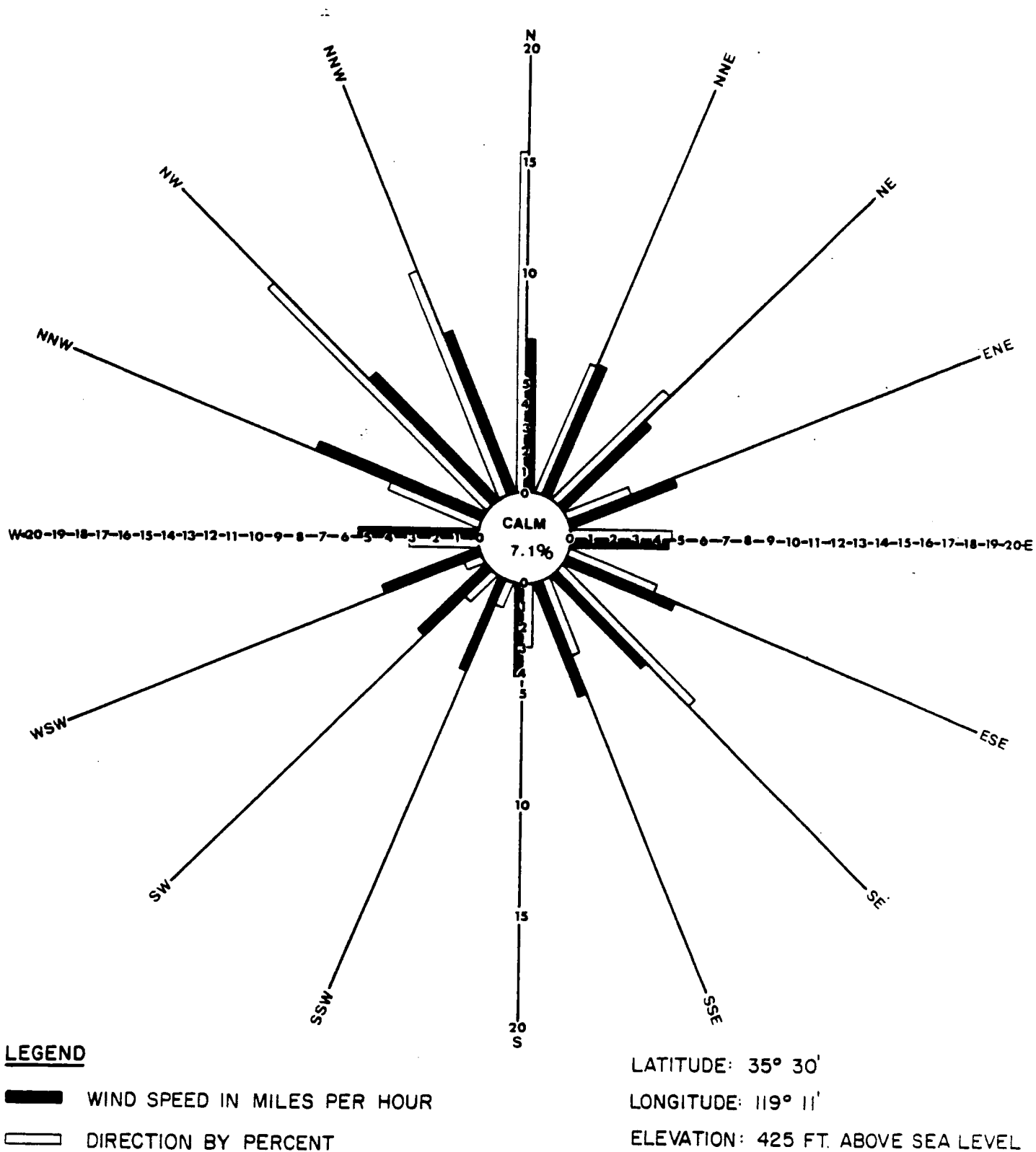


FIGURE 4.2-1 ANNUAL WIND ROSE FOR BAKERSFIELD

Mixing height is the height below which the air mixes relatively freely; this determines the overall air volume within which air pollutants may disperse. Mean morning mixing heights for the San Joaquin Valley range from 300 meters in the summer and fall to 600 meters in the spring. Mean afternoon mixing heights range from 800 to 1,000 meters in the winter and from 1,600 to 2,000 meters in the summer (Holzworth, 1972).

4.2.1.2 Existing Air Quality

The California Air Resources Board (ARB) and the U.S. Environmental Protection Agency (EPA) have established ambient air quality standards for various pollutants. These standards (Table 4.2-1) define a degree of air quality which would, with an adequate margin of safety, protect the public health. Ambient levels of both nitrogen dioxide (NO_2) and sulfur dioxide (SO_2) are well within these standards throughout Kern County. Ambient carbon monoxide (CO) levels are within state and federal air quality standards throughout Kern County, with the exception of the city of Bakersfield. Kern County has been designated nonattainment for ozone. Particulate matter also exceeds the standards throughout the county (Mayersohn, personal communication, 1987).

Ambient air quality is not currently monitored in Wasco. Air quality data from the Bakersfield Chester Street monitoring site which is the closest station to the project (Goff, personal communication, 1987), is shown in Table 4.2-2. The Wasco area ambient air conditions would probably be somewhat different from Bakersfield data since it is in a more rural setting than Bakersfield.

4.2.2 Impacts

The following sections describe the expected impacts to air resources in the project area. The primary emissions resulting from the proposed project are fugitive dust created during coal handling activities.

TABLE 4.2-1. AMBIENT AIR QUALITY STANDARDS

POLLUTANT	AVERAGING TIME	CALIFORNIA STANDARDS ^a	NATIONAL STANDARDS ^b	
		CONCENTRATION ^c	PRIMARY ^{c, d}	SECONDARY ^{c, e}
Oxidant ^f	1-hour	0.10 ppm ₃ (200 ug/m ³)	-	-
Ozone	1-hour	-	0.12 ppm ₃ (235 ug/m ³)	Same as Primary Standard
Carbon Monoxide	8-hour	9.0 ppm ₃ (10 mg/m ³)	10 mg/m ³ (9 ppm)	Same as Primary Standard
	1-hour	20 ppm (23 mg/m ³)	40 mg/m ³ (35 ppm)	Same as Primary Standard
Nitrogen Dioxide	Annual Average	-	100 ug/m ³ (0.05 ppm)	Same as Primary Standard
	1-hour	0.25 ppm ₃ (470 ug/m ³)	-	Same as Primary Standard
Sulfur Dioxide	Annual Average	-	80 ug/m ³ (0.03 ppm)	-
	24-hour	0.05 ppm ₃ ^g (131 ug/m ³) ^g	365 ug/m ³ (0.14 ppm)	-
	3-hour	-	-	1300 ug/m ³ (0.5 ppm)
	1-hour	0.25 ppm ₃ (655 ug/m ³)	-	-
Suspended Particulate Matter Less Than 10 Microns Diameter (PM ₁₀)	Annual Geometric Mean	30 ug/m ³	50 ug/m ³	-
	24-hour	50 ug/m ³	150 ug/m ³	-
Suspended Particulate Matter	Annual Geometric Mean	-	75 ug/m ³	60 ug/m ³
	24-hour	-	260 ug/m ³	150 ug/m ³
Sulfates	24-hour	25 ug/m ³	-	-
Lead	30-day Average	1.5 ug/m ³	-	-
	Calendar Quarter	-	1.5 ug/m ³	Same as Primary Standard
Hydrogen Sulfide	1-hour	0.03 ppm (42 ug/m ³)	-	-
Vinyl Chloride [Chloroethane]	24-hour	0.010 ppm (26 ug/m ³)	-	-
Visibility Reducing Particles	1 Observation	In sufficient amount to reduce the prevailing visibility ^h to less than 10 miles when the relative humidity is less than 70 percent.	-	-

TABLE 4.2-1. (continued)

FOOTNOTES:

^aCalifornia standards, other than carbon monoxide, sulfur dioxide (1-hour) and particulate matter - PM_{10} , are values that are not to be equaled or exceeded. The carbon monoxide, sulfur dioxide (1-hour) and particulate matter - PM_{10} standards are not to be exceeded.

^bNational standards, other than ozone and those based on annual averages or annual geometric means, are not to be exceeded more than once a year. The ozone standard is attained when the expected number of days per calendar year with maximum-hourly average concentrations above the standard is equal to or less than one.

^cConcentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25^o C and a reference pressure of 760 mm of mercury. All measurements of air quality are to be corrected to a reference temperature of 25^o C and a reference pressure of 760 mm of Hg (1,013.2 millibar); ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas. ug/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter.

^dNational Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health. Each state must attain the primary standards no later than three years after that state's implementation plan is approved by the Environmental Protection Agency.

^eNational Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant. Each state must attain the secondary standard within a "reasonable time" after the implementation plan is approved by the EPA.

^fMeasured as ozone.

^gAt locations where the state standards for oxidant and/or suspended particulate matter are violated. National standards apply elsewhere.

^hPrevailing visibility is defined as the greatest visibility which is attained or surpassed around at least half of the horizon circle, but not necessarily in continuous sectors.

Source: California Air Resources Board, 1984, 1985, 1986. California Air Quality Data Summary.

TABLE 4.2-2. AIR QUALITY BACKGROUND DATA

POLLUTANT	AVERAGING PERIOD	MAXIMUM CONCENTRATION (ug/m ³)	LIMITING APPLICABLE STANDARD	AGENCY
SO ₂	1-hour	104.0	655	ARB
	3-hour	93.6	1,300	EPA
	24-hour	34.0	131	ARB
	Annual	1.0	80	EPA
NO ₂	1-hour	300.0	470	ARB
	Annual	58.0	100	EPA
CO	1-hour	11,429.0	23,000	ARB
	8-hour	6,857.0	10,000	ARB
PM ₁₀	24-hour	302.0	50	ARB
	Annual	69.6	30	ARB
Sulfate	24-hour	21.2	25	ARB
Ozone	1-hour	294.0	200	ARB
Lead	30-day	0.41	1.5	ARB
	Quarter	0.27	1.5	EPA

^aMonitoring data for 1983 through 1985.

^bThree-hour SO₂ is not monitored. A factor of 0.9 times the maximum 1-hour concentration was used to estimate maximum 3-hour SO₂ concentrations. The annual SO₂ was calculated as 0.1 times the maximum 1-hour concentration (EPA, 1977).

Source: California Air Resources Board, 1985.

Secondary emissions are fugitive dust created during the construction phase due to excavation and backfilling operations, and increased vehicle emissions due to increased truck and rail traffic to the site.

4.2.2.1 Primary Emissions

Figure 4.2-2 is a flow chart showing possible points of fugitive dust emission in the coal handling process. Peak and average particulate emission rates were projected for each emission point. Emission factor equations were taken from Compilation of Air Pollutant Emission Factors (AP-42) (EPA, 1983) for continuous and batch drop material transfer operations and paved road dust.

Not all of the sources in receiving and storage would be in operation during peak hour and peak day emissions. Only one storage bin can be loaded at a time; therefore, peak simultaneous emissions would result from:

- railcar unloading,
- eight transfer points, and
- the yard locomotive.

Peak hour and peak day emissions for each emission point are listed in Table 4.2-3. Peak day emissions were calculated using the maximum design capacity of the equipment and the maximum hours of operation per day -- 15 hours (receiving and storage) and 20 hours (reclaiming and loadout).

Annual emission estimates were calculated based on the annual quantity of coal handled at the terminal. Annual material put through the facility under the proposed CUP application would be limited to 900,000 tons. Annual fugitive dust emissions are also listed in Table 4.2-3.

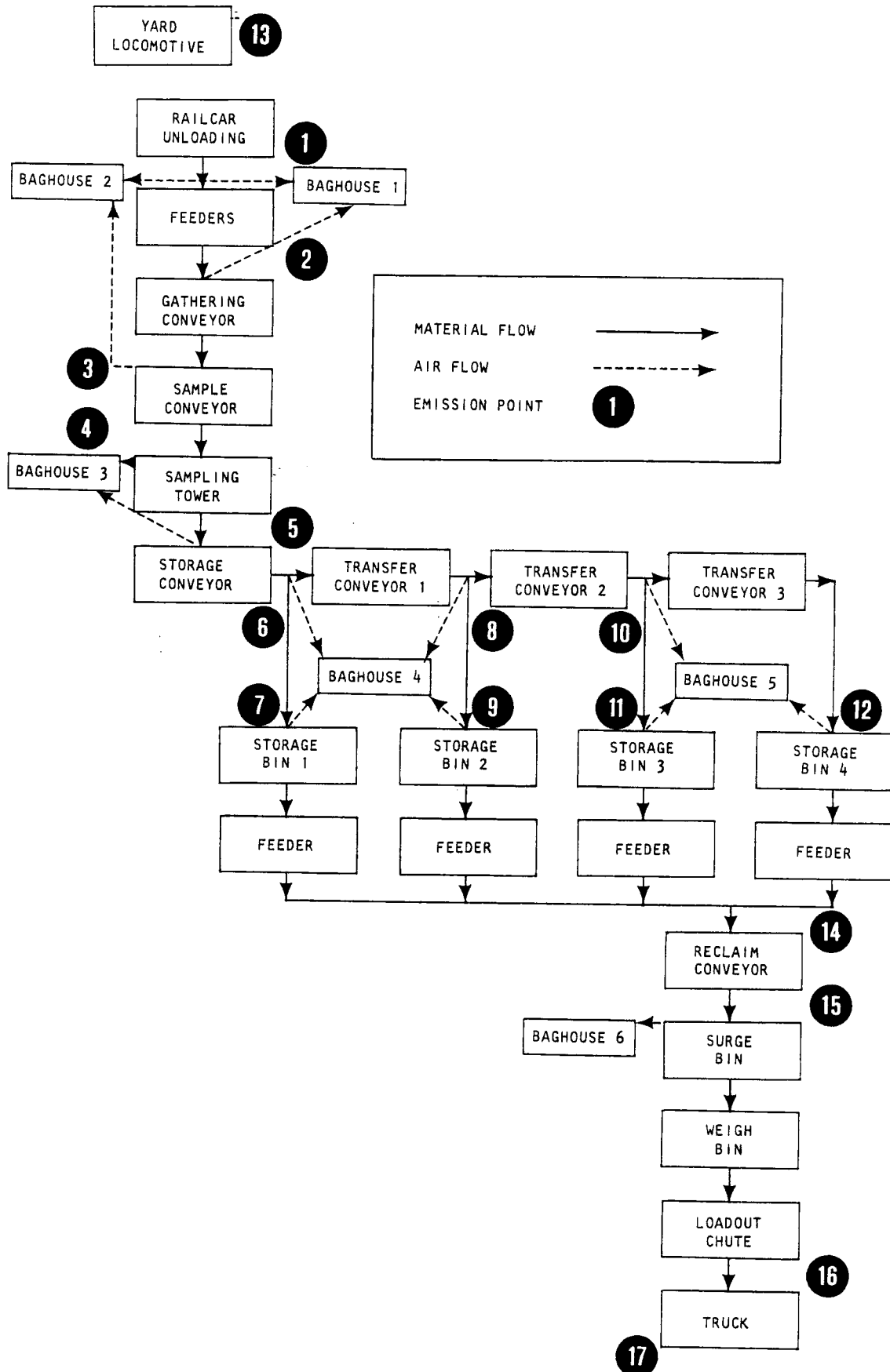


FIGURE 4.2-2 EMISSION POINTS

TABLE 4.2-3. FACILITY PEAK PARTICULATE EMISSION RATES^a

No.	Emission Point	lb/hr	lb/day	lb/yr
<u>Receiving and Storage</u>				
1	Railcar Unloading	0.02	0.29	31.00
2-12	Transfer Points	0.40	6.03	645.20
13	Yard Locomotive	1.05	15.75	1685.30
	Subtotal	1.47	22.07	2361.50
<u>Reclaiming and Loadout</u>				
14	Transfer Point	0.05	0.98	274.40
15	Transfer Point	0.02	0.33	91.80
16	Truck Loading	0.08	1.60	448.00
17	On-site Road Dust ^b	1.01	0.16	51.22
	Subtotal	0.16	3.07	865.42
	FACILITY TOTAL	1.63	25.14	3226.92

^aBased on 900,000 tons per year coal throughput; receiving and storage 15 hours per day; truck operations 20 hours per day; six days per week schedule.

^bBased on 0.114 miles on site; 6 trucks per hour; 20 hours per day; 280 days per year; emission factor of 0.012 lb/vehicle-mile (EPA, 1983 (Table 11.2.5-1)).

4.2.2.2 Secondary Emissions

The level of vehicular emissions has been projected from haul trucks in conjunction with the California Air Resources Board (ARB) (Menbroker, personal communication, 1987). Projected emission levels were calculated based on state-approved emission factors for diesel engines operating under normal road-haul conditions and the specific parameters of the terminal hauling agreements.

The total miles traveled, based on 60 miles per round trip, were estimated to be approximately 6360 per day. The resulting vehicular emissions were calculated based on this information, and using state-approved emission factors in grams per vehicle-mile. Secondary emission estimates were also performed for train emissions (yard locomotive and unit trains) and are presented in Table 4.2-4.

The largest single increase in pollutants from secondary emission sources, in comparison with the most recently available Kern County mobile source emission inventory data, would be a 0.88 percent increase in SO_2 . The current emission inventory level in Kern County is approximately 6.7 tons of SO_2 per day (ARB, 1986).

Secondary emissions would also result from fugitive dust and equipment operation during construction. Emissions would result in localized increases in pollutants in the immediate vicinity of the construction equipment. In general, some construction dust and equipment emissions are unavoidable but would not constitute a significant long-term impact since such emissions are intermittent and temporary. From a regulatory standpoint, construction emissions are considered temporary and not subject to federal air quality standards.

4.2.3 Cumulative Air Impacts

In response to comments from the California Air Resources Board (30 April 1987, 30 June 1987), the cumulative air impacts of the proposed

TABLE 4.2-4. PROJECTED DAILY EMISSIONS FROM HAUL TRUCKS, YARD LOCOMOTIVES, UNIT TRAINS^a

Pollutant ^b	Haul Trucks ^c		Yard Locomotive		Unit Trains		Emissions ^d Inventory Levels [tons]	Projected Level	
	[lbs]	[tons]	[lbs]	[tons]	[lbs]	[tons]		[tons]	(%) ^e
ROG	31.2	0.016	59.3	0.029	76.7	0.038	36	0.083	0.23
CO	91.2	0.046	81.9	0.041	106.1	0.053	250	0.140	0.06
NO _x	223.3	0.112	233.1	0.117	301.9	0.151	68	0.380	0.56
SO ₂	35.0	0.018	35.9	0.018	46.5	0.023	6.7	0.058	0.88
PM	24.5	0.012	15.8	0.008	20.4	0.010	8.4	0.030	0.36

^a Estimates based on the maximum project throughput of 900,000 tons per year.

^b ROG = Reactive organic gases.

CO = Carbon monoxide.

NO_x = Nitrogen oxides.

SO₂ = Sulfur dioxide.

PM = Particulate matter.

^c Projections are based on approximately 6,360 miles per day for the maximum case, using ARB factors.

^d Inventory levels are most current available [1983], as provided by ARB for Kern County.

^e Projected levels as a percentage of inventory levels.

Source: Busch, personal communication, 1987.

project and potential Kern County coal consumers have been estimated. Four coal-fired electric generating facilities totaling 142 megawatts have received permits to construct in Kern County. All of these projects emit precursors to ozone, for which Kern County is nonattainment. Table 4.2-5 shows the cumulative emission rates for the four electric generating stations, the proposed Wasco coal transfer facility, and the secondary emissions associated with train and truck traffic to move coal to the transfer facility, and from the transfer facility to coal consumers. Actual emission increases would be less than shown since two of the cumulative power-generating facilities have effected emissions reductions elsewhere in the county (offsets).

4.2.4 Mitigation Measures

The emissions from the proposed coal terminal would be controlled so that no significant air quality impacts would result from project construction and operation. Fugitive dust from construction would be controlled by water spray in accordance with all applicable regulations. Mitigation measures to control fugitive dust emissions would consist of totally enclosed storage systems, enclosed railcar unloading, covered conveyor systems, and baghouse dust control at appropriate points. Detailed descriptions of these mitigation measures are provided in the Authority to Construct (ATC) application for the coal terminal (Savage Coal Service Corporation, 1985) and in the ATC issued by the Kern County Air Pollution Control District (KCAPCD) (KCAPCD, 1986). The ATC also includes a detailed discussion of design and operational conditions that would mitigate project air emissions. In addition, the city of Wasco retains the right to initiate revocation of the CUP in the event the facility is out of compliance with KCAPCD conditions. The ATC permit issued for the project would require testing of the facility following construction. All KCAPCD conditions must be met before a Permit to Operate (PTO) would be issued for the project. A summary of mitigation measures is provided below.

TABLE 4.2-5. CUMULATIVE AIR EMISSIONS^a

POLLUTANT	SOURCE 1 [tons/day]	SOURCE 2 [tons/day]	SOURCE 3 [tons/day]	SOURCE 4 [tons/day]	WASCO FACILITY [tons/day]	SECONDARY EMISSIONS [tons/day]	EMISSION ^b INVENTORY [tons/day]	CUMULATIVE ^b PERCENT
ROC	0.145	0.145	0.075	0.031	-	0.083	370	0.13
CO	2.522	2.522	0.604	0.200	-	0.140	430	1.39
NO _x	0.934	0.934	0.703	0.215	-	0.380	220	1.44
SO ₂	0.336	0.336	0.300	0.066	-	0.059	110	1.00
PM	0.104	0.104	0.100	0.040	0.013	0.030	180	0.22

^a Includes four coal-fired power generating facilities in Kern County that have received permits to construct, the proposed Wasco coal transfer facility, and secondary emissions associated with train and truck traffic to transport the coal to the Wasco facility and from Wasco to coal consumers. The proposed project would serve three of the four power generating stations. Wasco facility emissions are based on 900,000 tons coal per year throughput.

^b Most recent Kern County Inventory (1983), all sources; total cumulative emissions as percent of inventory.

Source: [continued on next page]

TABLE 4.2-5. [continued]

Source: See Table 4.2-3 and 4.2-4 for Wasco facility and secondary emissions. Power generating facility Authority to Construct Permits issued by Kern County Air Pollution Control District as follows:

SOURCE	ATC NUMBERS(S)	ISSUANCE DATE
1	4141001A	2 July 1986
	4141002A	2 July 1986
	4141003A	2 July 1986
2	4141009A	2 July 1986
	4141010A	2 July 1986
	4141011A	2 July 1986
	4141012A	2 July 1986
3	4177001A	1 December 1986
	4177002A	1 December 1986
	4177003A	1 December 1986
	4177004A	1 December 1986
4	4020060	7 October 1982
	[PTO 4008438	28 February 1987]
	4020061	7 October 1982
	4020062	7 October 1982
	[PTO 4008440	28 February 1987]
	4020063	7 October 1982
	[PTO 4008441	28 February 1987]
	4020064	7 October 1982
	[PTO 4008442	28 February 1987]

4.2.4.1 Fugitive Dust Mitigation Measures - Receiving and Storage

Material handling operations at the proposed coal terminal would generate fugitive dust emissions from various points in the process. These particulate emission points are identified in Figure 4.2-1 and described in the following discussion. Table 4.2-6 summarizes emissions control measures and specifies minimum control efficiencies.

Railcar Unloading

The bottom dumper (No. 1) would be enclosed in a building with curtains on the ends where the railcars enter and exit. Separate dust collection systems would be used to collect particulates from the two sides of the railcar during unloading. Air from both dust collection systems would exhaust through a baghouse.

Transfer Points

There are eleven transfer points (Nos. 2 through 12) in the receiving and storage areas of the facility. All of the transfer points would be fully enclosed and exhausted to a baghouse dust collection system.

Yard Locomotive

A yard locomotive (No. 13) would be used to maneuver railcars during the railcar unloading operations. The locomotive would use diesel fuel, and its exhaust system would emit particulates, as well as sulfur dioxide (SO_2), carbon monoxide (CO), reactive organic gases (ROG), and nitrogen oxides (NO_x). The yard locomotive would be similar to the SRI 1200 Model Industrial Car Mover with a 900-horsepower Cummins diesel engine (KT 2300). Fuel consumption rates obtained for this size engine are 2.5 gallons per hour during idle and 42 gallons per hour during full load operations.

TABLE 4.2-6. SUMMARY OF SOURCES AND CONTROL MEASURES

Emission Point	Source	Control Measure	Control Efficiency ^a [%]
<u>Receiving and Storage</u>			
1	Railcar Unloading	Enclosure with Two Baghouses (BH1 & BH2) ^b	90
2	Unloading Feeders to Conveyor	Enclosure with Baghouse (BH1)	90
3	Conveyor to Sample Conveyor	Enclosure with Baghouse (BH2)	90
4	Sample Tower to Tower	Enclosure with Baghouse (BH3)	90
5	Sample Tower to Storage Conveyor	Enclosure with Baghouse (BH3)	90
6	Storage Conveyor to Transfer Conveyor 1	Enclosure with Baghouse (BH4)	90
7	Storage Conveyor to Bin 1	Enclosure with Baghouse (BH4)	90
8	Transfer Conveyor 1 to Transfer Conveyor 2	Enclosure with Baghouse (BH4)	90
9	Transfer Conveyor 1 to Bin 2	Enclosure with Baghouse (BH4)	90
10	Transfer Conveyor 2 to Transfer Conveyor 3	Enclosure with Baghouse (BH5)	90
11	Transfer Conveyor 2 to Bin 3	Enclosure with Baghouse (BH5)	90
12	Transfer Conveyor 3 to Bin 4	Enclosure with Baghouse (BH5)	90
13	Yard Locomotive	None Feasible	0
<u>Reclaiming and Loadout</u>			
14	Reclaim Feeders to Reclaim Conveyor	Partial Enclosure	70
15	Reclaim Conveyor to Surge Bin	Enclosure with Baghouse (BH6)	90
16	Truck Loading	Partial Enclosure, Loading Techniques	0
17	On-site Truck Travel	Paved Roads	0

^a Control efficiency used in emission calculations. Actual control efficiency would be higher in many cases.

^b BH refers to baghouse identifications in Figure 4.2-1.

Conveyors and Storage Piles

Open conveyors and open coal storage piles are potential fugitive dust sources at standard coal handling facilities. At the proposed facility, however, all aboveground conveyors would be equipped with covers. The covers would prevent losses caused by wind and precipitation. Belt scrapers and collection pans would be provided, as needed, along return belt areas. There would be no open storage of coal during normal terminal operations. Coal would be transferred directly from conveyors into enclosed storage bins.

4.2.3.2 Fugitive Dust Mitigation Measures - Reclaiming and Loadout

Transfer Points

The first emission point (No. 14) from reclaiming operations would occur during the transfer of coal from the storage bin reclaim feeders to the reclaim conveyor. The feeders and most of the reclaim conveyor are located underground. The underground portion of the reclaim conveyor would be open except at the points where coal would be fed onto the belt. Because there is some air flow through the reclaim tunnel, a potential exists for dust to be emitted at the point at which the reclaim conveyor comes aboveground. Most of the dust should settle out in the reclaim tunnel because of the enclosures at each feeder and because of the long conveyor travel distance before the opening to the atmosphere.

The other transfer emission point (No. 15) would be located at the surge bin and would be totally enclosed and vented to a baghouse. Connections between the surge bin, the weigh bin, and the loadout chute would be sealed.

Truck Loading

Trucks (No. 16) would be loaded inside a structure enclosed on two sides. Each truck would have canopies to prevent coal losses during

transport. During loading, the canopies would be opened just wide enough to allow the loadout chute to enter as the truck pulls up to the loading area. The bottom of the chute would be positioned just below the top of the canopy, producing a partial enclosure.

The trailer bed would slope toward the center from both the front and rear. Coal loading would begin on the slope at the front of the bed to minimize the drop height. As the bed fills, the truck would be moved forward until it is full.

On-site Road Dust

All on-site roads (No. 17) with truck traffic, including the staging area, would be paved to reduce dust generation. Sweeping would be used, as needed, to remove dust buildup on the on-site roadway.

4.2.4.3 Cumulative Impact Mitigation Measures

The proposed coal terminal would provide coal to several coal-burning electricity generating facilities that have already been permitted by the appropriate lead agencies. These facilities will emit pollutants which are precursors to ozone. Measures that would mitigate cumulative impacts are listed below:

- The Conditional Use Permit (CUP) would be issued on the basis of a maximum allowable throughput of 900,000 tons per year; this tonnage represents projects which have either already been permitted or are currently undergoing an Environmental Impact Report (EIR) process.

- The city of Wasco would include, as part of the CUP, a condition which would only allow modifications for additional tonnage for clients whose projects:
 - have completed an EIR and been approved by the appropriate lead agency, or
 - have received the appropriate waiver for EIR from both the lead agency and ARB.
- The singular impacts of the existing projects would be documented and a summary of the total emissions of the combined projects presented as part of the current mitigation plan (see Section 4.2.3).
- The current impact assessment would document the secondary impact of trains coming into the project from the point where they enter the San Joaquin Valley Air Basin (see Section 4.2.3).

4.3 Water Resources

This section describes the existing water resources in the project area. The potential impacts of the proposed project on water resources are described, along with measures designed to mitigate any adverse impacts.

4.3.1 Setting

The San Joaquin Valley in which the city of Wasco is located comprises about two-thirds of the Central Valley of California. The northern boundary is formed by the combined deltas of the San Joaquin and Sacramento Rivers. This broad structural trough is surrounded by mountains including the Sierra Nevada on the east, the Tehachapi Mountains on the south, and the coast ranges on the west. The San Joaquin Valley encompasses an area of about 10,000 square miles.

The valley floor rises gently from near sea level at the north end to an elevation of 500 feet twenty miles south of Bakersfield. This gentle northward downgradient is broken by a low divide in the area of Kings River about 62 miles to the north-northwest, which divides the valley into two separate drainage basins. Wasco is in the southern basin. Under normal conditions, the alluvial (stream-deposited) fans of the Kings River from the Sierra Nevada to the east and the Arroyo Pasajero to the west form a barrier against the northward flow of water. Surface water in the northern part of the valley is tributary to the San Joaquin River, and surface water in the southern part of the valley is tributary to several land-bound basins, principally the Tulare and Buena Vista Lake beds, which have no ocean outlet and which are dry much of the time. Figure 4.3-1 shows the surface water features of the southern San Joaquin Valley.

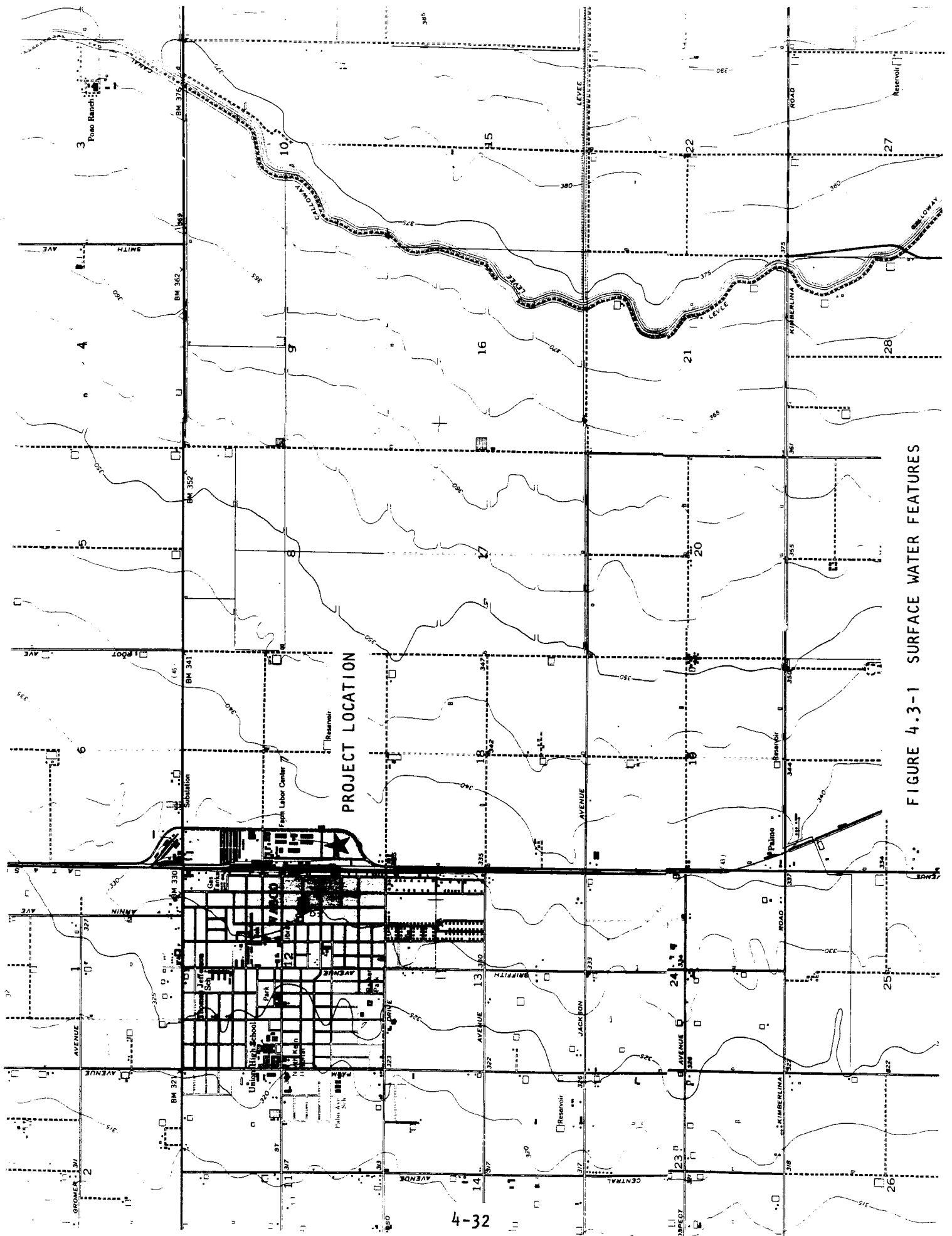


FIGURE 4.3-1 SURFACE WATER FEATURES

4.3.1.1 Regional Ground-Water Resources

The existence of ground water is the result of water percolating into alluvial materials and porous geologic structures. The occurrence of ground-water basins follows the general pattern of surface water floodplains. Ground water is a major source of water throughout most of the project area.

The amount of precipitation and, hence, the subsequent runoff into the San Joaquin Valley varies from winter to summer and from year to year. Consequently, it is necessary to store water during times of excess flow for use during periods when the flow is deficient. This can be accomplished through the construction of surface reservoirs and/or the use of ground-water reservoirs such as the one that underlies the San Joaquin Valley. Surface and ground-water storage have been used in the San Joaquin Valley area for many years.

The aquifers in which the ground water is stored are composed of material that has been deposited on the San Joaquin Valley floor. This reservoir of ground water has been estimated by the U.S. Geological Survey to contain 93 million acre-feet between 10 feet and 200 feet below the surface (McGlasson and Associates, 1971).

Water extracted from the ground-water basin by pumps comprises the entire supply for about one-third of the irrigated area on the valley floor. In addition, ground water is also used to supplement surface supplies for another quarter of the total irrigated area. Nearly all domestic needs of the area, including both municipal and industrial demands, are met using ground water.

During periods when runoff is below normal and the surface supply is deficient, the accelerated withdrawal of ground water provides the needed supplemental supply. This increased withdrawal also provides additional space in the underground reservoir to store surplus water during times of heavy

precipitation. This type of cyclic storage use is effective and desirable when a proper balance is maintained between withdrawal and replenishment. It is only when the deficiency in surface supply causes an overdraft from the ground-water basin on a continuing basis, as has occurred in the San Joaquin Valley during this century, that efforts must be directed toward corrective measures.

The natural source of ground water in the San Joaquin Valley is precipitation on the valley floor and on the adjacent mountain slopes, which drain into streams flowing out into the valley (Selma Planning Department and QUAD Consultants, 1983). The principal replenishment is by:

- Percolation through permeable materials which line the canyons and stream beds around the edges of the valley;
- Seepage from streams out onto the valley floor;
- Seepage from irrigation canals; and
- Deep penetration of water applied for irrigation purposes.

Rainfall on the valley floor makes only a small contribution to the ground-water reserves.

Efforts have been made to reduce the amount of overdraft from the ground-water basin by importing supplemental supplies, and by implementing conservation measures. The Friant-Kern Canal, on the east side of the valley, and the California State Aqueduct on the west side, are designed to reduce the amount of ground water being extracted from the basin by supplementing ground-water supplies with surface fresh water from "water surplus" areas. These projects reduce the potential for overdraft by supplying surface water to meet agricultural or industrial needs, thus reducing removal of water from

ground-water storage, and by adding to ground-water supplies through percolation, infiltration, and injection.

4.3.1.2 Regional Water Quality

The source of both surface and ground water in the project area is precipitation in the Sierra Nevada and coast ranges. As water flows out of the mountains and foothills into the valley, it picks up impurities and declines in quality. This produces water which contains dissolved minerals, salts, and solids. Also, the local system of canals, which use surface water for irrigation along the valley slopes, adds impurities to the water (Selma Planning Department and QUAD Consultants, 1983).

Major sources of water pollution in the proposed project area include the natural action of water on surface or subsurface materials which causes solids to be dissolved (salts) or suspended (sediment or nutrients) in water courses, or surface or subsurface water bodies. This is the primary source of water quality degradation. Irrigation of crops leaves a residue of salts and nutrients near the soil's surface which can be leached into the ground water. Animal waste generated by feed lots, dairies, and other intensive livestock operations may potentially contaminate the ground-water supply if untreated. Wastes from urban uses generate pollutants from sewage treatment facilities, septic tanks, roadway runoff, and construction. Water-quality problems can also result from oil and natural gas extraction and mining.

Although water flowing out of the mountains is degraded in quality by natural weathering and various sources of pollution, the ground-water aquifers beneath the San Joaquin Valley provide an effective water purification system. Because of the natural cleansing action of the aquifer, area water is considered excellent for domestic purposes by the Water Quality Control Board (City of Wasco, 1976).

4.3.1.3 Local Ground-Water Resources

The proposed project would obtain its water from the city of Wasco. The Wasco water supply is obtained from the Tulare Basin hydrologic area.

The city of Wasco is supplied by the Wasco Public Utilities District (WPUD) from ground water as a domestic water supply source. From 1967 to 1975 static water levels in WPUD wells declined approximately 70 feet, an average of 10 feet per year, indicating a ground-water basin recharge deficit. However, from 1977 through 1983 the ground-water level has risen 20 feet. Continuation of water importation by the Shafter-Wasco Irrigation District and the usage of imported water from the California Aqueduct on surrounding areas will continue to reduce the overdraft.

Ground-water quality is considered excellent for domestic purposes by the Water Quality Control Board (City of Wasco, 1976).

4.3.1.4 Surface Water

No significant surface water channels cross the proposed project site. The Calloway, Friant-Kern, and Lerdo Canals pass approximately 3.0, 5.0, and 6.5 miles east of the site, respectively. Numerous small reservoirs are located in the Wasco area, the nearest being 0.4 miles east of the proposed site. The nearest natural watercourse is Poso Creek, an intermittent stream that passes within five miles to the northeast of the project site at its closest point. These surface features are shown in Figure 4.3-1.

4.3.1.5 Flooding Potential

The proposed project site is not flood prone, nor is it within a 100-year flood zone. The nearest flood hazard zone is located north of the project site (see Figure 4.3-2). This area is the only developed area in the

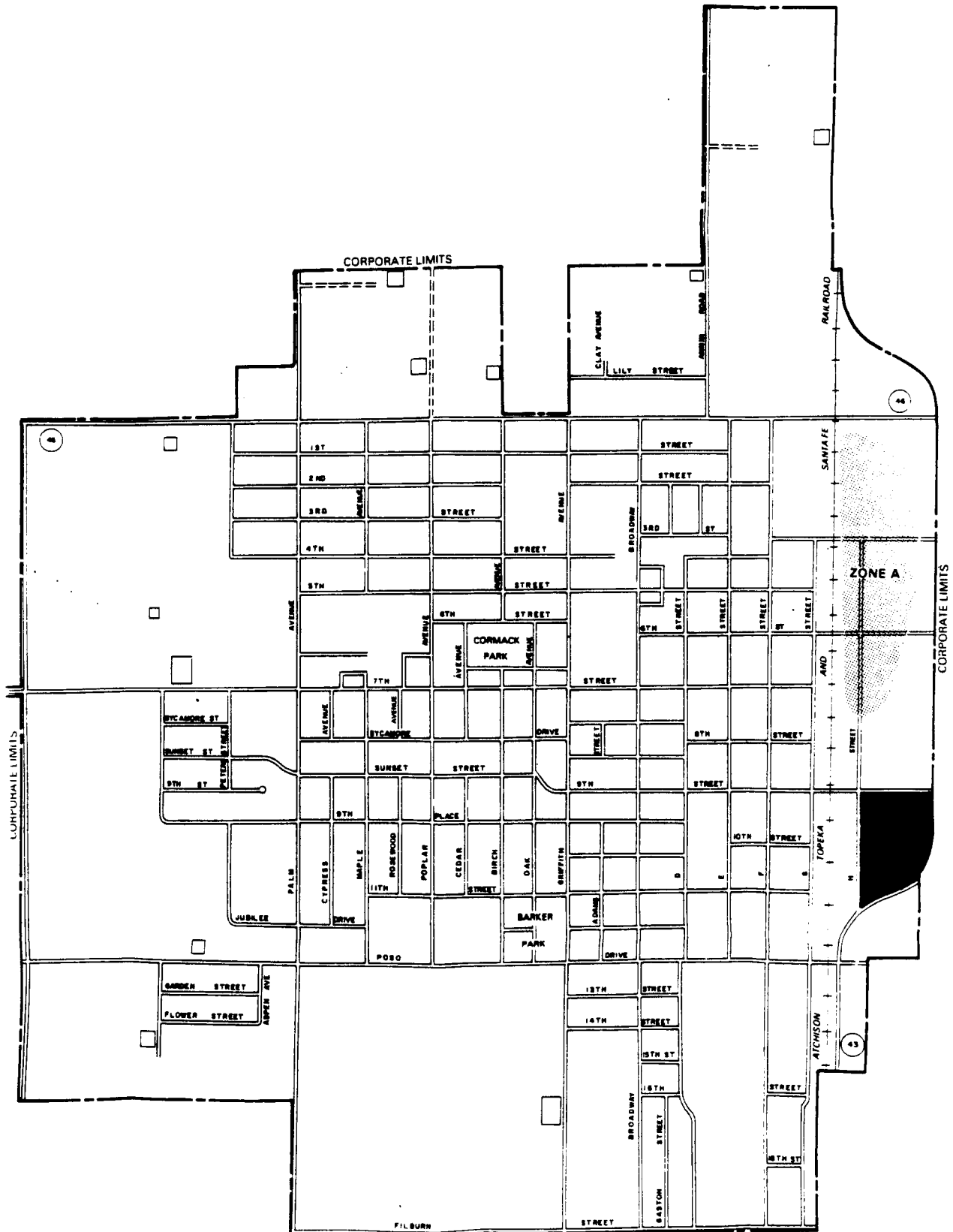


FIGURE 4.3-2 FLOOD ZONE MAP

city without drainage facilities. This area is ultimately expected to be served by drainage line extensions (QUAD Consultants, 1983a).

4.3.2 Impacts

The following subsections discuss the possible impacts to water resources from the project.

4.3.2.1 Ground Water

Potential impacts to ground water in the project area may be caused by the withdrawal of ground water by the city of Wasco to supply the facility. The facility is estimated to require a maximum of 900 gallons of water per day. This is equal to 0.03 percent of the city of Wasco's annual consumption for 1982 (QUAD Consultants, 1983a). Because vacuum systems would be used for cleaning the facility, water usage would be minimal. The city of Wasco Master Environmental Impact Report Update (QUAD Consultants, 1983a) states that full development within the project area (which includes the proposed project site) would have no net adverse impact on ground-water quality and its elevation. Rather, a greater percentage of water consumption would be recycled to the aquifer, since only 10 percent of water applied for agricultural use actually achieves deep percolation compared to 20 percent of water used for urban land uses.

Loss of rainwater recharge of ground water due to reduction in the surface area available for absorption should not significantly impact the ground-water basin, since the project area would represent a very small portion of the recharge surface for the basin. Also, rainwater would be collected in the facility's stormwater drainage system. Runoff from truck fueling and maintenance areas and from the laydown pad area would flow through filter systems to remove localized pollutants (solid or liquids) from the rainwater and direct it to the city of Wasco's storm sewer and eventually to a ground-water recharge basin. The basin is located approximately two miles

west of Wasco. No potable water sources are in the immediate vicinity of the recharge basin due to the proximity of the sewage treatment plant (Hendrickson, personal communication, 1987). Runoff from other site areas would flow directly to the storm sewer. Dust in these areas would be minimized by facility sweeping operations.

No ground-water impacts are expected from sanitary waste disposal because it would be disposed of in the Wasco Public Utility District's sewer system.

4.3.2.2 Surface Water

Since there are no significant water bodies near the proposed project site, impacts to surface waters due to the proposed project are expected to be minor.

Surface-water impacts could result from stormwater runoff. Development of the project would decrease the surface area available for rainfall absorption. This could potentially lead to an increase in the amount of erosion adjacent to permanent structures and paved areas, and increase the volume of surface runoff from the area. Impacts related to increased surface runoff are expected to be minor since the site is flat and drainage from the project site would be directed to the city of Wasco's storm sewer.

4.3.2.3 Flooding Potential

The proposed project is not expected to increase flooding in the area since the increase in surface runoff would be minor and all site drainage would be directed to the stormwater collection system.

4.3.3 Mitigation Measures

This subsection describes the measures proposed to mitigate any adverse impacts to water resources that could occur as a result of the proposed project.

4.3.3.1 Ground Water

The proposed project would be required to locate and install an eight-inch sewer trunkline under J Street in accordance to the specifications and requirements of the Wasco Public Utilities District.

Monthly checks of the domestic water supply to the facility by the Wasco Public Utilities District shall be permitted to ensure that water quality standards are met.

4.3.3.2 Surface Water

Proper expansion of new storm drainage facilities to serve areas not presently developed would mitigate any drainage problems that would result from urban growth in Wasco. Continued collection of storm drain fees would assure expansion and maintenance of the system.

Mitigation measures include on-site drainage with filtering systems to collect any localized pollutants (solids or liquids) from truck fueling and maintenance and laydown pad areas before runoff can be collected by a public facility, and the addition of curb and gutter around the entire project site. Savage Coal Service Corporation would pay storm drain fees which would support a share of the maintenance and expansion of the city system. In addition, facility sweeping and housekeeping operations would minimize surface dust that would be picked up by surface runoff.

4.3.3.3 Flooding Potential

The stormwater collection system would minimize flooding potential due to the proposed project so that no significant adverse impacts would result.

4.4 Vegetation and Wildlife

This section describes the existing vegetation and wildlife in the project area. The potential impacts of the proposed project to vegetation and wildlife are described, along with measures designed to mitigate any adverse impacts.

4.4.1 Setting

The following subsections describe the vegetation and wildlife present in the project area.

4.4.1.1 Vegetation

The proposed project is located in the Lower Sonoran Life Zone. The potential native vegetation of the area is Valley Grassland. This community is characterized by perennial bunchgrasses, including species of the genus Stipa. However, agricultural development of the land has disturbed the native vegetation. Currently the project site is a vacant lot. Current vegetation at the site consists of weeds and grasses.

A records search conducted by the California Natural Diversity Data Base (Hamby, personal communication, 1987) did not report any recorded occurrences of rare or endangered vegetative species, or species of special concern, at the proposed project site or in the project vicinity.

4.4.1.2 Wildlife

Agricultural and industrial development have limited the distribution of wildlife species in the proposed project area. Mammalian species are generally limited to development-tolerant animals such as rabbits, mice, ground squirrels and other species which easily adapt to agricultural or urban environments.

Bird species in the project area are typical of those present in similar intensively developed agricultural and residential communities in the southern San Joaquin Valley. Typical species include common perching birds such as sparrows, starlings, magpies, crows and common raptor species, such as turkey vultures, red-tailed hawks and American kestrels.

The Natural Diversity Data Base currently has no data on endangered or threatened animals or natural communities in the project area (Hamby, personal communication, 1987). The California Department of Fish and Game has reviewed the project proposal and found that development of the project would not result in significant effects to fish or wildlife or their habitat (Nokes, personal communication, 1987).

4.4.2 Impacts

No significant adverse impacts are expected to occur to the flora and fauna of the proposed project area due to facility construction or operations. The project area has previously been extensively disturbed by agricultural and industrial development. No endangered or threatened species are known to be on the site.

Species diversity may increase with development of the project at the site due to the addition of ground cover, trees, and bushes. This would be a beneficial impact of the project.

4.4.3 Mitigation Measures

No potentially significant impacts to vegetation or wildlife have been identified; therefore, no mitigation measures are required.

4.5 Noise

This section describes the existing background noise in the vicinity of the proposed project, the noise that would be generated by the proposed facility, and mitigation measures that would minimize noise impacts.

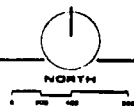
4.5.1 Setting

An acoustical analysis was performed by CH2M Hill (1987) to define existing noise levels in the vicinity of the proposed project and to evaluate the noise impact of the Savage coal terminal on the surrounding community. This analysis is included in Appendix D of this report.

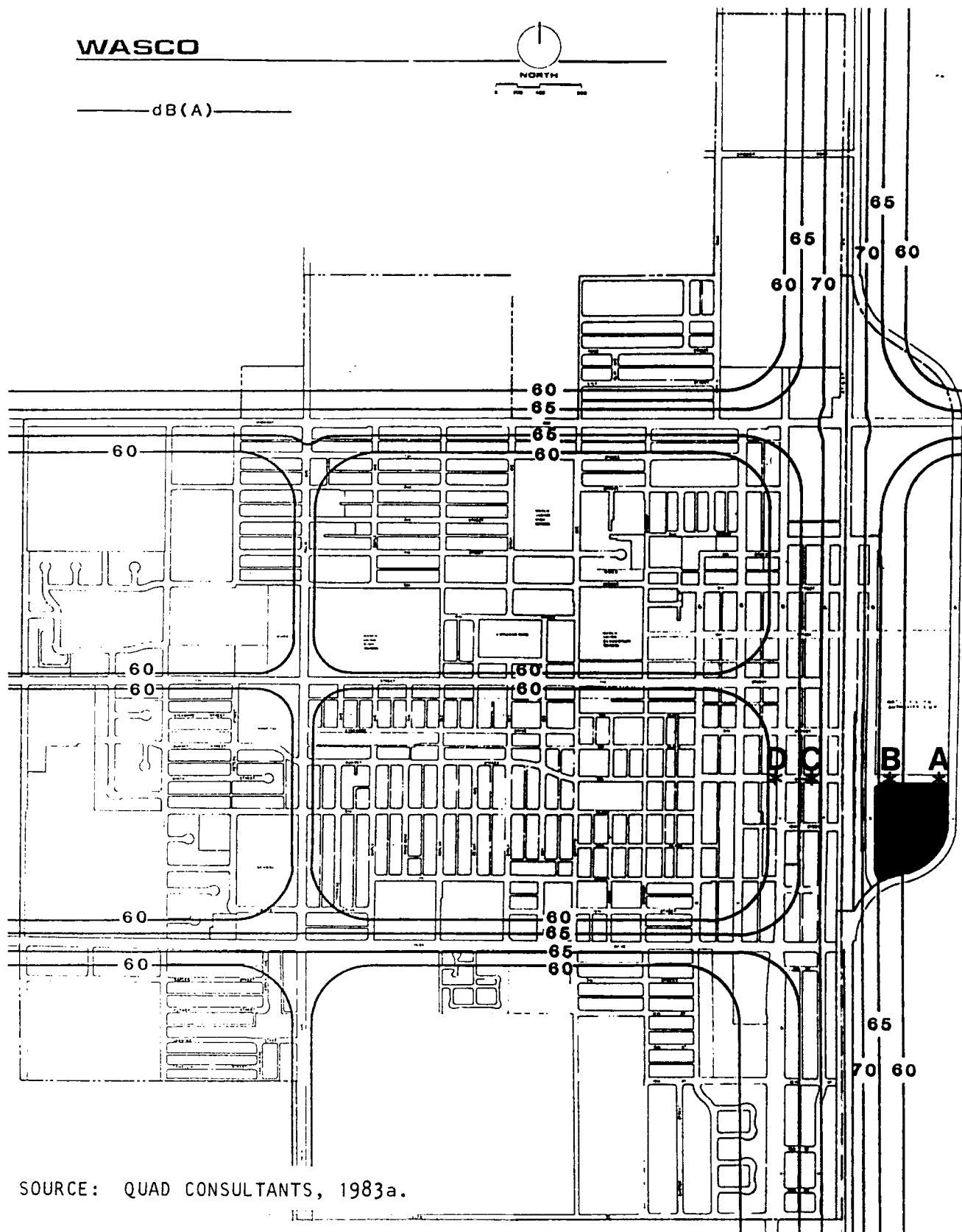
Existing noise levels were determined through a series of measurements at four sites surrounding the proposed project area at various times throughout the day. The results of the measurements generally agreed with the noise contours shown in the noise element of the Wasco General Plan (Figure 4.5-1). Two of the sites (Site A and Site B) were in the area north of the coal terminal. The two other sites were in the area to the west of the coal terminal. The noise levels measured are shown in Table 4.5-1.

Traffic on J Street was observed to be the primary noise contributor at Site A. Site B was affected by noise from traffic on H Street, railroad activity, and local industry. Site C was affected by railroad, industry, and traffic noise. Site D was primarily affected by traffic on F Street.

The city of Wasco uses day-night noise levels, abbreviated as Ldn, for their noise standards. The Ldn is a 24-hour, energy average noise description. A penalty of 10 dBA is added to night (10:00 p.m. to 7:00 a.m.) noise levels. The applicable Ldn standard varies with the land use designation of the noise-receiving property. Several of the pertinent Wasco standards are shown in Table 4.5-2.



-dB(A)-



SOURCE: QUAD CONSULTANTS, 1983a.

FIGURE 4.5-1 EXISTING NOISE CONTOURS

TABLE 4.5-1. EXISTING NOISE LEVELS

Site	Description	Ldn ^a
A	Corner of J Street and Ninth Street	67
B	Corner of H Street and Ninth Street	61
C	Corner of G Street and Ninth Street	62
D	Corner of F Street and Ninth Street	67

^aLdn is a 24-hour, energy average noise description.
Source: CH2M Hill, 1987.

TABLE 4.5-2. CITY OF WASCO NOISE STANDARDS

Land Use	Maximum Exterior Ldn
Residential -- Multi-Family	65
Commercial	70
Industrial	75

Source: CH2M HILL, 1987.

Noise levels were predicted for the major coal terminal noise sources (CH2M Hill, 1987):

- Coal terminal machinery;
- Trucks leaving and entering on J Street;
- Trucks idling and being loaded;
- Railcars being unloaded;
- Locomotive idling, and
- Locomotive moving railcars.

4.5.2 Impacts

Noise would be generated during the construction and operation of the facility. Construction noise would be temporary and would peak intermittently during the work day. During operation of the facility, noise levels above background would be fairly continuous, with elevated levels occurring during the coal traincar unloading process. Essentially all stationary equipment that emits continuous noise would be within enclosures which would act as sound-attenuation devices to reduce noise levels to minimal levels. Other mobile noise sources would be the truck and train traffic involved with the coal transportation. These noise levels were added logarithmically to the existing noise level at each site. These levels were then compared existing levels as shown in Table 4.5-3. Table 4.5-4 provides reference levels of every day noises for comparison.

The only site that would exceed the Wasco Industrial standard is Site D. However, this site already exceeds the standard due to traffic noise. The increase in noise level at this site due to the proposed project noise level would be less than one A-weighted decibel (dBA). An A-weighted decibel is a unit of sound pressure that de-emphasizes the very low and very high frequency components of sound in a manner similar to the response of the human ear. A noise level increase of less than three decibels is generally

TABLE 4.5-3. PROJECTED NOISE LEVELS DURING PROJECT OPERATION

Site	Existing (Ldn)	Future (Ldn)
A	67	69
B	61	68
C	62	67
D	67	67

Source: CH2M HILL, 1987.

TABLE 4.5-4. REFERENCE COMPARISON OF EVERYDAY NOISES

SOUND LEVEL (dBA) ^a	SUBJECTIVE DESCRIPTION	TYPICAL SOURCES
100	Very Loud	Jackhammer, power lawnmower
90		Food blender, subway, truck
80	Moderately Loud	Garbage disposal, diesel train
70		Vacuum cleaner, television
60		Conversation at 3 feet
50	Quiet	Crickets
40		Small-town residential area
30	Very Quiet	Very soft whisper
20		Grand Canyon, concert hall
10	Barely Audible	Less than the electrical noise of sound-measurement instruments

^aA decibel is a unit for measuring the relative intensity of sound. An A-weighted sound level provides a convenient method to identify and compare environmental noises that relate to the way they are perceived by humans. A-weighted sound levels are recognized by the EPA, Federal Highways Administration, and Occupational Safety and Health Administration.

Source: Radian Corporation, 1986.

Inaudible and therefore Inconsequential. In addition, noise levels at Sites A and B would exceed the city's multi-family residential standards.

4.5.3 Mitigation Measures

The proposed facility has been designed to include a number of noise-attenuation features, primarily the enclosure of essentially all the transfer equipment. Any potentially annoying noise sources, such as public address systems or equipment alarms, would be directed towards the interior of the facility to minimize potential impact on nearby residences. Additional mitigation measures have been proposed for the remaining noise sources, primarily truck and train traffic.

The truck noise would be mitigated by lowering the speed limit from 55 miles per hour (mph) to 35 mph along J Street from State Highway 46 to Poso Avenue and providing a deceleration lane. The reduction in speed is expected to significantly mitigate truck noise. The city of Wasco has indicated a willingness to reduce speed limits along this section of J Street. Truck noise would primarily affect Site A. As shown in Table 4.5-3, the projected sound level increase at this site is 2 dBA which would be inaudible and therefore insignificant. The truck traffic would be confined to designated truck routes (QUAD Consultants, 1983b).

The largest noise increase projected, 7 dBA at Site B, would be due primarily to train noise. Although the projected noise level would be below standard limitations, additional mitigation measures have been included in the project to ensure compliance with standards. A monitoring study would be performed during the first year of facility operation at interior and exterior locations in the areas most likely to be impacted by the facility. If noise levels are found to exceed city standards, additional mitigation measures would be imposed to further reduce noise impacts to meet standards, or to be inaudible beyond existing background noise levels, in the event that city noise standards are already exceeded.

Based on the operational noise level increase expected from the facility following application of the proposed mitigation measures, the noise impacts from the facility are not expected to be significant.

Construction noise impacts would also not constitute a significant impact since these impacts would be intermittent and temporary, confined to a 15 month construction period. In addition, all construction equipment would be equipped with operational muffler systems and construction activities would be prohibited between the hours of 9:00 p.m. and 7:00 a.m.

4.6 Land Use

This section provides analysis of the existing land use of the proposed project area. The existing land use setting, potential impacts, and measures designed to mitigate any adverse impacts are described.

4.6.1 Setting

The Savage Coal Service Company's proposed Wasco Coal Transfer Facility would be located on a 12.91-acre parcel (Assessors Parcel No. 30-030-06) on H Street, between Ninth Avenue and J Street, in the city of Wasco, Kern County, California.

The proposed 12.91-acre site is currently in vacant grassland with a few piles of waste concrete and is zoned M-3 for general manufacturing. The general plan designation for the project is Industrial. The property is bounded on all sides by paved roadways: Ninth Street to the north, J Street to the east and southeast, and H Street to the west. The current use of adjoining property is as follows: Wasco Ready Mix, a local cement company, has a facility due south across J Street; the property east of J Street is orchards; the area north of Ninth Street is in residential use as a farm labor housing project; and the area west of H Street consists of rail siding and spurs for various heavy industries. The nearest existing buildings or structures are in the Wasco Ready Mix facility to the south and in a leased area adjacent to the railroad tracks at the north end of the site. The leased area contains an existing building housing light commercial uses. A small strip of land between Ninth Street and the proposed site is currently used by the city and county for asphalt storage for road repairs and thus serves as a buffer to the farm labor housing to the north.

4.6.2 Impacts

This section describes the proposed project's consistency with the city of Wasco's goals and policies, as embodied in the General Plan, zoning

ordinances, and other documents, and compatability with surrounding land uses.

4.6.2.1 Goals, Policies, and Zoning Designation

The city of Wasco has outlined a series of goals and policies to guide the growth and development of the city. This plan identifies the need for increased industrial revenue and employment in the area in order to offset a decline in agricultural employment and to diversify the economic base (Cairns, personal communication, 1987). To promote well-planned industrial development of the area, the city zoning has been used to structure industrial development. Thus, since the project would be in an industrially zoned area, the project would be consistent with the objectives of the General Plan and Zoning Ordinance and would provide increased revenue and employment for the area.

4.6.2.2 Land Use Compatibility

The proposed project would be located in an area designated for industrial development. While some residential areas are located nearby, the dominant character of the project area is industrial. Based on the proposed facility location in an area zoned industrial and current surrounding land uses, the proposed project would be a compatible land use.

4.6.3 Mitigation Measures

No potentially significant adverse impacts have been identified; therefore, no mitigation measures are needed.

4.7 Hazard Potential

This section addresses the risk of upset and the potential for human health risk.

4.7.1 Risk of Upset

The only significant risk of upset at the facility would be a fire resulting from the spontaneous combustion of coal. Spontaneous combustion occurs as a result of rapid oxidation of the available surface area of coal (self-heating) with a resultant temperature increase to a point where, in the presence of adequate available oxygen, combustion is reached (400° F to 450° F). All coal, because it is a reactive organic material, tends to oxidize in the presence of air.

The facility would be engineered with a number of features designed to minimize the potential for spontaneous combustion. The facility would include a monitoring system which would provide quick detection of self-heating in the coal, the first stage of spontaneous combustion. The enclosed storage system proposed for the terminal would also provide a major deterrent to self-heating by virtually eliminating the flow of air through the coal and thus reducing the oxygen available. Positive-sealing knife gates at the feeder outlets would be closed at all times when coal is not being reclaimed so as to prevent the flow of air into the tank. In addition a rectangular glory-hole discharge design would promote mass flow to reduce buildup to "old" coal on the sidewalls of the system, as opposed to a conical design which would promote funnel flow.

A temperature monitoring system would be installed around the base of the glory-hole in areas where air infiltration could initiate the self-heating process. This system would consist of embedded thermocouples which would provide a constant temperature readout to the operator's control room and which would alert the operator should coal temperatures exceed a

redetermined temperature (160° F). This would allow the operator to reclaim suspect coal from the silo and expose it to the open atmosphere to vent any heat build-up.

Another factor involved in spontaneous combustion is the type and condition of the coal. The coal handled in the facility would be western bituminous coals which are less likely to self-heat because of their physical and chemical characteristics than sub-bituminous coals. The facility also has the right to reject old coal, oxidized coal, hot coal, and coal which has a surface moisture level below six percent on an as-received basis. This would provide the manager with the ability to further reduce the potential for hot coal problems.

Control for fires resulting from spontaneous combustion is based on depriving the coal of one of the three precursors to combustion: air, fuel, or heat. The most successful and commonly used technique is cooling the "hot" coal by laying it out in the open atmosphere and mixing or turning it with a front-end loader (stockpile rotation). The applicant actively uses this method (stockpile rotation) at other facilities and believes that, in conjunction with enclosed storage and thermocouple monitoring, this backup measure would essentially eliminate the concern for spontaneous combustion at the Wasco terminal.

Savage (the applicant) proposed the use of a "laydown" pad to accomplish cooling or rotation of hot coal in a controlled environment as part of their air permit application to the Kern County Air Pollution Control District (KCAPCD). The county has approved the use of this system from the perspective of air pollution control, and has authorized its use only to control self-heating and with written notification to the KCAPCD. The process of use would be initiated by the detection of elevated coal temperatures in one of the silo storage systems. Savage would then reclaim the coal into trucks and spread it out on the "laydown" pad for rotation and cooling. The process would require approximately twenty-four (24) hours from initiation

until the coal would be ready to reload into the storage systems. While it is difficult to anticipate if or how many times per year this process might be needed, the potential would be higher in the dry summer months when coal surface moisture would be low. Other facilities owned and operated by Savage where coal is stored in open piles, which carry a much greater risk of self-heating than the proposed Wasco system would, have had to use the laydown pad on an average of once per year (Busch, personal communication, 1987). Based on these figures, laydown pad use at the Wasco terminal is likely to be a less than once per year occurrence.

Methane gas generation during coal storage occurs, in most cases, as a minor byproduct of the oxidation process which exists during self-heating. It is related to incomplete oxidation of carbon and hydrogen and generally occurs at elevated temperatures associated with self-heating. The proportion of methane gas produced as part of the oxidation process is, in general, a function of coal rank and increases as rank decreases. The rank of coal which would be processed through the Wasco facility would be high-volatile B/C Bituminous, which is the highest ranking coal in the western United States. It has one of the lowest potentials for generation of methane of all western coals.

The facility engineering and monitoring systems incorporate features which would reduce or virtually eliminate the potential for significant methane generation during storage. Each of the storage systems would be vented through a baghouse which would act to further reduce the potential of buildup of methane. Additionally, Mine Safety and Health Administration (MSHA) guidelines regarding methane detection in all man ways would be implemented to meet the federal standard.

Due to dust and spark control measures designed into the proposed facility, the risk of a coal dust explosion would be minimal. Coal dust explosions occur when accumulated dust is exposed to a spark source. Enclosed

coal handling and transferring areas vented to baghouse particulate collectors and housekeeping operations would control dust at the facility. Metal detectors on the conveyor system would remove foreign objects that could trigger a spark.

4.7.2 Human Health Risk

Coal typically contains trace amounts of various metals that were deposited along with the organic sediments from which the coal was formed. Coal dust is not a source of other toxic materials such as dioxins, furans, and various organic compounds. Coal dust, if inhaled in large quantities can also produce pneumoconiosis, commonly known as black lung disease.

Human health risk potential related to metal or toxic air contaminants that might be contained in fugitive coal dust emissions has been considered. However, with the enclosure of all transfer points and the use of high-efficiency fabric filters for dust removal, the rate of coal dust emissions from the facility would be very low (less than 16 lb/day).

4.7.3 Impacts

The facility design and safety systems should minimize the risk of serious upset or fire. In the event that a fire should occur at the facility, adequate fire response personnel and equipment are available at County Fire Department Station No. 31 to handle an incident (see Section 4.10 for further discussion of fire protection). Coal combustion, however, would be primarily controlled by the facility operator through the use of the laydown pad, rather than through Fire Department procedures.

If preventive measures fail and smoldering coal is encountered in the storage systems, coal reclamation and laydown would occur and, in most cases, would be the primary method of extinguishing the hot spots. If there

is any need for water cooling of the coal, it would be done at the laydown area and would be confined to only that portion of the coal which is smoldering. Thus, water flows would be limited and would be used in conjunction with turning the coal. Impacts to the residential area to the north of the facility would be limited to a temporary increase in dust during the laydown and reclamation period and some noticeable sulfur-based odor, which is common when smoldering of coal occurs. Both of these impacts would be limited with the use of water sprays and would persist only for the duration of the cooling process, approximately 24-hours. Smoldering coal would be encountered with much less frequency than hot spots requiring laydown pad use and this scenario would therefore be extremely rare.

Coal dust emissions from the proposed facility would be very low during normal operations because all transfer points would be enclosed and under negative pressure. All air streams would be vented through fabric filters with removal efficiencies between 90 and 99.9 percent. The facility is expected to emit less than 16 pounds per day (lb/day) of particulate matter from coal dust (Kern County Air Pollution Control District, 1986), which is well within allowable limits of the Kern County Air Pollution Control District (facility air emissions are discussed further in Section 4.2).

Increased emissions of coal dust would occur during use of the laydown pad; however, use of the pad is expected to be a rare occurrence (less than once per year). Use of the pad would be costly and time-consuming process and would only be used during an emergency necessary prevent combustion of the stored coal. Because of use of the laydown pad would be a short-term, intermittent event, no significant health effects would be expected due to inhalation of coal dust from this operation.

Chronic exposure to toxic metals from coal dust emissions from the plant would not result in a significant human health impact because the emission rates would be extremely low. The proposed project incorporates Best Available Control Technology (BACT) for dust control. Occasional elevated

coal dust emissions may occur during use of the laydown pad. Significant effects are not expected from these events because they would occur very infrequently (less than once per year) and would last less than 24 hours.

4.7.4 Mitigation Measures

As discussed above, measures have been provided which would mitigate potential adverse impacts due to risk of upset or inhalation of coal dust. These measures include:

- Construction of coal storage facilities to minimize self-heating;
- Constant monitoring of stored-coal temperature;
- Design of silos to prevent buildup of "old" coal;
- Construction of a laydown pad which would be used to cool and turn coal in the event a hot spot develops;
- Sweeping of dust from site surfaces to minimize coal dust collection;
- Proper ventilation of storage systems;
- Metal detectors on conveyors to remove spark sources;
- Enclosure of all transfer and conveyance points with air streams vented through fabric filter collectors to remove greater than 90 percent of the entrained particulates. The collected dust would be pneumatically conveyed and loaded out with the coal.

- Compliance with all maintenance, inspection, and source testing conditions required by the Kern County Air Pollution Control District in the Authority to Construct issued for the proposed project (28 April 1986) (KCAPCD, 1986), with all conditions required by the Kern County Fire Department, and with Mine Safety and Health Administration guideline regarding methane detection.

4.8 Socioeconomics

This section describes the socioeconomics of the project area. The potential impact of the proposed project on socioeconomics is described, along with measures designed to mitigate any adverse impacts.

4.8.1 Setting

This subsection discusses the current population, housing, and employment situation in the vicinity of the proposed project.

4.8.1.1 Population

The proposed project would be located within the city of Wasco in Kern County. Kern County has a total population of 496,200, while the population of Wasco is 11,050 (State Department of Finance, 1987). Wasco's population represents 2.2 percent of the county total. In 1980, Wasco's population was 9,613, 2.4 percent of the total county population of 403,089 (U.S. Bureau of the Census, 1980). The population increases of 14.9 percent and 23.1 percent for Wasco and Kern County, respectively, from 1980 and 1987 are greater than the nine-percent overall, five-year growth rate in California.

The Kern County population is expected to reach 548,000 by the year 1990, a 10.4 percent increase over the current population (Bergdahl, personal communication, 1987). A 9.5 percent increase between 1987 and 1990 is expected for the city of Wasco, to a population of 12,100 (Quad Consultants, 1983a).

4.8.1.2 Housing

The number of housing units in Wasco has shown a steady increase from 1980 to 1987 with a fairly low vacancy rate. Table 4.8-1 shows the

TABLE 4.8-1. WASCO HOUSING DATA

YEAR	NUMBER OF UNITS	NUMBER OCCUPIED	PERCENT VACANCY
1980	3164	3001	5.2
1981	3309	3104	6.2
1982	3401	3194	6.1
1983	3507	3302	5.9
1984	3588	3378	5.9
1985	3645	3456	5.2
1986	3670	3534	3.7
1987	3669	3498	4.7

Source: Walter Cairns, personal communication, 1987.

number of housing units and occupants and the percent vacancy rates for the city.

4.8.1.3 Employment

Unemployment in Wasco has increased sharply since 1970 from 7.59 percent unemployed to 22.8 percent unemployed in 1986. This is well above the current 7 percent statewide average and is primarily due to a decline in the agriculture industry. In 1980, 3,498 people were employed out of 4,141 people eligible (15.5 percent unemployment) verses 4,150 people employed out of 5,378 eligible in 1986 (Cairns, personal communication, 1987).

4.8.2 Impacts

The proposed coal terminal would not have an adverse impact on community socioeconomic conditions. It would provide a slight benefit by adding approximately 25 direct jobs and up to 75 additional indirect (service-related) jobs (City of Sanger, 1986), and increasing tax revenue for the area. Employees would be hired from the local labor force if possible. No significant change in population would be expected due to the proposed project.

4.8.3 Mitigation Measures

Since the impacts of the proposed project would be positive and minor, no mitigation measures are proposed.

4.9 Transportation/Circulation

This section describes the existing traffic in the project area. The potential impact of the proposed project on traffic is described, along with measures designed to mitigate any adverse impacts.

4.9.1 Setting

There are three main arterials in the Wasco area: State Highway 46 connects the community with Freeway 99 to the east, Interstate 5 and coastal communities to the west; State Highway 43 is the main north-south route; and, extending through the central business district, Seventh Street is the primary east-west street used by local residents.

Average daily traffic (ADT) volumes along roads and streets in the Wasco area are listed in Table 4.9-1. Figure 4.9-1 shows the locations of the major streets in Wasco. Truck traffic to the facility would enter town on State Highway 46, turn south on State Highway 43 and enter the facility from J Street. Trucks leaving the facility would exit on H Street, then turn left on J Street and continue out of town to the north.

Most streets and roads in the Wasco area are in good paved condition. Approximately 53 percent of the city's streets are asphaltic concrete. The remaining streets and alleys are oiled sand composition, and 98 percent of the alleys are so composed. Some streets and roads on the fringe of the community are designed to rural standards and do not have curbs, gutters, sidewalks, or urban street lighting.

Soils in the Wasco area do not create any street or road construction constraints. "R" values for road design have varied from 20 to 70, varying according to the silt-sand ratio in a given locality. Also, no expansive soils (clays) have been discovered in the Wasco area.

TABLE 4.9-1. WASCO AVERAGE DAILY TRAFFIC (ADT)

ROUTE AND LOCATION	1983
Palm Avenue	
S/O Highway 46	3,102
N/O Highway 46	540
S/O Filburn	1,950
N/O Seventh Street	3,847
S/O Seventh Street	4,446
N/O Poso Avenue	3,066
Poso Drive	
E/O Palm	1,509
W/O Palm	2,216
W/O Central	790
E/O Palm	500
7th Street	
W/O Central	350
W/O Griffith	5,418
E/O Griffith	5,575
W/O Palm	1,472
E/O Palm	5,433
Griffith	
N/O Seventh Street	884
S/O Seventh Street	966
N/O Jackson	300
Highway 46	
W/O Palm	4,700
E/O Palm	4,500
W/O F Street	7,000
E/O F Street	6,000
E/O Highway 43	2,900
Highway 43	
S/O Highway 46	6,600
N/O Highway 46	2,900
N/O Poso	5,400
S/O Poso	5,100

Source: QUAD Consultants, 1983a.

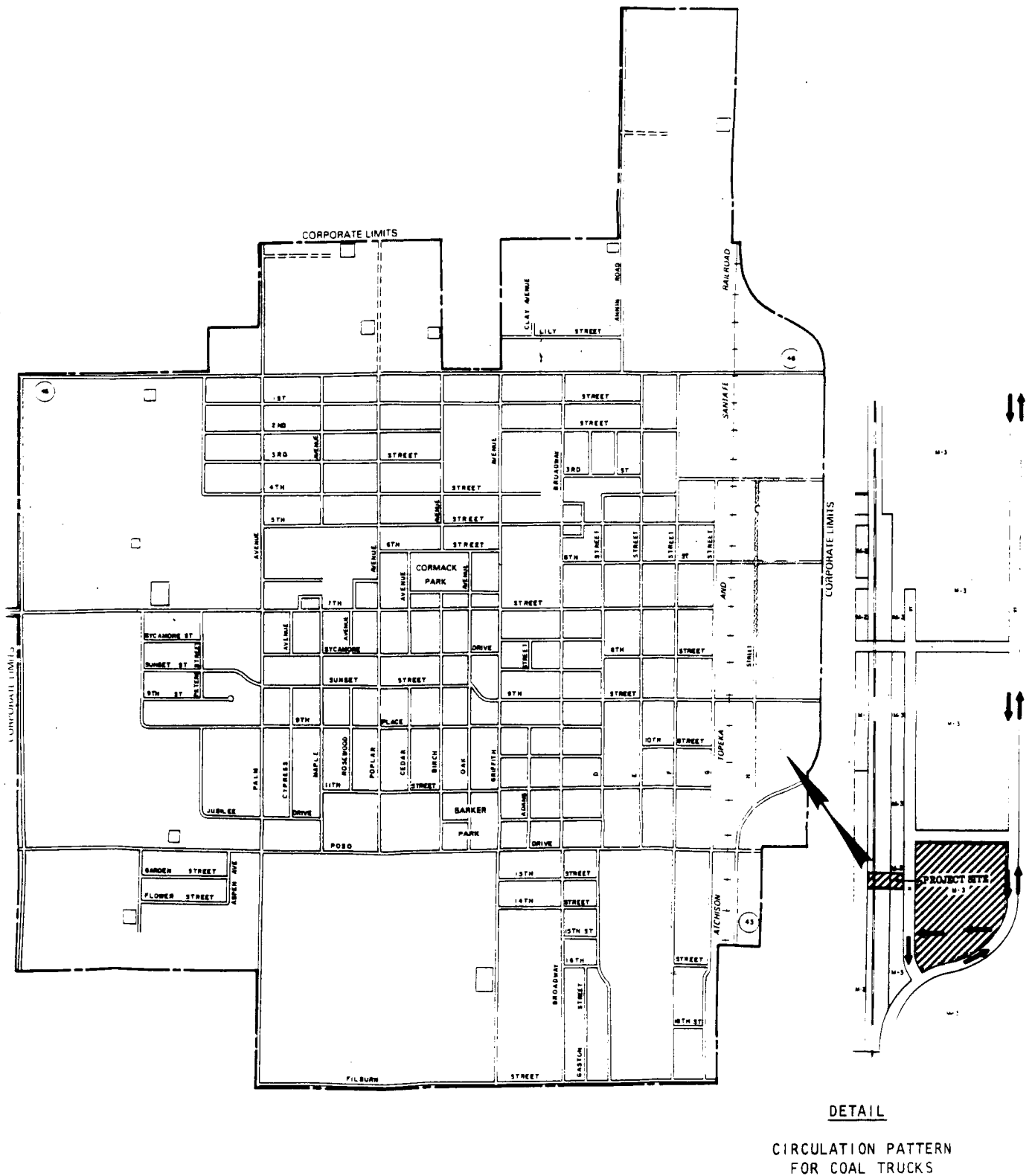


FIGURE 4.9-1 WASCO STREET LOCATIONS

The city resurfaces approximately one mile of oiled sand streets and one-half mile of oiled sand alleys each year. The city has an ongoing program for maintaining asphaltic cement streets, including filling of cracks and application of "chip seals" and reclamite. The city plans to eventually phase out all oiled sand streets.

Other transportation facilities in the Wasco area include the Atchison, Topeka and Santa Fe (AT&SF) Railway line; 15 motor truck lines plus independent drivers; Kern County Airport, Meadows Field in Bakersfield (25 miles southeast), Kern County Airport No. 5 (one mile north); Orange Belt Stagelines, and City of Wasco Dial-a-Ride (QUAD Consultants, 1983a). The AT&SF line serves two daily passenger trains, as well as daily freight trains.

4.9.2 Impacts

The project is expected to increase truck traffic in the Wasco area by an average of 3.5 truck loads per hour for the base case of 600,000 tons throughput per year or 5.3 loads per hour at 900,000 tons per year. These numbers are based on a 20-hour work day. This represents an additional 140 Average Daily Traffic (ADT) for the base case or an additional 212 ADT at 900,000 tons per year throughput. The majority of the truck traffic would be on J Street. J Street is a designated truck route (QUAD Consultants, 1983b).

The increased truck traffic would not increase area traffic patterns significantly. However, the increased load on the nearby roads is expected to cause some adverse effects on the road condition (Ysusi, personal communication, 1987). The Wasco School District has expressed concern that the coal trucks and trains may create a potential safety hazard for school children since the truck and train routes intersect school bus routes. Project-related train traffic is not expected to significantly increase existing train traffic levels or adversely effect any other area transportation system.

4.9.3 Mitigation Measures

In order to mitigate any adverse impacts caused by the coal trucks on area road conditions, Savage Coal Service Corporation, in consultation with city officials, has agreed to participate in upgrading area roads. Savage would pay the portion of the cost associated with upgrading J Street. Savage would install a deceleration lane, curb and gutter, and sufficient new paving to maintain proper slope and drainage, up to a new half-street out to the centerline of J Street along a portion of the property frontage. This half street would be $TI = 10$. (TI stands for traffic index and is a design specification related to load capacity). Savage would also pay part of the cost to upgrade the remainder of the truck route on J Street from $TI = 8$ to $TI = 10$ when it is next reconstructed.

Truck traffic would exit the facility on H Street, then turn left onto J Street. A turn lane would be provided from the intersection of H and J Street to the facility exit. If necessary, Savage would bear the costs of any road widening needed to accommodate the turn lane plus north-south lanes to assure the coal trucks an adequate turn radius. A qualified traffic engineer would be retained to evaluate requirements for this section of road. The applicant would be required to comply with city-approved recommendation of this evaluation.

The following factors and mitigation measures would mitigate potential safety hazards.

1. School bus and truck traffic interfacing mitigations.

- The speed limit on J Street from State Highway 46 to Poso Avenue would be lowered from the present 55 mph to 35 mph. The city of Wasco has indicated a willingness to lower the speed limit along this route.

- The same section of road would be designated No Passing.
- Savage trucks would start their slowdown to make the entrance into the coal storage facility prior to the Ninth Street intersection. A deceleration lane would be constructed from the property boundary at Ninth Street to the facility entrance.
- Savage would participate in proper cautionary signing (posting) (i.e., Truck Crossing, School Bus Crossing, etc.).
- Savage trucks would be equipped with two-way radio communications to facilitate tracking of school bus movement, helping to smooth the flow of both truck and bus traffic.
- School bus movements would take place during daylight hours, thus providing good visibility between trucks and buses. Savage drivers would keep apprised of school bus delays or schedule changes due to fog.
- The truck haul routes would be located well away from any school bus pick-up points. This would greatly decrease the exposure of students to trucks.
- Only two buses, No. 4 and No. 2, have cross traffic (lefthand turn) patterns with interface routes. The remaining buses turn with traffic (righthand turns). The areas of cross traffic patterns are at Sixth and J Street and at State Highway 46 and J Street. Both locations are controlled by a stop and have excellent visibility in both directions.
- The truck traffic frequency for J Street would be 3.5 loads per hour at the base case of 600,000 tons per year or 5.3 loads per hour at the maximum case of 900,000 tons per year. This would not increase traffic significantly along the haul routes.

- The haul truck schedule would be adjusted to shift the interface period ahead or behind so as to minimize the number of trucks in town during school bus activity. All of the bus schedules cannot be avoided but coordination would reduce the frequency of interaction at peak times.
- Channels of communication would be opened between the school board's school bus personnel and Savage to enable the channeling of information on schedules and/or safety-related concern to those persons affected.
- Savage would maintain a staff of drivers that are professional and safety conscious. Drivers hired by Savage would meet the following qualifications:
 - Minimum age of 25 years
 - Two years of driving experience
 - Possess a clean driving record, as documented by Department of Motor Vehicles (DMV) printout
 - Pass a Department of Transportation (DOT) written exam
 - Pass a company- and DOT-approved physical exam and substance abuse screening
 - Compliance with all DOT requirements and regulations.

Savage drivers would also receive training both at the beginning and during the course of employment. The initial course would be the National Safety Association Professional Driver Improvement Course, an eight-hour course similar to the Defensive Driving Course but intended for professional truck drivers. The school bus interface and additional topics would be addressed early on in monthly safety meetings.

2. Students and railroad activities mitigation.

- Savage Coal movements would not cause any increase in the speed of through-town train traffic. The 84-car loaded train would come to the area from the south and would be stored on a side track south of Poso Avenue.
- All Savage-controlled train car movements would be maintained at speeds of less than 10 mph. This would entail the movement of 14 to 21 cars from the storage track across Poso Avenue to the unload facility.
- Savage proposes to work with the railroad to provide appropriate information and hazard training to advisors and students.

These items are expected to mitigate traffic impacts to insignificant levels.

4.10 Public Services and Utilities

This section describes the public services and utilities in the project area. The potential impacts of the proposed project on public services and utilities are described, along with measures designed to mitigate any adverse impacts.

4.10.1 Setting

This subsection describes the public services and utilities provided to the project area, including fire protection, solid waste disposal, wastewater disposal, water supply, flood control, and natural gas supply.

4.10.1.1 Fire Protection

Fire protection would be provided by the County Fire Department, Station No. 31. This station, located at 2424 Seventh Street, was completed in July 1983. The maximum expected time of arrival from the station at any Wasco emergency is approximately two minutes (QUAD Consultants, 1983a). The station is manned around the clock by one captain, two engineers, and one firefighter. Equipment at the station consists of two 1,000-gallon patrol vehicles and three engines. If necessary, personnel and equipment from other stations would respond to an incident at the proposed coal terminal, up to a total of 10 firefighting personnel at the response (Cantleny, personal communication, 1987).

4.10.1.2 Police Protection

Police protection would be provided by the Kern County Sheriff's Department which has been contracted by the city of Wasco for police services and which is headquartered at the northeast corner of Eighth and F Streets, approximately 0.25 miles from the proposed project. The police department employs 19 sworn police officers and four non-sworn office personnel (Hendrickson, personal communication, 1987).

4.10.1.3 Solid Waste Disposal

A small amount of solid waste (commensurate with 25 employees) would be produced by the project. The coal receiving, storage, and loadout operations would not generate solid waste. Solid waste disposal would be provided by the city of Wasco. Refuse would be disposed of at the Kern County refuse disposal site, located approximately 10 miles south of Wasco. This site has been estimated by Kern County to have sufficient capacity to serve the Wasco area through the year 2016. At present, the city of Wasco operates three mechanized container-pickup refuse collection trucks, utilizing six employees. Three routes cover the city, affording two pickups per week (QUAD Consultants, 1983a).

4.10.1.4 Wastewater Disposal

The city of Wasco's public sewer system would be used for disposal of sanitary wastewater. An eight-inch sewer trunk line would be installed under J street to connect the facility with the existing system. The trunk line would be constructed in accordance with Wasco Public Utility District (WPUD) specifications and requirements. Savage would incur any costs associated with sewer line extensions. The WPUD operates the community sewerage and sewage treatment facilities. The system is composed of collection lines up to 12 inches and a 15-inch interceptor line that carries the effluent to the sewage treatment plant, two miles west of the corporate limits at the terminus of Seventh Avenue (QUAD Consultants, 1983a).

4.10.1.5 Water Supply

Water would be supplied by the city of Wasco Public Utilities District through an existing six-inch trunk line. The WPUD supplies water to approximately 3,001 housing units within the 990-acre district. The water supply for the city is obtained from seven wells with a combined capacity of 8,347 gallons per minute (gpm). Three of the wells have auxiliary power

diesel engines with a combined capacity of 1,782 gpm. The average capacity of an individual well is 763 gpm.

The water system has a 100,000-gallon elevated storage tank which is used for reserve pressure and capacity. Water is delivered to the system from the wells with a pressure range of 45 to 50 pounds per square inch (psi) and is distributed through 4-, 6-, 8-, 10-, and 12-inch diameter pipes.

Total annual water consumption for Wasco has been estimated to be 2,930 acre-feet in 1982, according to WPUD usage records. Actual daily and annual records are not available as the district does not meter either well discharges or individual services. Residential water consumption has been estimated at 2,390 acre-feet per year or 6.5 acre-feet per day, approximately 82 percent of the total 1982 city water usage (QUAD Consultants, 1983a).

4.10.1.6 Flood Control

The proposed project is located in an area that is not floodprone and is not within a 100-year flood plain.

4.10.1.7 Natural Gas Supply

The Southern California Gas Company (SCG) owns and operates the local community natural gas distribution system. According to SCG officials, there are no current peak load or pressure deficiencies (QUAD Consultants, 1983a).

The project would require minimal amounts of natural gas for domestic space and water heating.

4.10.1.8 Electricity

Electrical power would be provided by Pacific Gas and Electric Company (PG and E). According to PG and E, the existing trunk and transmission facilities are adequate to meet current demand and demand resulting from additional growth in the Wasco community (McClue, personal communication, 1987). PG and E requires that developers install adequate distribution facilities at the time of development. Approximately 60,000 kilowatt-hours per month maximum would be required by the project.

4.10.2 Impacts

This subsection discusses potential project impacts on area public services.

4.10.2.1 Fire Protection

The proposed project would not have a significant adverse impact on the ability of the Kern County Fire Department to provide adequate fire protection service to the area (Cantienny, personal communication, 1987). Acquisition of new equipment or personnel by the fire department would not be necessary to provide service to the proposed facility.

Building plans for the facility would be reviewed by the Kern County Fire Department to ensure that the fire system is adequate. Required maintenance, equipment, and design as specified in the Kern County Fire Department letter of 20 July 1987 (Cantienny, personal communication, 1987) would be implemented (See Section 4.10.3.1).

4.10.2.2 Police Protection

The proposed project would not require an increase in law enforcement personnel (Dixon, personal communication, 1987).

4.10.2.3 Solid Waste Disposal

Domestic solid waste in volumes commensurate with 15 to 25 employees working at the facility would be generated. This small quantity of solid waste would not have a significant impact on the city of Wasco's solid waste disposal system. Dust sweepings and oil and solids collected in the industrial receptor system would be disposed of by a licensed contractor at a landfill or other site approved to accept waste oil and collected solids.

4.10.2.4 Wastewater Disposal

Approximately 650 gallons per day of sanitary wastewater would be generated by the project. Process wastewater would not be generated by the project on a routine basis. The disposal of sanitary wastewater generated by the 25 facility employees would not have a significant impact on the city sewer system.

4.10.2.5 Water Supply

Fifty percent of the water used at the facility would be for domestic purposes (washing, drinking, etc.), 20 percent for industrial purposes (minimal washdown of trucks), and 30 percent for landscaping purposes. Vacuum cleanup rather than water washdown would be used to clean operational areas to conserve water. The receiving, storage, and loading areas would be enclosed and the air streams vented through fabric filters to minimize dust and cleaning requirements. The estimated water need of the project is 900 gallons per day. This represents an approximate increase of 0.03 percent over Wasco's current use. Project development would not adversely impact the city of Wasco's water supply. Discussion of ground-water conditions is provided in Section 4.3.1.3 of this report.

4.10.2.6 Flood Control

The project area is flat and not floodprone. The city storm sewer would be adequate to handle runoff from the project site and, consequently, no adverse impacts to flood control would result from the project. Savage would pay storm drain fees to mitigate costs of expansion of the city's storm drainage facilities to accommodate urban growth.

4.10.2.7 Natural Gas Supply

Minimal usage of natural gas for space and water heating would be required by the project. The Master Environmental Impact Report for the city of Wasco (QUAD Consultants, 1983a) states that full development of the city of Wasco would not cause any adverse impacts to the Southern California Gas Company's ability to provide natural gas for the community. The small amount of natural gas required by the proposed project would not impact Southern California Gas Company's ability to accommodate urban growth and provide natural gas to the community.

4.10.2.8 Electricity

The maximum electricity use anticipated for the proposed project would be 60,000 kilowatt hours per month. This usage would not adversely impact PG and E's facilities or operations in the Wasco vicinity (McClue, personal communication, 1987).

4.10.3 Mitigation Measures

This subsection discusses mitigation measures proposed to reduce project impacts to public services in the area.

4.10.3.1 Fire Protection

Measures as specified by the Kern County Fire Department would be taken to substantially reduce the fire risk associated with the proposed facility. These requirements, as specified in a 20 July 1987 letter from the Kern County Fire Department (Cantieny, personal communication, 1987) would include:

- All buildings, structures, and equipment for housing and handling coal would be of non-combustible construction.
- Construction would minimize areas where coal dust can accumulate and access would be provided for cleaning or washing down areas. The coal receiving, storage, and load-out areas would be enclosed and under negative pressure, where possible. These areas would be vented through fabric filters that would remove dust with greater than 90 percent efficiency.
- Explosion venting, self-closing doors, and drain systems would be provided where required.
- Storage of coal would be limited to a short duration. The storage silos have been designed to reduce buildup of "old" coal on the sidewalls of the system.
- Means would be provided to removal burning, wet, or smoldering coal. This would include access to material plus equipment. The project would include a "laydown pad" where coal could be cooled in the event that hot spots develop. In addition, storage silos would be designed and sized to minimize the development of hot spots and would provide means to continuously monitor coal temperatures.

- Every building or room where dry coal would be processed or handled would be provided with approved portable multipurpose fire extinguishers in accordance with NFPA 10.
- Conveyor belts would have a fixed fire suppression system.
- NFPA 14 would be used to provide hose systems.
- Training and housekeeping procedures would be a regular part of process.
- Automatic detection for foreign objects would be provided at initial loading of conveyors.
- Belt conveyors would be:
 - Designed to resist ignition.
 - Provided with a device arranged to automatically shut off driving power in the event of a belt slowdown.
 - The hydraulic system for belt alignment would use only fire retardant hydraulic fluids or would be protected by automatic fire protection.
 - Means would be provided to remove tramp metal and other foreign objects as soon as possible.
- NFPA 120 Standards for Coal Preparation Plants would be enforced.
- On-site hydrants and/or monitors would be provided. Hydrants would be able to provide 1500 gpm at 20 psi for four hours. The hydrants would be maintained by approved personnel.

By properly operating and maintaining the facility and its emergency response equipment, the possibility of an incident requiring Kern County Fire Department response would be minimized.

4.10.3.2 Police Protection

No mitigation measures are required because the project would not cause an increased need for police protection.

4.10.3.3 Solid Waste Disposal

No mitigation measures would be necessary to minimize solid waste disposal impacts because any impacts attributable to the facility would be insignificant.

4.10.3.4 Wastewater Disposal

Any impact from sanitary wastewater disposal would be mitigated by proper sizing and construction of the sewer system connection currently proposed.

4.10.3.5 Water Supply

Vacuum cleanup would be used to minimize water use for the project. The water needs of the coal terminal would not significantly impact the Wasco ground-water supply. Therefore, mitigation measures are not necessary.

4.10.3.6 Flood Control

The proposed project site is located in an area that is not floodprone. Also, any impacts to area flooding resulting from construction of

the proposed facility would be mitigated by the project's stormwater drainage system described in Section 4.10.2.6.

4.10.3.7 Natural Gas Supply

No mitigation measures are necessary since no significant impacts to Southern California Gas Company's ability to supply natural gas to area customers are expected.

4.10.3.8 Electricity

No mitigation measures are necessary since no significant impacts to Pacific Gas and Electric Company's ability to supply natural gas to area customers are expected.

4.11 Natural Resources and Energy

The coal terminal would not, by itself, significantly increase the rate of use of natural resources, fuel, or energy. It would facilitate the use of coal by other users but would not directly cause this use. The use of abundant domestic coal as a fuel source promotes state and federal objectives of reducing dependency on foreign oil and energy reserves, while reducing the rate of use of limited domestic oil and gas reserves. The facility would not have a significant adverse impact on natural resources or energy.

4.12 Aesthetics

This section describes the current visual setting of the proposed project area, potential aesthetic impacts of the proposed project, and measures designed to mitigate adverse impacts.

4.12.1 Setting

The visual character of the Wasco area is typical of the southern San Joaquin Valley. The area is very flat with no significant topographical features visible from the project site. The visual character of the surrounding area is mixed, dominated by the Wasco Ready Mix cement plant to the south and the rail siding and spurs to the west. Agricultural uses predominate to the east.

The project site is currently dominated by vacant land, with a few waste concrete piles and a corrugated metal building near the northwest corner. To the north, an asphalt storage area abuts the site.

4.12.2 Impacts

Portions of the coal transfer system would be underground and thus not visible. The main facility components which would be visible would be four 11,000-ton coal storage silos (about 110 feet tall), a truck loadout tower (about 55 feet tall), and a single-story office building. An artist's rendering of the facility is shown in Figure 4.12-1.

The coal storage silos would initially be highly visible from H, J, and Ninth Streets. Only the city water tank to the northwest is a taller structure. As vegetation surrounding the site matures, much of the area would be screened from nearby locations. However, the tops of the silos would still be visible up to a distance of several miles. The coal silos would be partially visible from most of the Wasco area, including the downtown section.



FIGURE 4.12-1 ARTIST'S RENDERING

4.12.3 Mitigation Measures

While it would be impossible to totally eliminate views of the site, several mitigation measures would be adopted to partially screen the structures and to enhance the appearance of the site. The landscaping plan would be in conformance with the requirements of Wasco's zoning ordinance (Walter Cairns, personal communication, 1987). Mitigation measures that would be implemented include:

- A visual analysis would be performed by a landscape architect or other visual planner to develop the most effective landscaping plan to mitigate the visual effects of the project. Savage would be required to comply with all provisions of the city-approved mitigation plan developed from this study.
- The project would comply with all landscaping requirements as specified in the city zoning ordinance.
- Buildings, tanks, and coal silos would be painted a flat, earthtone color with consideration to colors that would reduce heat transfer to the tank and silo interiors.
- The coal terminal would be subject to a vigorous maintenance program which would ensure that the facility stays well-painted and maintained. The maintenance plan would be reviewed and approved by the city.
- Lighting attached to any structure would be directed to the interior of the site to minimize light and glare impacts to travelers on Ninth, J, and H streets and to residences to the north of the site.
- Sodium lights would be used instead of mercury lights to reduce glare.

- Light standards within any on-site parking areas and interior driveways would be no higher than 12 feet and directionally shaded to reduce glare.

Given the project location in an industrial zone, these mitigation measures are expected to reduce the aesthetic impact of the facility to a nonsignificant level. The project would visually blend with expected future development in the surrounding areas.

4.13 Cultural Resources

This section describes the existing cultural resources in the project area. The potential impacts of the proposed project on cultural resources are described, along with measures designed to mitigate any adverse impacts.

4.13.1 Setting

In general, the San Joaquin Valley floor has low archaeological sensitivity because intense urban development has destroyed most evidence of archaeological resources. Also, since all surface deposits in Wasco are recent lacustrine alluvium, there is no likelihood that any significant paleontological resources are present or would be disturbed if additional urbanization were to occur (QUAD Consultants, 1983b).

The following discussion of cultural resources in the project area is based on a letter dated 24 July 1987, submitted by the California Archaeological Inventory, Central San Joaquin Valley Information Center, at California State College, Bakersfield (see Appendix E). No indication of prehistoric or historic cultural resources has been recorded on the project site or within its vicinity. The project area is considered to be of low archaeological sensitivity due to previous impacts from surrounding developments.

4.13.2 Impacts

The project is not expected to impact cultural resources since none have been identified in the project vicinity.

4.13.3 Mitigation Measures

The California Archaeological Inventory recommends that an archaeological survey of the site is not necessary at this time. If

archaeological materials are encountered during project construction, the on-site personnel would avoid altering the material and its context until a qualified archaeologist is retained to evaluate the finds and propose recommendations for protection of the resources.

5.0 OVERVIEW

This section provides a summary of mitigation measures included as part of the proposed project to minimize adverse impacts. The no-project alternative is also discussed.

5.1 Summary of Mitigation Measures

This section summarizes the measures proposed to mitigate potential adverse impacts which have been included as part of the proposed project.

Geology and Soils

- All structures would conform at least to the Seismic Zone 3 requirements of the Uniform Building Code, which requires "earthquake resistant" construction measures. The project structures would be designed to withstand groundshaking due to maximum expected earthquake at the site without collapse.
- The city of Wasco reserves the right to review all structural engineering through a qualified engineer of the city's choosing, the cost of which would be reflected as an additional charge in the building permit.
- The conveyor tunnel sections would be designed as short pipes with flexible, watertight connections at each joint. This would mitigate the effects of differential settlement along the reclaim tunnel.
- Settlement underneath the coal storage silos would be mitigated by the placement of concrete foundations at least 12 inches

below the lowest adjacent final grade. A maximum allowable bearing capacity of 3,000 pounds per square foot (psf) would be used for all structures.

- Landscaping in the form of ground cover, trees, and bushes as approved by the city of Wasco would be used to mitigate increases in runoff and erosion in areas not covered by structures or paving.

Air Resources

- Mitigation measures to control fugitive dust emissions would consist of totally enclosed storage systems, enclosed railcar unloading, covered conveyor systems, and baghouse dust control at appropriate points, construction dust would be controlled with a water spray in accordance with applicable regulations. In addition, the city of Wasco retains the right to initiate revocation of the CUP in the event the facility is out of compliance with KCAPCD conditions. The ATC permit issued for the project would require testing of the facility following construction. All KCAPCD conditions must be met before a Permit to Operate (PTO) would be issued for the project.
- The bottom dumper (No. 1) would be enclosed in a building with curtains on the ends where the railcars enter and exit. Separate dust collection systems would be used to collect particulates from the two sides of the railcar during unloading. Air from both dust collection systems would exhaust through a baghouse.
- All of the transfer points would be fully enclosed and exhaust to a baghouse dust collection system.

- All aboveground conveyors would be equipped with covers. Belt scrapers and collection pans would be provided, as needed, along return belt areas. There would be no open storage of coal during normal terminal operations. Coal would be transferred directly from conveyors into enclosed storage bins.
- The feeders and most of the reclaim conveyor are located underground. The other transfer emission point would be located at the surge bin and would be totally enclosed and vented to a baghouse. Connections between the surge bin, the weigh bin, and the loadout chute would be sealed.
- Trucks would be loaded inside a structure enclosed on two sides. Each truck would have canopies to prevent coal losses during transport. During loading, the canopies would be opened just wide enough to allow the loadout chute to enter as the truck pulls up to the loading area. The bottom of the chute would be positioned just below the top of the canopy, producing a partial enclosure. The trailer bed would slope toward the center from both the front and rear. Coal loading would begin on the slope at the front of the bed to minimize the drop height.
- All on-site roads with truck traffic, including the staging area, would be paved to reduce dust generation. Sweeping would be used, as needed, to remove dust buildup on the on-site roadway.

Water Resources

- The proposed project would be required to locate and install an eight-inch sewer trunkline under J Street in accordance to the

specifications and requirements of the Wasco Public Utilities District.

- Monthly checks of the domestic water supply to the facility by the Wasco Public Utilities District shall be permitted to ensure that water quality standards are met.
- Proper expansion of new storm drainage facilities to serve areas not presently developed would mitigate any drainage problems that would result from urban growth in Wasco. Continued collection of storm drain fees would assure expansion and maintenance of the system.
- Mitigation measures include on site drainage with filtering systems to collect any localized pollutants (solids or liquids) from truck fueling and maintenance and laydown pad areas before runoff can be collected by a public facility, and the addition of curb and gutter around the entire project site. Savage Coal Service Corporation would pay storm drain fees which would support a share of the maintenance and expansion of the city system. In addition, facility sweeping and housekeeping operations would minimize surface dust that would be picked up by surface runoff.
- The stormwater collection system would minimize flooding potential due to the proposed project so that no significant adverse impacts would result.

Vegetation and Wildlife

- No potentially significant impacts to vegetation or wildlife have been identified; therefore, no mitigation measures are required.

Noise

- The proposed facility has been designed to include a number of noise-attenuation features, primarily the enclosure of essentially all the transfer equipment.
- Any potentially annoying noise sources, such as public address systems or equipment alarms, would be directed towards the interior of the facility to minimize potential impact on nearby residences.
- The truck noise would be mitigated by lowering the speed limit from 55 miles per hour (mph) to 35 mph along J Street from Highway 46 to Poso Avenue. The reduction in speed is expected to significantly mitigate truck noise. The city of Wasco has indicated a willingness to reduce speed limits along this section of J Street.
- The truck traffic would be confined to designated truck routes (QUAD Consultants, 1983b).
- A monitoring study would be performed during the first year of facility operation at interior and exterior locations in the areas most likely to be impacted by the facility. If noise levels are found to exceed city standards, additional mitigation measures would be imposed to further reduce noise impacts to meet standards, or to be inaudible beyond existing background noise levels, in the event that city noise standards are already exceeded.
- All construction equipment would be equipped with operational muffler systems and construction activities would be prohibited between the hours of 9:00 p.m. and 7:00 a.m.

Land Use

No potentially significant adverse impacts have been identified; therefore, no mitigation measures are necessary.

Hazard Potential

- Coal storage facilities would be constructed to minimize self-heating;
- Stored-coal temperature would be constantly monitored;
- Silos would be designed to prevent buildup of "old" coal;
- A laydown pad would be constructed which would be used to cool and turn coal in the event a hot spot develops;
- Sweeping of dust from site surfaces to minimize coal dust collections;
- Proper ventilation of storage systems;
- Metal detectors on conveyors to remove spark sources;
- All transfer and conveyance points would be enclosed with air streams vented through fabric filter collectors to remove greater than 90 percent of the entrained particulates. The collected dust would be pneumatically conveyed and loaded out with the coal.
- All maintenance, inspection, and source testing conditions required by the Kern County Air Pollution Control District in the Authority to Construct Issued for the proposed project

(28 April 1986) (KCAPCD, 1986), all conditions required by the Kern County Fire Department, and Mine Safety and Health Administration guidelines regarding methane detection would be complied with.

Socioeconomics

- Since the impacts of the proposed project would be positive and minor, no mitigation measures are proposed.

Transportation/Circulation

- In order to mitigate any adverse impacts caused by the coal trucks on area road conditions, Savage, in consultation with city officials, has agreed to participate in upgrading area roads. Savage would pay the portion of the cost associated with upgrading J Street. Savage would install a deceleration lane, curb and gutter, and sufficient new paving to maintain proper slope and drainage, up to a new half-street out to the centerline of J Street along a portion of the property frontage. This half street would be T1 = 10. (T1 stands for traffic index and is a design specification related to load capacity). Savage would also pay part of the cost to upgrade the remainder of the truck route on J Street ^{to} ~~from~~ T1 = 10 when it is next reconstructed.
- Truck traffic would exit the facility on H Street, then turn left onto J Street. A turn lane would be provided from the intersection of H and J Street to the facility exit. If necessary, Savage would bear the costs of any road widening needed to accommodate the turn lane plus north-south lanes to assure the coal trucks an adequate turn radius. A qualified

traffic engineer would be retained to evaluate requirements for this section of road. The applicant would be required to comply with city-approved recommendations of this evaluation.

- The speed limit on J Street from Highway 46 to Poso Avenue would be lowered from the present 55 mph to 35 mph. The city of Wasco has indicated a willingness to lower the speed limit along this route.
- The same section of road would be designated No Passing.
- The haul truck schedule would be adjusted to shift the interface period ahead or behind so as to minimize the number of trucks in town during school bus activity. All of the bus schedules cannot be avoided but coordination would reduce the frequency of interaction at peak times.
- Channels of communication would be opened between the school ^{derrick}~~board's~~ school bus personnel and Savage to enable the channeling of information on schedules and/or safety-related concern to those persons affected.
- Savage would maintain a staff of drivers that are professional and safety conscious. Drivers hired by Savage would meet the following qualifications.
 - Minimum age of 25 years
 - Two years of driving experience
 - Possess a clean driving record, as documented by Department of Motor Vehicles (DMV) printout

- Pass a Department of Transportation (DOT) written exam
- Pass a company- and DOT-approved physical exam and substance abuse screening
- Compliance with all DOT requirements and regulations.

Savage drivers would also receive training both at the beginning and during the course of employment. The initial course would be the National Safety Association Professional Driver Improvement Course, an eight-hour course similar to the Defensive Driving Course but intended for professional truck drivers. The school bus interface and additional topics would be addressed early on in monthly safety meetings.

- Savage trucks would start their slowdown to make the entrance into the coal storage facility prior to the Ninth Street Intersection. A deceleration lane would be constructed from the property boundary at Ninth Street to the facility entrance.
- Savage would participate in proper cautionary signing (posting) (i.e., Truck Crossing, School Bus Crossing, etc.).
- Savage trucks would be equipped with two-way radio communications to facilitate tracking of school bus movement, helping to smooth the flow of both truck and bus traffic.
- School bus movements would take place during daylight hours, thus providing good visibility between trucks and buses.
- The truck haul routes would be located well away from any school bus pick-up points. This would greatly decrease the exposure of students to trucks.

- Only ~~two~~ buses, No. 4 and No. 2, have cross traffic (lefthand turn) patterns with interface routes. The remaining buses turn with traffic (righthand turns). The areas of cross traffic patterns are at Sixth and J Street and at State Highway 46 and J Street. Both locations are controlled by a stop and have excellent visibility in both directions.
- The truck traffic frequency for J Street would be 3.5 loads per hour at the base case of 600,000 tons per year or 5.3 loads per hour at the maximum case of 900,000 tons per year. This would not increase traffic significantly along the haul routes.
- Savage Coal movements would not cause any increase in the speed of through-town traffic. The 84-car loaded train would come to the area from the south and would be stored on a side track south of Poso Avenue.
- All Savage-controlled train car movements would be maintained at speeds of less than 10 mph. This would entail the movement of 14 to 21 cars from the storage track across Poso Avenue to the unload facility.
- Empty car storage would be on the three side tracks and would terminate just below Sixth Street to not impede or cross the designated pedestrian and traffic crossing area.
- Savage proposes to work with the railroad to provide appropriate information and hazard training to advisors and students.

Public Services and Utilities

- All buildings, structures, and equipment for housing and handling coal would be of non-combustible construction.

- Construction would minimize areas where coal dust can accumulate and access would be provided for cleaning or washing down areas. The coal receiving, storage, and load-out areas would be enclosed and under negative pressure, where possible. These areas would be vented through fabric filters that would remove dust with greater than 90 percent efficiency.
- Explosion venting, self-closing doors, and drain systems would be provided where required.
- Storage of coal would be limited to a short duration. The storage silos have been designed to reduce buildup of "old" coal on the sidewalls of the system.
- Means would be provided to remove burning, wet, or smoldering coal. This would include access to material plus equipment. The project would include a "laydown pad" where coal could be cooled in the event that hot spots develop. In addition, storage silos would be designed and sized to minimize the development of hot spots and would provide means to continuously monitor coal temperatures.
- Every building or room where dry coal would be processed or handled would be provided with approved portable multipurpose fire extinguishers in accordance with NFPA 10.
- Conveyor belts would have a fixed fire suppression system.
- NFPA 14 would be used to provide hose systems.
- Training and housekeeping procedures would be a regular part of process.

- Automatic detection for foreign objects would be provided at initial loading of conveyors.
- Belt conveyors would be:
 - Designed to resist ignition.
 - Provided with a device arranged to automatically shut off driving power in the event of a belt slowdown.
 - The hydraulic system for belt alignment would use only fire retardant hydraulic fluids or would be protected by automatic fire protection.
 - Means would be provided to remove tramp metal and other foreign objects as soon as possible.
- NFPA 120 Standards for Coal Preparation Plants would be enforced.
- On-site hydrants and/or monitors would be provided. Hydrants would be able to provide 1500 gpm at 20 psi for four hours. The hydrants would be maintained by approved personnel.
- Any impact from sanitary wastewater disposal would be mitigated by proper sizing and construction of the sewer system connection currently proposed.
- Any impacts to area flooding resulting from construction of the proposed facility would be mitigated by the project's stormwater drainage system.

Natural Resources and Energy

No potentially significant adverse impacts to natural resources or energy have been identified; therefore, no mitigation measures are required.

Aesthetics

- A visual analysis would be performed by a landscape architect or other visual planner to develop the most effective plan to mitigate the visual effects of the project.
- Savage would be required to comply with all provision of the city-approved mitigation plan developed from this study.
- The project would comply with all landscaping requirements as specified in the city zoning ordinance.
- Buildings, tanks, and coal silos would be painted a flat, earthtone color with consideration to colors that would reduce heat transfer to the tank and silo interiors.
- The coal terminal would be subject to a vigorous maintenance program which would ensure that the facility stays well-painted and maintained. The maintenance plan would be reviewed and approved by the city.
- Lighting attached to any structure would be directed to the interior of the site to minimize light and glare impacts to travelers on Ninth, J, and H streets and to residences to the north of the site.
- Sodium lights would be used instead of mercury lights to reduce glare.
- Light standards within any on-site parking areas and interior driveways would be no higher than 12 feet and directionally-shaded to reduce glare.

Cultural Resources

- If archaeological materials are encountered during project construction, the on-site personnel would avoid altering the material and its context until a qualified archaeologist is retained to evaluate the finds and propose recommendations for protection of the resources.

5.2 The No-Project Alternative

Selection of the no-project alternative would maintain the status quo of the area. No coal transfer facility would be constructed in Wasco. The project site would remain vacant for the immediate future; however, the site is zoned for industrial use and would probably be developed for some type of industrial usage.

The no-project alternative would avoid some of the adverse impacts that may result from the proposed project. Specifically, truck and train traffic associated with the project would be avoided at this location, although comparable truck and train traffic increases would occur elsewhere in the Bakersfield and San Joaquin areas to supply the proposed customers of the Wasco transfer facility. In addition, the proposed project site to locate adjacent to rail lines so that any development of the site would probably involve increased train traffic. The proposed project would also generate minor increases in noise and air pollutant levels which would be avoided with the no-project alternative. The project site would include relatively tall structures that would be visible for some distance from the site. Other potential adverse impacts such as increased water usage, sanitary sewer requirements, etc. would be comparable to those expected from any industrial development of the site. The proposed project includes measures to mitigate all potential adverse impacts to insignificance.

On the other hand, the no-project alternative would prevent beneficial impacts of the proposed project on the Wasco economy. The project would employ approximately 25 persons and generate up to 75 indirect jobs in the area (City of Sanger, 1986). The Wasco area has experienced an unemployment rate of 22.8 percent in 1986, so these jobs would be welcome additions to the local economy. In addition, the project would generate increased revenue for the City of Wasco in the form of property tax and a portion of the sales tax generated from local purchase of supplies and equipment. The project is consistent with city goals, policies, and zoning that encourage the development of responsible industry along the city's eastern border.

The no-project alternative would not prevent importation of coal into the San Joaquin Valley. It would instead mean that no coal transfer facility would be built in Wasco. The objective of the proposed project is to reduce overall fuel-related costs to existing and proposed coal consumers in the region by bring fuel in on a volume basis that would qualify for reduced rail rates compared to those rates that each project would qualify for individually. Several projects requiring coal have obtained appropriate permits and are under construction in Kern County. These projects would require an alternative source of coal should the Wasco facility not be built. The no-project alternative has been rejected because the proposed project would reduce fuel transportation costs to coal consumers in the San Joaquin Valley and provide beneficial employment and revenue impacts to Wasco without creating significant adverse environmental effects.

6.0 REFERENCES

6.1 Organizations and Persons Consulted

California Air Resources Board

Raymond E. Menebroker, Chief, Project Review Branch, Stationary
Source Division

California Archeological Inventory

Cathrine Pruett, California State College - Bakersfield

California Department of Fish and Game

George D. Nokes, Regional Manager

Elain Hamby, Natural Diversity Data Base

California Department of Transportation

Nathan M. Smith, District 6 Transportation Planner

California Highway Patrol

K. L. Miller, Commander, Bakersfield area

CH2M HILL, Inc.

David M. Baker

City of Wasco

John Hendrickson, City Manager

Walter Cairns, Planning Director

Kern County

Tom Goff, Air Pollution Control District

Henry Mayersohn, Air Pollution Control District

Tom Pacson, Air Pollution Control District

Kern County (continued)

Fred Simon, Principal Planner, Department of Planning and
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Skip Tullock, Public Works Department

Pacific Gas and Electric Company

C. R. McClue, Regional Land Superintendent

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Harry Tow

Ty Stillman

Savage Coal Service Corporation

C. F. Busch

Wasco Public Utilities District

D. W. Hast

Wasco Union Elementary Schools

Allen T. Walker, District Superintendent

Wasco Union High School District

Douglas K. Fletcher, Superintendent/Principal

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6.3 Preparers and Contributors

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Ty Stillman

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CH2M HILL

David Baker

APPENDIX A
INITIAL STUDY CHECKLIST

ENVIRONMENTAL CHECKLIST FORM

I. Background

1. Name of Proponent Savage Energy Services Corp.
2. Address and Phone Number of Proponent 5295 South 300 West, #455
Salt Lake City, Utah 84107
(801) 268-9500
3. Date of Checklist Submitted 12 August 1987
4. Agency Requiring Checklist City of Wasco
5. Name of Proposal, if applicable Wasco Coal Transfer Station

II. Environmental Impacts

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	<u> </u>	<u> x </u>	<u> </u>
b. Disruptions, displacements, compaction or overcovering of the soil?	<u> </u>	<u> x </u>	<u> </u>
c. Change in topography or ground surface relief features?	<u> </u>	<u> x </u>	<u> </u>
d. The destruction, covering or modification of any unique geologic or physical features?	<u> </u>	<u> </u>	<u> x </u>
e. Any increase in wind or water erosion of soils, either on or off the site?	<u> </u>	<u> x </u>	<u> </u>
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	<u> </u>	<u> </u>	<u> x </u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	_____	<u> x </u>	_____
2. Air. Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	_____	<u> X </u>	_____
b. The creation of objectionable odors?	_____	_____	<u> x </u>
c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	_____	_____	<u> x </u>
3. Water. Will the proposal result in:			
a. Changes in currents, or the course of direction of water movements, in either marine or fresh waters?	_____	_____	<u> x </u>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	_____	<u> x </u>	_____
c. Alterations to the course or flow of flood waters?	_____	<u> x </u>	_____
d. Change in the amount of surface water in any water body?	_____	_____	<u> x </u>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	<u> x </u>
f. Alteration of the direction or rate of flow of ground waters?	_____	_____	<u> x </u>
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	_____	<u> x </u>	_____
h. Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<u> x </u>
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<u> x </u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
4. Plant Life. Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	_____	<u> x </u>	_____
b. Reduction of the numbers of any unique, rare or endangered species of plants?	_____	_____	<u> x </u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	_____	<u> x </u>	_____
d. Reduction in acreage of any agricultural crop?	_____	_____	<u> x </u>
5. Animal Life. Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	_____	<u> x </u>	_____
b. Reduction of the numbers of any unique, rare or endangered species of animals?	_____	_____	<u> x </u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	_____	<u> x </u>	_____
d. Deterioration to existing fish or wildlife habitat?	_____	_____	<u> x </u>
6. Noise. Will the proposal result in:			
a. Increases in existing noise levels?	_____	<u> x </u>	_____
b. Exposure of people to severe noise levels?	_____	<u> x </u>	_____
7. Light and Glare. Will the proposal produce new light or glare?	_____	<u> x </u>	_____
8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?	_____	<u> x </u>	_____
9. Natural Resources. Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	_____	_____	<u> x </u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
b. Substantial depletion of any nonrenewable natural resource?	_____	<u>x</u>	_____
10. Risk of Upset. Will the proposal involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	_____	<u>x</u>	_____
b. Possible interference with an emergency response plan or an emergency evacuation plan?	_____	<u>x</u>	_____
11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	_____	<u>x</u>	_____
12. Housing. Will the proposal affect existing housing, or create a demand for additional housing?	_____	<u>x</u>	_____
13. Transportation/Circulation. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	_____	<u>x</u>	_____
b. Effects on existing parking facilities, or demand for new parking?	_____	<u>x</u>	_____
c. Substantial impact upon existing transportation systems?	_____	<u>x</u>	_____
d. Alterations to present patterns of circulation or movement of people and/or goods?	_____	<u>x</u>	_____
e. Alterations to waterborne, rail or air traffic?	_____	<u>x</u>	_____
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	_____	<u>x</u>	_____
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	_____	<u>x</u>	_____
b. Police protection?	_____	_____	<u>x</u>
c. Schools?	_____	<u>x</u>	_____

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
d. Parks or other recreational facilities?	_____	_____	<u>X</u>
e. Maintenance of public facilities, including roads?	_____	<u>X</u>	_____
f. Other governmental services?	_____	<u>X</u>	_____
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	_____	_____	<u>X</u>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	_____	_____	<u>X</u>
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	_____	_____	<u>X</u>
b. Communications systems?	_____	_____	<u>X</u>
c. Water?	_____	<u>X</u>	_____
d. Sewer or septic tanks?	_____	<u>X</u>	_____
e. Storm water drainage?	_____	<u>X</u>	_____
f. Solid waste and disposal?	_____	_____	<u>X</u>
17. Human Health. Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	<u>X</u>	_____
b. Exposure of people to potential health hazards?	_____	<u>X</u>	_____
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	_____	<u>X</u>	_____
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	_____	_____	<u>X</u>
20. Cultural Resources.			
a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site?	_____	_____	<u>X</u>

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED. ☒

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

12 August 1987
Date


Signature Walter E. Cairns

For - City of Wasco

Explanation of YES and MAYBE answers. Additional information is contained in the Environmental Assessment for this project.

- 1a. Coal silos could sink as much as six inches. Concrete pad beneath and flexible joints in conveyors should mitigate.
- 1b. Some excavation would be required to lay foundations. Soils are not compressible and standard construction practices should be adequate to minimize compaction.
- 1c. Site would be graded; however, site is nearly flat to start with. Grading would be used to direct storm drainage to gutters and curbs, which would direct flow to storm sewer.
- 1e. Increased potential for wind erosion during construction; this would be controlled with water spray. Water erosion could increase if site were not properly drained. Curb and gutter system, and site grading, should direct runoff to storm sewer, thus avoiding potential erosion off site.
- 1g. Area is seismically active; buildings and structures must be built to applicable seismic standards (UBC III).
- 2a. Some air emissions would occur; however, enclosed transfer points vented through fabric filters would remove greater than 90 percent of particulate matter. Project has received all necessary approvals to construct from the responsible agency in this area (Kern County Air Pollution Control District). Some secondary emissions from train and truck traffic would result. These do not appear to add significantly to the Kern County mobile source inventory.
- 3b. Site grading would alter drainage patterns by directing runoff to storm sewer. Project would also increase runoff from paved portions of site since soil absorption would no longer take place in those locations. Based on total parcel size of 12.91 acres and the fact that only portions of site would be paved, this should not constitute a significant increase.
- 3c. Project drainage would be directed to storm sewer. Site is not located in a designated flood hazard zone.
- 3g. Project would use approximately 900 gallons per day of potable water supplied by the Wasco Public Utilities District, which obtains water from ground water sources.
- 4a. Project may increase site species diversity through landscaping. This would be considered a beneficial impact.
- 4c. Landscaping would introduce new plant species to site. Site is currently vacant and supports highly disturbed, weedy habitat.
- 5a. Project may increase site species diversity through landscaping. This would be considered a beneficial impact.
- 5c. Landscaping may result in the addition or attraction of new animal species to the site. Site is currently vacant, and supports limited fauna typical of highly disturbed habitats.

- 6a. Noise increases between 1 and 7 decibels are anticipated.
- 6b. Project would result in small increase in noise in areas that currently experience relatively high background noise (65 - 67 decibels). Construction noise would be typical of heavy machinery operation (backhoe, loader, cranes, scrapers, etc.)
7. Project site would be lighted at night; however, sodium lighting with directional shields should minimize glare off site.
8. Project would create industrial usage on currently vacant parcel. The site is zoned for industrial development.
- 9b. Project would require deisel fuel for trucks traveling a total of 3000 to 6000 miles per day por the entire project.
- 10a. Coal handling can present hazards due to coal fires, coal dust explosions, or methane production. Facility has been designed to minimize these potentials and a contingency "laydown pad" would be provided, along with necessary equipment, to cool coal should self-heating occur.
- 10b. Wasco has emergency response plan; any large-scale development may affect.
11. Project would add up to 25 direct jobs; local hiring would be used as much as possible. Project would not create any significant growth-inducing impact. Extensions of water or sewer lines to serve project have been implicitly included in planning and zoning of area.
12. Small increased demand may result if project employees cannot be hired locally; however, total new employees would be only 15 to 25.
- 13a. Project would generate 3 to 6 trucks per hour on J Street, 20 hours per day, plus small amount of employee commute traffic.
- 13b. Project would add parking areas for employees and for coal trucks when not in service.
- 13c. Project would accelerate deterioration of J Street. Applicant would participate in cost of road upgrade to meet expected conditions.
- 13d. Project would create new patterns of movement with respect to coal transport, by train, from Utah and truck delivery of coal to projects near Oildale.
- 13e. Project would require approximately one 84-car unit train (of coal) every three to five days.
- 13f. Traffic increase on H and J Streets would increase hazards; project would minimize hazard potential through various mitigation measures,

including cautionary signing, construction of deceleration lane on J Street, construction of turn lane on H Street, shifted schedules to minimize overlap with school bus peak activity, two-way radio appraisal of school bus activity, etc.

- 14a. Project would require fire department response in the event of a fire; however, no additional staff or equipment would be needed due to project and primary responsibility for dealing with smoldering coal would be that of the project, since coal fires are generally put out by turning and cooling coal (use of laydown pad).
- 14c. Project could increase traffic hazard to students due to increased traffic levels. Mitigation would include cautionary signing, lowered speed limit on J Street, no passing zone on J Street, two-way radio contact with drivers to minimize interaction with school buses, trucks scheduled to reduce interference with peak school bus activity, coordination and communication with school officials to improve and enhance safety, high standards and training programs for truck drivers, etc.
- 14e. Project would accelerate deterioration of J Street. Applicant would participate in cost of road upgrade to meet expected conditions.
- 14f. Project would indirectly affect most public services in Wasco through creation of new jobs, possible creation of slight additional housing demand, addition of tax revenues to city.
- 16c. Project would require approximately 900 gallons per day of potable water.
- 16d. Project would generate approximately 650 gallons per day of sanitary sewage. Extension of existing sewer line would be required.
- 16e. Project site runoff would be directed to city of Wasco storm sewer. New entry to sewer would be required (at applicant's expense).
- 17a. Coal handling can create health hazards due to coal dust (chronic exposure may result in various lung diseases) or methane generation. Project has been designed to minimize coal dust through enclosure of essentially all transfer points and ventilation of air streams through high-efficiency fabric filters to remove dust. Resulting emissions would be extremely low and well within Kern County Air Pollution Control District standards. Project would comply with all Kern County APCD requirements (Authority to Construct has been issued for this project). Project design would also minimize methane generation and project would comply with all Mine Health and Safety Administration requirements for methane monitoring.
- 17b. See response to 17a.
- 18. Project would include tall structures which would be visible from some distance, including from the downtown area of Wasco. A visual survey of the site would be performed by a landscape architect or other qualified visual planner to determine the most effective plan to minimize

visual impacts. Applicant would be required to implement the results of this study. Landscaping would conform to zoning ordinance requirements. Coal silos would be painted a flat, earthtone color to minimize visual impact. General project appearance would conform to planned development for area and would fit with some existing current uses. Project is in area of mixed character.

APPENDIX B
STRUCTURE ELEVATIONS

APPENDIX C
SITE PLAN

APPENDIX D
NOISE STUDY

TECHNICAL MEMORANDUM

CH2M HILL

TO: Walter E. Cairns, Planning Director
City of Wasco

FROM: David M. Baker, Acoustical Engineer
CH2M HILL

DATE: August 6, 1987

SUBJECT: Savage Energy Services Corporation
Wasco Coal Receiving and Distributing Terminal

INTRODUCTION

The purpose of this noise analysis is to evaluate the noise impact of the Savage coal terminal on the surrounding community. In particular, concern has been expressed about noise from truck traffic and railroad activity that might affect the housing area to the north of Ninth Street, between H and J Streets.

CRITERIA

The City of Wasco uses day-night noise levels, abbreviated as Ldn, for their noise standards. The Ldn is a 24-hour, energy average noise description. A penalty of 10 dBA is added to night (10:00 p.m. to 7:00 a.m.) noise levels. The applicable Ldn standard varies with the land use designation of the noise-receiving property. Several of the pertinent Wasco standards are:

<u>Land Use</u>	<u>Maximum Exterior Ldn</u>
Residential--Multi-Family	65
Commercial	70
Industrial	75

EXISTING CONDITIONS

The existing noise levels were determined through a series of measurements at four sites at various times throughout the day. The results of the measurements generally agreed with Figure 12, "Existing Noise Contours," in the noise element of the General Plan. Two of the sites (A and B) represent the housing area north of the coal terminal. The two other sites were in the area to the west of the coal

terminal. Specific site descriptions and existing noise levels are:

<u>Site</u>	<u>Description</u>	<u>Ldn</u>
A	Corner of J Street and Ninth Street	67
B	Corner of H Street and Ninth Street	61
C	Corner of G Street and Ninth Street	62
D	Corner of F Street and Ninth Street	67

Traffic on J Street was observed to be the primary noise contributor at Site A. Site B was affected by noise from traffic on H Street, railroad activity, and local industry. Site C was affected by railroad, industry, and traffic noise. Site D was primarily affected by traffic on F Street.

FUTURE NOISE LEVELS

Noise levels with no noise mitigation, were predicted for the following major coal terminal noise sources:

- o Trucks leaving and entering on J Street
- o Trucks idling and being loaded
- o Railcars being unloaded
- o Locomotive idling
- o Locomotive moving railcars
- o Conveyors

These noise levels were added logarithmically (e.g., 60 dBA + 60 dBA = 63 dBA.) to the existing noise level at each site. These levels were then compared to the Wasco standards as follows:

<u>Site</u>	<u>Existing (Ldn)</u>	<u>Future (Ldn)</u>
A	67	75
B	61	74
C	62	72
D	67	70

NOISE MITIGATION

The following measures were considered for mitigation of the project's noise:

1. Reducing the speed limit on J Street (the plant truck access route) from 55 to 35 miles per hour.
2. Enclosing plant noise sources such as the conveyors, transfer points, truck loadout, and rail car unloading.
3. Installing barriers of dense material (e.g., concrete) or vegetation.
4. Reducing the frequency of train arrivals.

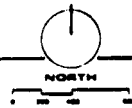
Traffic on "J" Street is currently the primary noise source affecting Site A. Reducing the speed limit would not only minimize the noise level from the plant trucks, but would also reduce noise from the existing traffic. The reduction of the speed limit from 55 miles per hour (mph) to 35 mph on "J" Street will be recommended as noise mitigation for the project.

Enclosing plant noise sources would reduce the amount of noise transmitted off the plant site. The conveyors and transfer points could be totally enclosed with a resultant noise reduction from these sources of about 20 dBA. The truck loadout and rail car unloading operations could be enclosed, except for the access points, with resultant noise reductions from these sources of about 10 dBA. The conveyors, transfer point, truck loadout, and rail car unloading enclosures are included as noise mitigation for the project.

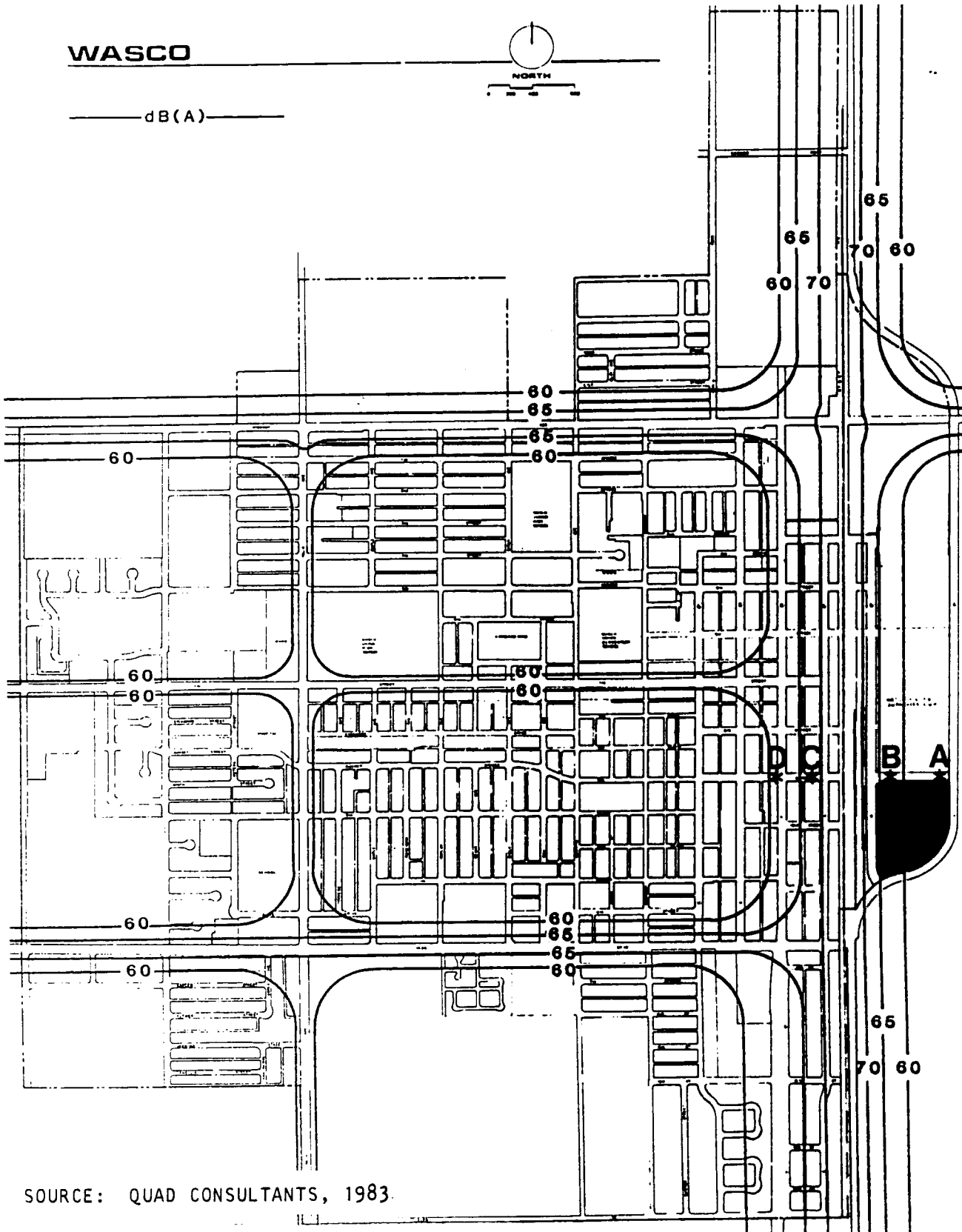
The estimated noise levels with the speed limit reduction and the enclosure mitigations, compared with the unmitigated and existing noise levels are:

<u>Site</u>	<u>Existing (Ldn)</u>	<u>Unmitigated Future (Ldn)</u>	<u>Mitigated Future (Ldn)</u>
A	67	75	67
B	61	74	68
C	62	72	66
D	67	70	67

WASCO



— dB(A) —



SOURCE: QUAD CONSULTANTS, 1983.

EXISTING NOISE CONTOURS

TECHNICAL MEMORANDUM

Page 5

August 6, 1987

M21558.D0

Barriers would physically block the transmission of noise. These could be considered to reduce the transmission of noise from the railroad operations to the receptors represented by Sites B and C. Barriers can be made of dense material, such as concrete. The effectiveness of this type of barrier is usually controlled by the noise that diffracts (bends) over the top. A barrier that breaks the line of sight between a noise source and receptor will achieve a reduction of about 5 dBA. Higher barriers will achieve a higher noise reduction. However, barriers will not reduce noise coming from other directions. There are also negative aspects associated with barriers, such as the aesthetics and the interferences with visibility, particularly near intersections. A barrier between the railroad and Site B was evaluated. An overall noise reduction of 2 to 3 dBA was estimated. This is a minor improvement considering the significant cost that would be required to construct a barrier. Therefore, barriers are not included as mitigation for this project.

Vegetation can also be used as a noise barrier. The effectiveness is controlled by the thickness of the barrier. A noise reduction of 1 dBA is achieved for approximately every 4 feet of dense vegetation. However, the low amount of noise reduction per foot of vegetation thickness requires extremely large amounts of vegetation to achieve noticeable results. Therefore, vegetative noise barriers are considered impractical in this situation and are not included as mitigation for this project.

The Future Noise Levels were based on the Ldn during a day when a train unloads, while the rest of the plant is in operation. This is a worst case condition. In fact, trains will arrive at a maximum rate of once every 3 days. Therefore, the maximum daily noise level will be as predicted, but the annual average impact will be less.

The results of the noise analysis and proposed mitigation have been discussed by personnel from the City of Wasco, Quad Consultants (under contract as the City Engineers), the Housing Authority, Savage Coal Services, and CH2M HILL. It is recognized that barrier mitigation would not be cost-effective. It is also recognized that the future noise levels may be different than the estimated levels. Therefore, it has been agreed that Savage Coal Services retain an acoustical consultant to conduct a noise analysis in the

TECHNICAL MEMORANDUM

Page 6

August 6, 1987

M21558.D0

Housing Authority area within 180 days of the start of plant operation.

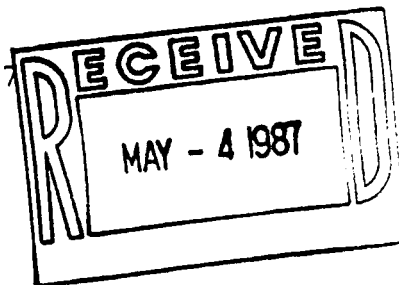
The analysis will focus upon the interior noise level in the houses. If these levels are found to be excessive due to plant operation, cost-effective mitigation measures will be evaluated. These may include methods to increase the outside-to-inside noise reduction capabilities of individual houses.

APPENDIX E
AGENCY COMMENTS

ARB



April 30, 1987



Mr. Walter E. Cairns
Planning Director
City of Wasco
P.O. Box 159
Wasco, CA 93280

Dear Mr. Cairns:

Environmental Consultation for
Wasco Coal Transfer Station, CUP # 489/87

This letter is in response to your April 7, 1987 request to evaluate the environmental assessment for the Wasco coal transfer station, as our area of expertise pertains to the application. Specifically, you have asked us to provide recommendations for determining the need of an Environmental Impact Report (EIR) or a Negative Declaration (ND).

Project Description:

The Wasco coal transfer station is an independent receiving and storage facility for coal delivered by trains. The station will consist of four covered bins able to store 36,000 tons of coal. Covered trucks will transport the coal to the consumer facilities.

Comments:

We recommend that an EIR be prepared for the Wasco coal transfer station project. Our recommendation is based upon the potential cumulative air quality impact of this facility in conjunction with several coal-burning facilities which have received permits to construct. In Kern County, four coal-burning electric generating facilities totaling 142 MW have been permitted. These four facilities will emit 3,274 pounds per day of NOx, 574 pound per day of PM, and 1,572 pound per day of SOx. Additionally, several other projects are proposed in Kings County and Fresno County.

To ensure a thorough analysis of this project's potential air quality impact, we suggest the following information be included in the Draft EIR.

1. A description of the proposed project, including its location, technical information on the processes, normal and maximum operational parameters, start-up date, operating schedule, the increase in truck traffic and other air quality related features such as influences on traffic circulation patterns;

2. Descriptions of the existing air quality at the proposed project site and adjacent areas, topographical and meteorological features that may affect pollutant dispersion, proximity of receptors (e.g. hospitals, schools, the general population, and agricultural vegetation), and the locations of other nearby emission sources including the above mentioned projects;
3. Estimates of the average and highest emission rates of criteria and noncriteria air pollutants. These estimates should reflect both the controlled and uncontrolled emissions as well as the air pollution control technologies used at the facility. Additionally, the secondary emissions from increased truck traffic should also be quantified. The bases for the assumptions and calculation methods used to determine these estimates should be clearly stated;
4. Descriptions of the equipment, processes, or other measures designed to reduce emissions of criteria and noncriteria pollutants;
5. A discussion of the potential health effects of any noncriteria pollutants;
6. A discussion of the project's potential to induce population, commercial, or industrial growth and any concomitant increase of air pollutant emissions within the City of Wasco and Kern County;
7. A discussion of all applicable local, state, and federal air quality statutes and regulations applicable to the project (include a discussion of how the proposed project would meet the Kern County Air Pollution Control District's rules and regulations);
8. A description of similar sources, existing or proposed, in California and a discussion of the control requirements applicable to these sources;
9. A discussion of all project alternatives and their associated emissions.

We appreciate the opportunity to offer our comments regarding the environmental assessment for the Wasco coal transfer station. We would like to be notified of your decision regarding whether an EIR will be required for the project. If you have any questions on our comments or if we can be of any further assistance, please call Genevieve Shiroma, Manager, Industrial

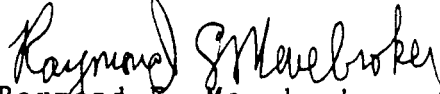
Mr. Walter E. Cairns

-3-

April 30, 1987

Projects Section, or Grant Chin at (916) 322-8267 and (916) 322-9336, respectively.

Sincerely,


Raymond E. Menebroker, Chief
Project Review Branch
Stationary Source Division

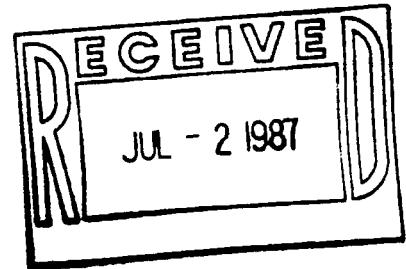
cc: Tom Paxson, KCAPCD
Governor's Office of Planning and Research

AIR RESOURCES BOARD

1102 Q STREET
P.O. BOX 2815
SACRAMENTO, CA 95812



June 30, 1987



Mr. Walter E. Cairns
Planning Director
City of Wasco
P.O. Box 159
Wasco, CA 93280

Dear Mr. Cairns:

Wasco Coal Transfer Facility Negative Declaration
SCH #87060801

This letter is in response to your request to comment on the Negative Declaration proposed for the Wasco coal transfer facility.

In our letter of April 30, 1987, we stated that in our view an Environmental Impact Report (EIR) was required for this project primarily based on the potentially significant cumulative effects this project and related projects would have on regional air quality. It appears that this project may encourage further development of coal as a fuel in cogeneration facilities in the San Joaquin Valley. An EIR would serve the important informational purpose of CEQA both for San Joaquin Valley residents and public officials, and for interested state agencies and officials. However, the City of Wasco proposes to approve the project with a Negative Declaration instead of requiring the preparation of an EIR. Therefore, without changing our views, we confine our comments here to the adequacy of the Initial Study and trust that you will develop the additional information as outlined and any additional feasible mitigation measures and determine the overall significance of the project's effects on air quality prior to approving the project.

PROJECT DESCRIPTION:

The Wasco coal transfer station is an independent receiving and storage facility for coal delivered by trains. The station will consist of four covered bins able to store 36,000 tons of coal. Covered trucks will transport the coal to the consumer facilities.

June 30, 1987

COMMENTS:

The proposal to adopt a Negative Declaration for the project as compliance with the California Environmental Quality Act (CEQA; Public Resources Code Section 21000, et seq.) is based on the findings in the Initial Study. The basis for the finding of no significant air quality impact for the Wasco facility is that the project will comply with all the rules and regulations of the Kern County Air Pollution Control District. However, compliance with the rules and regulations of the District does not necessarily mean that the project will not have significant air quality impacts within the meaning of CEQA or that all feasible mitigation measures have been considered. Consequently, to determine the project's air quality impacts, the project's emissions should be quantified in the Initial Study.

Additionally, these findings do not address all the concerns we expressed in our April 30, 1987 letter. Specifically, we expressed concern about the project's secondary impacts and the potential cumulative impact of this project in conjunction with other related projects. Related projects are not limited to those with common ownership or in the same jurisdiction as you stated in your letter of May 7, 1987. With respect to a project of this type, related projects would include all facilities which will be served by the transfer station. We note that the Wasco transfer station will be used to only approximately one half capacity by existing facilities. Thus, the project owner clearly anticipates a growth in the number of coal-burning facilities in the region. This growth and its environmental impacts is clearly relevant to an assessment of the environmental impacts of the Wasco project.

Based on the above, we believe that it is premature to adopt a Negative Declaration for the project and that the Initial Study should be revised before a final Negative Declaration or environmental impact statement is issued.

1. Project Emissions

The project's primary emissions are well documented in the authority to construct and the applicant's application for an authority to construct. The information provided in these documents can be used to estimate the project's primary emissions in the Initial Study. We thank you for providing this

information to us. However, you should be aware that a project should satisfy the requirements of CEQA before an authority to construct is issued. (Pub. Resources Code Section 21002.)

2. Secondary Emissions

The secondary emissions from the project include the short-term construction-related emissions from the use of construction equipment on the site and from the heavy-duty trucks which will be transporting construction materials to the site. There are also the long-term secondary emissions associated with the operation of the facility from the increased truck traffic it will generate. On a weekly basis, trucks will be delivering coal and other materials from the coal storage facility to consumer facilities. In addition, there will be secondary emissions resulting from the increase in trains used to transport the coal to the storage facility. These emissions should be quantified and their effect on air quality determined. If needed, we can provide assistance to develop these estimates for the Initial Study.

3. Cumulative Impacts

As discussed in my April 30, 1987 letter, in Kern County, four coal-burning electric generating facilities totaling 142 MW have been permitted. All of these projects emit, or will emit, air pollutants which are precursors to ozone. As you may be aware, we have been concerned about the cumulative impact of these coal-burning facilities on the serious regional ozone problem. The Wasco coal transfer station will be supplying coal to some of these facilities in addition to supplying coal to future planned coal-burning facilities. Moreover, the secondary emissions related to the transport of coal by train to the coal transfer station and transport of coal by truck from the coal transfer station will contribute pollutants that directly impact ozone. The Initial Study should discuss the significance of the cumulative ozone impact of the coal transfer station and the related coal-burning facilities.

We appreciate the opportunity to offer our comments regarding the Negative Declaration. We would like to be

Mr. Walter E. Cairns

-4-

June 30, 1987

notified of your decision on this matter. If you have any questions on our comments or if we can be of any further assistance, please call Genevieve Shiroma, Manager, Industrial Projects Section at (916) 322-8267.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raymond E. Menebroker".

Raymond E. Menebroker, Chief
Project Review Branch
Stationary Source Division

cc: Kern County APCD

AIR RESOURCES BOARD

1102 Q STREET
P.O. BOX 2815
SACRAMENTO, CA 95812



July 28, 1987

Mr. C. F. Busch
Vice-President
Savage Coal Service Corporation
5295 South 300 West
Suite 455
Salt Lake City, UT 84107

Dear Mr. Busch:

Wasco Coal Transfer Station

This letter is in response to your July 13, 1987, letter in which you proposed "mitigation for future projects." In addition, you have asked us to approve the mitigation plan and then provide the lead agency with a letter stating that we will no longer oppose the negative declaration and will not submit negative comments throughout the completion period of the Conditional Use Permit (CUP) process.

The additional mitigation measures contained in your letter address our comments on the deficiency of the original initial study. We believe, however, that the public should be provided with an opportunity to review and comment on the additional mitigation measures also, and on the secondary emissions information submitted to the City of Wasco. Therefore, we recommend that the revised proposed Initial Study/Negative Declaration (assuming that the City determines that a Negative Declaration is still appropriate) should be recirculated for public comment and review.

Your letter requested that a letter be sent to the City of Wasco, stating that we will not oppose the negative declaration or provide negative comments throughout the CUP process. In previous correspondence to the City of Wasco, we stated that the initial study did not address the proposed coal transfer station's air quality impacts, which we believe should have been addressed in the Initial Study. Our role in the environmental review process is not to oppose the granting of the CUP for this project, but to ensure that this project complies with the California Environmental Quality Act and air quality rules and regulations.

Mr. C. F. Busch

-2-

July 28, 1987

We appreciate your timely response to our comments. If you have any questions, please contact me at (916) 322-6026.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond E. Menebroker". The signature is fluid and cursive, with the first name "Raymond" and last name "Menebroker" clearly distinguishable.

Raymond E. Menebroker, Chief
Project Review Branch
Stationary Source Division

cc: Citron Toy, Kern County APCD
Walter Cairns, City of Wasco

California
Archaeological
Inventory



Fresno
Kern
Kings
Madera
Tulare

Central San Joaquin Valley
Information Center
California State College, Bakersfield
9001 Stockdale Highway
Bakersfield, California 93311-1099
(805) 833-2289

RE: Coal Receiving & Distribution Terminal in Wasco (Radian)

An examination of our files and USGS Quad(s) Wasco 7.5'
for the subject property reveals:

Kern County

none 1. on subject property-archaeological site(s) numbered:

none 2. on adjacent property-archaeological site(s) numbered:

none 3. previous archaeological investigations:

XX 4. no recorded site(s) or investigations but archaeological sensitivity for the presence of prehistoric cultural resources XXXXXX XX does not exist for the following reasons:

-previous impacts from surrounding developments

The following actions are recommended:

XX 1. no further action unless archaeological resources are discovered during future planning, development or construction

 2. whether or not an EIR is required, a field survey should be conducted to determine if any archaeological resources are present

 3. other:

Additional comments: We have no record of any archaeological or historic sites on or near this property. The nearest survey, approx. 1 mile away did not locate any sites. Due to previous impacts from surrounding developments it is felt that a survey is not required at this time. An archaeologist should be consulted if cultural resources are discovered during development.

Please let us know if we may be of further assistance.

Dr. Jane Granskog
Coordinator

Catherine Lewis Pruett
Assistant

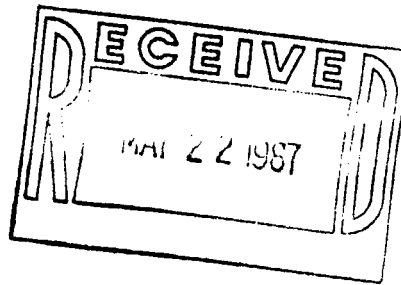
by Catherine Lewis Pruett
Catherine Lewis Pruett

date July 24, 1987

Fee \$45.00
invoice # 2007

DEPARTMENT OF FISH AND GAME

REGION 4
1234 E. Shaw Avenue
Fresno, CA 93710
(209) 222-3761



May 20, 1987

Walter E. Cairns
City of Wasco
746 8th Street
P. O. Box 159
Wasco, CA 93280

Subject: CUP 489-87/Wasco Coal Transfer Station
SCH #87042709

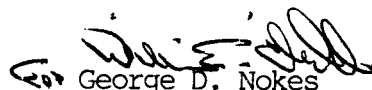
Dear Mr. Cairns:

We have reviewed the proposed Conditional Use Permit No. 489-87 for a coal transfer station in Wasco, Kern County.

On the basis of the information provided, we do not believe the proposed action will result in significant effects to fish or wildlife or their habitat. Should additional information become available, we would appreciate an opportunity to provide further comments or recommendations.

If you have questions or need further assistance, please contact Ron Rempel at the above address or telephone number.

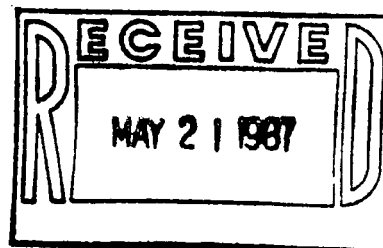
Sincerely,


George D. Nokes
Regional Manager

cc: Office of Planning and Research

DEPARTMENT OF TRANSPORTATION

P. O. Box 12616, Fresno, CA 93778



May 20, 1987

6-Ker-43-24.5
SCH #87042709Mr. Walter E. Cairns
Planning Director
City of Wasco
P. O. Box 159
Wasco, CA 93280

Dear Mr. Cairns:

We have reviewed the Notice of Preparation of a draft
Environmental Impact Report for Conditional Use Permit
487-87, Wasco Coal Transfer Station.

Any improvements within the State highway right of way as a
result of this project will require an Encroachment Permit.
Questions regarding the Encroachment Permit process should
be directed to Mr. Jerome Shinaver, District Permit
Engineer, at 209/488-4086.

Thank you for the opportunity to comment on this project.

Very truly yours,

NATHAN M. SMITH
District 6 Transportation Planner

HIO:DC

CC: HIO
State Clearinghouse

Memorandum

To : Executive Officer
State Clearinghouse
1400-10th Street
Sacramento, CA 95814

June 26, 1987

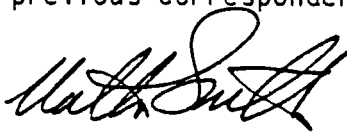
6-Ker-43-24.5
SCH #87060801

From : DEPARTMENT OF TRANSPORTATION
District 6 Transportation Planning

Subject :

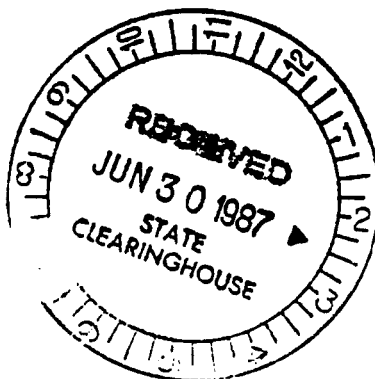
We have reviewed the Negative Declaration for Conditional Use Permit 489-87, Wasco Coal Transfer Station.

The comments on our May 20, 1987 letter are still pertinent. We noted that the previous correspondence had a State Clearinghouse Number of 87042709.



NATHAN M. SMITH
District 6 Transportation Planner

HIO:DC
Enclosure



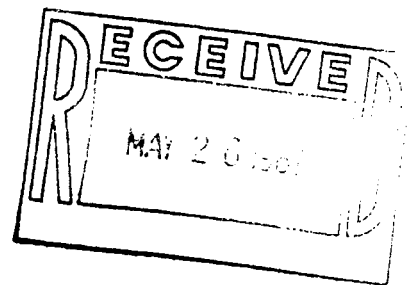
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

4040 Pierce Road
Bakersfield, CA 93308
(805) 327-1069



May 20, 1987

File No.: 420.3556.A6144



Mr. Walter E. Cairns
City of Wasco
746 Eighth Street
P.O. Box 159
Wasco, California 93280

Dear Mr. Cairns:

We have examined your initial study review of the "Wasco Coal Transfer Station" and have marked the appropriate boxes on the enclosed Environmental Assessment Form without comment.

In short, we do not feel this project will impact highway transportation to the extent that we would urge departures from the developer's current plans.

Please do not hesitate to contact our office in the event we can be of further assistance.

Very truly yours,


K. L. MILLER, Captain
Commander
Bakersfield Area

Enclosure

DEGREE OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
*N/A	1	2	3	4	U		
						f. Climate/Meteorology	
						(1) Severe Weather	
						(2) Precipitation	
						(3) Air Movement	
						(4) Temperature	
						(5) Moisture Content	
						g. Vegetation (Flora)	
						(1) Trees	
						(2) Shrubs	
						(3) Grass	
						(4) Microflora	
						(5) Crops	
						(6) Aquatic Plants	
						(7) Endangered Species	
						(8) Barriers	
						(9) Corridors	
						(10) Fire	
						h. Animals (Fauna)	
						(1) Birds	
						(2) Land Mammals/Reptiles	
						(3) Fish	
						(4) Insects	
						(5) Microfauna	
						(6) Endangered Species	
						(7) Barriers	
						(8) Corridors	
						2. Man-made Phenomena	
						a. Aesthetics/Human Interest	
						(1) Scenic Areas	
						(2) Wilderness Areas	
						(3) Open-space Qualities	
						(4) Unique Physical Features	
						(5) Parks/Reserves	
						(6) Historical Sites/Monuments	
						(7) Archeological	
						b. Structure Shadows	
						c. Illumination	
						B. Air and Noise Pollution	
						1. Air Quality	
						a. Mobile Emissions	
						b. Stationary Emissions	
						2. Noise (and Vibrations)	
						a. Mobile Sources	
						b. Stationary Sources	
						c. Natural Absorbers/Barriers	

I. IDENTIFICATION OF ENVIRONMENTAL EFFECTS

PURPOSE: To provide for a preliminary analysis to determine whether an environmental impact report (EIR) or a negative declaration must be prepared (Section 15029.5). If any of the effects of a project may have a substantial adverse impact on the environment, then an EIR must be prepared (Section 15080).

INSTRUCTION: In the space opposite the existing characteristics and conditions, check the possible degree of effect as explained below as it affects your area of expertise.

DEGREE OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
A	1	2	3	4	U		
						I. Physical	
						A. Natural and Man-made Phenomena	
						1. Natural Phenomena	
						a. Visual	
						b. Surface Hydrology	
						(1) Quality	
						(2) Quantity	
						(3) Drainage Patterns	
						(4) Runoff	
						(5) Flooding	
						(6) Catchment/Retention	
						(7) Temperature of Water	
						(8) Evapotranspiration (ET)	
						c. Groundwater Hydrology	
						(1) Quality	
						(2) Quantity	
						(3) Recharge	
						d. Landforms	
						(1) Unique Physical Features	
						(2) Landslides	
						e. Geology	
						(1) Faulting (Seismic Hazards)	
						(2) Economic Mineral Resources	
						(3) Construction Material	
						(4) Soils	
						(a) Compaction	
						(b) Alteration	
						(c) Erosion	

(A) Not Applicable

(1) No effect

(2) Slight effect

(3) Moderate effect; mitigation measure should be employed

(4) Significant effect; mitigation measure required (Section 15080)

(U) Unknown; additional information necessary to provide competent assessment

DEGREE OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
*N/A	1	2	3	4	U		
						C. Transportation	
	X					1. Vehicle Quantities	
	X					2. Vehicle Capacities/Congestion	
X						3. Parking	
X						4. Mass Transit	
		X				5. Hazards	
						D. Land Use and Zoning	
						1. Density, Conformance, & Relationships of Surrounding Land Uses	
						2. Wilderness/Open Space	
						3. Wetlands	
						4. Forestry	
						5. Grazing	
						6. Agriculture	
						7. Residential	
						8. Commercial	
						9. Industrial	
						10. Recreation	
						a. Hunting/Fishing	
						b. Swimming/Boating	
						c. Camping/Hiking	
						d. Day Use/Picnicking	
						e. Equestrian Use	
						f. Off-road Vehicles/Motorcycles	
						E. Service Systems	
						1. Electrical	
						2. Fuel	
						3. Domestic Water	
						4. Agriculture Water	
						5. Fire Water Supply	
						6. Sewerage	
						7. Solid Waste	
						8. Storm Drainage	
						II. Socio-Economic	
						A. Public Facilities (in vicinity)	
						1. Police	
						2. Fire	
						3. Recreation	
						4. Schools	
						5. Institutions	
						6. Medical	
						7. Child Day Care	
						B. Demographic	
						1. Population	
						2. Work Force (employment)	

DEGREE OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
*N/A	1	2	3	4	U		
						C. Economic	
						1. Revenue Sources	
						2. Government Expense	
						3. Market Area	
						III. Other	
						A. Risk of Upset	
						B. Human Health	

II. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15082)

Finding	Yes	Maybe	No	Remarks
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	_____	_____	_____	
(b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	_____	_____	_____	
(c) Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)	_____	_____	_____	
(d) Does the project have environmental effects which will cause substantial adverse effects on human beings,				

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (Items Checked in "Box 4")

A review of the information submitted and additional investigation indicate that this project MAY/MAY NOT have a significant adverse impact on the environment. REASONS (brief statement of facts): (Add additional sheets if required)

IV. COMPATIBILITY WITH EXISTING GENERAL PLAN ELEMENTS AND ZONING

Yes _____ No _____ (Explain if "No" is checked.)

V. DETERMINATION (to be completed after review by the Environmental Department)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Initial Study
Performed by: _____

Date Study
Completed: _____

DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

RANDALL L. ABBOTT
DIRECTOR

STEVEN G. LADD
Assistant Director

Mailing: 1415 Truxtun Avenue
Bakersfield, CA 93301
Location: 1356 Norris Road
Bakersfield, CA 93308

(805) 861-2615

July 15, 1987

CITY OF WASCO, PLANNING DEPARTMENT
746 8th Street, P.O. Box 159
Wasco, CA 93280

Re: Environmental Consultation for Conditional Use Permit 489/87

Ladies and Gentlemen:

Thank you for the opportunity to review the above noted project. The project description and environmental analysis appear to cover most concerns that we might have; we list the following areas of concern that need clarification:

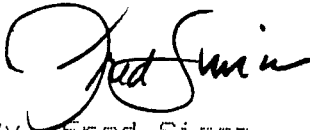
1. Project operation notes that dust generated in the movement of coal will be collected and "sent to a single baghouse collector." Please indicate where this collector is located and to where collected dust will be sent for disposal. If disposal is proposed for a County landfill, the operator needs to determine if the landfill can adequately handle the waste; if the waste can be disposed in a Class III landfill; and if so, if any special equipment (i.e., sprinklers to retard dust) will be needed.
2. Process description notes that temperatures could get sufficiently high with stored coal to cause spontaneous combustion. At what temperature could this occur? Adequate equipment and fire flows meet to be made available for fire fighters to suppress such an occurrence.
3. The environmental document needs to describe what, if any, sensitive land uses exist adjacent the proposed storage facilities within the City. All lands near (1/4 mile +/- from site) the project in the County are designated for or are used in crop production.
4. It appears that all coal stored on project site will be used in cogeneration facilities in Kern County. Will any coal be moved out of the county for use in adjacent or other northerly counties (i.e., Kings, Tulare or Fresno)? If so, the transportation section needs to clarify this condition.

Page 2. Env.Cons.

Should you have any questions regarding these comments, please contact Fred Simon at 861-2615.

Very truly yours,

RANDALL L. ABBOTT, Director
Planning and Development Services

A handwritten signature in black ink, appearing to read "Fred Simon". The signature is stylized with a large, looping "F" and a cursive "Simon".

By Fred Simon
Principal Planner

KERN COUNTY FIRE DEPARTMENT

5642 Victor Street

Bakersfield, California 93308

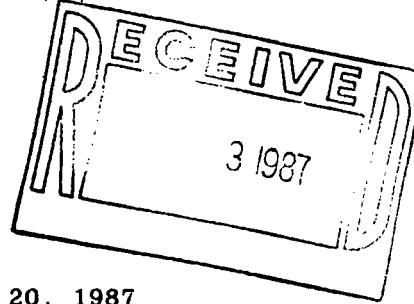
Telephone (805) 861-2577

FIRE CHIEF
THOMAS P. MCCARTHY

ADMINISTRATIVE DEPUTY CHIEF
SCHUYLER T. WALLACE

OPERATIONS DEPUTY CHIEFS
DANIEL G. CLARK
CHARLES E. DOWDY
CHARLES A. VALENZUELA

ADMINISTRATIVE
SERVICES OFFICER
NORMAN R. BRIGGS



July 20, 1987

City of Wasco
P.O. Box 159
Wasco, CA 93280

RE: Wasco Coal Transfer Station

Attention: Walter Cairns

Dear Mr. Cairns:

Coal is susceptible to spontaneous heating, a hot spot in a pile may not materialize for one to two months. Our requirements for this project will include:

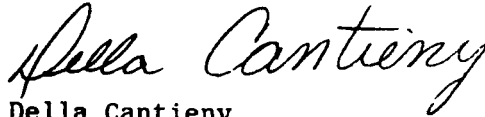
- 1) All buildings and structures for housing and handling coal shall be of non-combustible construction.
- 2) Construction shall minimize area coal dust can accumulate and access shall be provided for cleaning or washing down area.
- 3) Explosion venting, self closing doors, and drain systems where required.
- 4) Storage of coal shall be:
 - a) Limited to a short duration
 - b) Equipment shall be non-combustible construction
 - c) Means shall be provided to remove burning, wet, or smoldering coal. This includes access to material plus equipment.
- 5) Every building or room where dry coal is processed or handled shall be provided with approved portable multipurpose fire extinguishers in accordance with NFPA 10.
- 6) Conveyor belts shall have a fixed fire suppression system.
- 7) NFPA 14 shall be used to provide hose systems.
- 8) Training and housekeeping procedures to be a regular part of process.

- 9) Automatic detection for foreign objects shall be provided at initial loading of conveyers.
- 10) Belt conveyers shall be:
 - a) Designed to resist ignition.
 - b) Provided with a device arranged to automatically shut off driving power in the event of a belt slowdown.
 - c) Hydraulic system for belt alignment shall use only fire retardant hydraulic fluids or be protected by automatic fire protection.
 - d) Means shall be provided to remove tramp metal and other foreign objects as soon as possible.
- 11) NFPA 120 Standards for Coal Preparation Plants shall be enforced.
- 12) On site hydrants and/or monitors shall be provided. Hydrants shall provide 1500 GPM at 20 psi for 4 hours. Hydrant to have an approved entity for maintenance.

Any questions please feel free to call or set up a meeting.

Very truly yours,

THOMAS P. McCARTHY, CHIEF



Della Cantieny
Fire Protection Specialist

DC/rg

Office Memorandum • KERN COUNTY

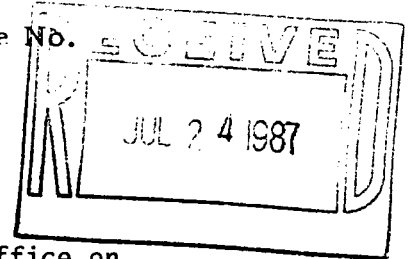
TO : City of Wasco
Attn: Walter E. Cairns

DATE: July 23, 1987

FROM : Public Works Department
Skip Tullock

Telephone No.

SUBJECT: E.C. - CUP 489/87



We have reviewed the subject project submitted to this office on July 22, 1987, and have the following comments.

See attachment.

ST:KC:sg
attachment

Office Memorandum • KERN COUNTY

TO : Skip Tullock
Public Works Department - Surveyor

DATE: July 17, 1987


FROM : Martin V. Taylor
Public Works Department - Roads Office

Telephone No.

SUBJECT: 8-4.11 City of Wasco

This department has reviewed the Environmental Consultation for Conditional Use Permit 489/87 located within the City of Wasco with no specific comments, however, truck's routes should be provided that minimize impact upon established residential areas.

The document has been forwarded to Jack Kennedy for review.


Martin V. Taylor

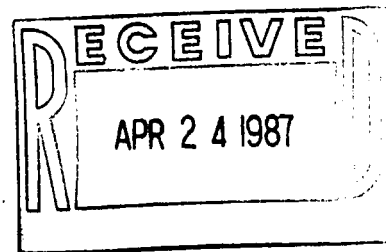
MVT:ab

cc: City of Wasco
Attn: W. Cairns
P.O. Box 159
Wasco, CA 93280

JOHN R. SMITH
Sheriff

SHERIFF'S DEPARTMENT

Telephone (805) 861-7500



Post Office Box 2208
Bakersfield, California-93303

April 21, 1987

Mr. Walter E. Cairns
City of Wasco
P. O. Box 159
Wasco, CA 93280

RE: CUP #489/87

Dear Mr. Cairns:

The following is in response to your letter of inquiry dated April 7, 1987:

1. While this project by itself will not require an increase in law enforcement personnel, it will add to the need for additional personnel with future development of this area.
2. Demand for law enforcement services may be reduced by designing the project using the concepts of Crime Prevention Through Environmental Design (CPTED). These concepts encourage a natural "self policing" atmosphere in which the residents can feel safe. Some of the areas of concern are: Building design and floor plan layout, landscaping, fencing, lighting, circulation systems for pedestrians and vehicles, location and types of recreational facilities, and interaction with surrounding land uses.

Should you have any questions, please feel free to contact me at 861-7557.

Sincerely,

JOHN R. SMITH, SHERIFF
COUNTY OF KERN


RICHARD DIXON, DEPUTY
ADMINISTRATIVE SERVICES

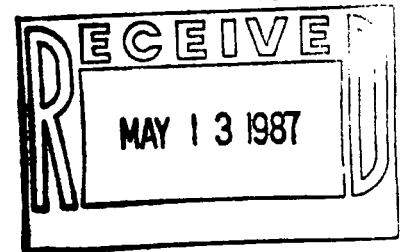
JRS/RD/az

E OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
A	1	2	3	4	U		
						C. Transportation	
						1. Vehicle Quantities	
						2. Vehicle Capacities/Congestion	
						3. Parking	
						4. Mass Transit	
						5. Hazards	
						D. Land Use and Zoning	
						1. Density, Conformance, & Relationships of Surrounding Land Uses	
						2. Wilderness/Open Space	
						3. Wetlands	
						4. Forestry	
						5. Grazing	
						6. Agriculture	
						7. Residential	
						8. Commercial	
						9. Industrial	
						10. Recreation	
						a. Hunting/Fishing	
						b. Swimming/Boating	
						c. Camping/Hiking	
						d. Day Use/Picnicking	
						e. Equestrian Use	
						f. Off-road Vehicles/Motorcycles	
						E. Service Systems	
						1. Electrical	
						2. Fuel	
						3. Domestic Water	
						4. Agriculture Water	
						5. Fire Water Supply	
						6. Sewerage	
						7. Solid Waste	
						8. Storm Drainage	
						II. Socio-Economic	
						A. Public Facilities (in vicinity)	
						1. Police	
						2. Fire	
						3. Recreation	
						4. Schools	
						5. Institutions	
						6. Medical	
						7. Child Day Care	
						B. Demographic	
						1. Population	
						2. Work Force (employment)	

PACIFIC GAS AND ELECTRIC COMPANY

PG&E + 1401 FULTON STREET • FRESNO, CALIFORNIA 93760 • (209) 443-4600

May 8, 1987



Wasco Coal Transfer Station
Conditional Use Permit #489/87
680.1

Walter E. Cairns
Planning Director
City of Wasco
P. O. Box 195
Wasco, CA 93280

Dear Mr. Cairns:

We have reviewed the Project Description for the subject Station and have determined that the project will not affect our facilities or operations in the vicinity.

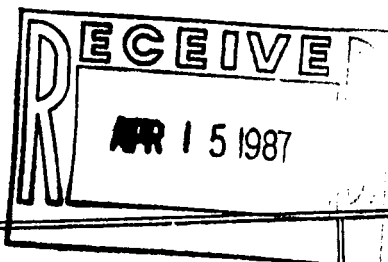
Thank you for the opportunity to review this document. Should you have any questions, please call Ernie Ralston at (209) 443-5497.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. R. McClue".

C. R. McCLUE
Regional Land Superintendent

CRMc/EERalston:vlj



CASE 87-87

11/1/87

E OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
1	2	3	4	U			
					C. Transportation		
					1. Vehicle Quantities		
					2. Vehicle Capacities/Congestion		
					3. Parking		
					4. Mass Transit		
					5. Hazards		
					D. Land Use and Zoning		
					1. Density, Conformance, & Relationships of Surrounding Land Uses		
					2. Wilderness/Open Space		
					3. Wetlands		
					4. Forestry		
					5. Grazing		
					6. Agriculture		
					7. Residential		
					8. Commercial		
					9. Industrial		
					10. Recreation		
					a. Hunting/Fishing		
					b. Swimming/Boating		
					c. Camping/Hiking		
					d. Day Use/Picnicking		
					e. Equestrian Use		
					f. Off-road Vehicles/Motorcycles		
					E. Service Systems		
					1. Electrical		
					2. Fuel		
					3. Domestic Water		
					4. Agriculture Water		
					5. Fire Water Supply		
					6. Sewerage		
					7. Solid Waste		
					8. Storm Drainage		
					II. Socio-Economic		
					A. Public Facilities (in vicinity)		
					1. Police		
					2. Fire		
					3. Recreation		
					4. Schools		
					5. Institutions		
					6. Medical		
					7. Child Day Care		
					B. Demographic		
					1. Population		
					2. Work Force (employment)		

6" trunk line currently available; impact depends on facility water use/need

sewer trunk not currently available; will need to install 8" line from current manhole at 9th & H street south down H street to southerly property line, connecting to current line under J Street.

DW [Signature]
WPUD 4/10/87

Wasco Union Elementary Schools

639 Broadway

Wasco, CA 93280

Phone (805) 758-6431

BOARD OF TRUSTEES

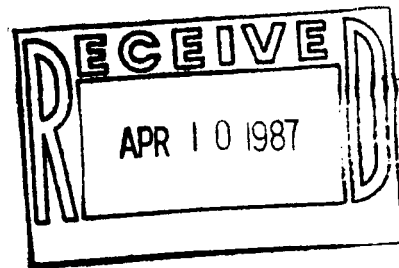
JIM GREENFIELD
DOUGLAS JOHNSON
DAN KETCHEN
KEN PAUL
BRUCE TINER



ADMINISTRATION

ALLEN T. WALKER
District Superintendent
PEGGY L. BROWN
Principal
JAMES FORREST, Ed. D.
Principal
REFUGIO MARTINEZ
Principal

April 9, 1987



Walter E. Cairns
Planning Director
CITY OF WASCO
Post Office Box 159
Wasco, CA 93280

Re: Environmental Consultation for: Conditional Use
Permit #489/87

Dear Mr. Cairns:

The Wasco Union School District reviewed the Environmental Assessment Form and returned it with comment.

Sincerely,

Allen T. Walker
ALLEN T. WALKER
District Superintendent

ATW:ec

Enclosure

I. IDENTIFICATION OF ENVIRONMENTAL EFFECTS

PURPOSE: To provide for a preliminary analysis to determine whether an environmental impact report (EIR) or a negative declaration must be prepared (Section 15029.5). If any of the effects of a project may have a substantial adverse impact on the environment, then an EIR must be prepared (Section 15080).

INSTRUCTION: In the space opposite the existing characteristics and conditions, check the possible degree of effect as explained below as it affects your area of expertise.

DEGREE OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
*N/A	1	2	3	4	U		
						I. Physical	What type building?
						A. Natural and Man-made Phenomena	
						1. Natural Phenomena	
						a. Visual	
		X				b. Surface Hydrology	
						(1) Quality	
						(2) Quantity	
						(3) Drainage Patterns	
						(4) Runoff	
						(5) Flooding	
						(6) Catchment/Retention	
						(7) Temperature of Water	
						(8) Evapotranspiration (ET)	
						c. Groundwater Hydrology	
						(1) Quality	
						(2) Quantity	
						(3) Recharge	
						d. Landforms	
						(1) Unique Physical Features	
						(2) Landslides	
						e. Geology	
						(1) Faulting (Seismic Hazards)	
						(2) Economic Mineral Resources	
						(3) Construction Material	
						(4) Soils	
						(a) Compaction	
						(b) Alteration	
						(c) Erosion	

*(N/A) Not Applicable

(1) No effect

(2) Slight effect

(3) Moderate effect; mitigation measure should be employed

(4) Significant effect; mitigation measure required (Section 15080)

(U) Unknown; additional information necessary to provide competent assessment

E OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
1	2	3	4	U			
						C. Transportation	
	X					1. Vehicle Quantities	
						2. Vehicle Capacities/Congestion	
						3. Parking	
						4. Mass Transit	
						5. Hazards	
						D. Land Use and Zoning	
						1. Density, Conformance, & Relationships of Surrounding Land Uses	
						2. Wilderness/Open Space	
						3. Wetlands	
						4. Forestry	
						5. Grazing	
						6. Agriculture	
	X					7. Residential	Surrounding residents.
						8. Commercial	
						9. Industrial	
						10. Recreation	
						a. Hunting/Fishing	
						b. Swimming/Boating	
						c. Camping/Hiking	
						d. Day Use/Picnicking	
						e. Equestrian Use	
						f. Off-road Vehicles/Motorcycles	
						E. Service Systems	
						1. Electrical	
						2. Fuel	
						3. Domestic Water	
						4. Agriculture Water	
						5. Fire Water Supply	
						6. Sewerage	
						7. Solid Waste	
						8. Storm Drainage	
						II. Socio-Economic	
						A. Public Facilities (in vicinity)	
						1. Police	
						2. Fire	
						3. Recreation	
	X					4. Schools	Across town
						5. Institutions	
						6. Medical	
						7. Child Day Care	
						B. Demographic	
						1. Population	
						2. Work Force (employment)	

GREE OF EFFECT						EXISTING CHARACTERISTICS & CONDITIONS	REMARKS
N/A	1	2	3	4	U		
						C. Economic	Coal dust
						1. Revenue Sources	
						2. Government Expense	
						3. Market Area	
						III. Other	
						A. Risk of Upset	
	X					B. Human Health	

II. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15082)

Finding		Yes	Maybe	No	Remarks
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		_____	_____	_____X	
(b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)		_____	_____	_____X	
(c) Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)		_____	_____	_____X	
(d) Does the project have environmental effects which will cause substantial adverse effects on human beings,					

No, possible coal dust

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (Items Checked in "Box 4")

A review of the information submitted and additional investigation indicate that this project MAY/MAY NOT have a significant adverse impact on the environment. REASONS (brief statement of facts): (Add additional sheets if required)

IV. COMPATIBILITY WITH EXISTING GENERAL PLAN ELEMENTS AND ZONING

Yes _____ No _____ (Explain if "No" is checked.)

V. DETERMINATION (to be completed after review by the Environmental Department)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

~~Initial~~ Study
Performed by:

Allen T. Walker

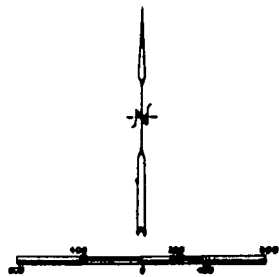
ALLEN T. WALKER

District Superintendent

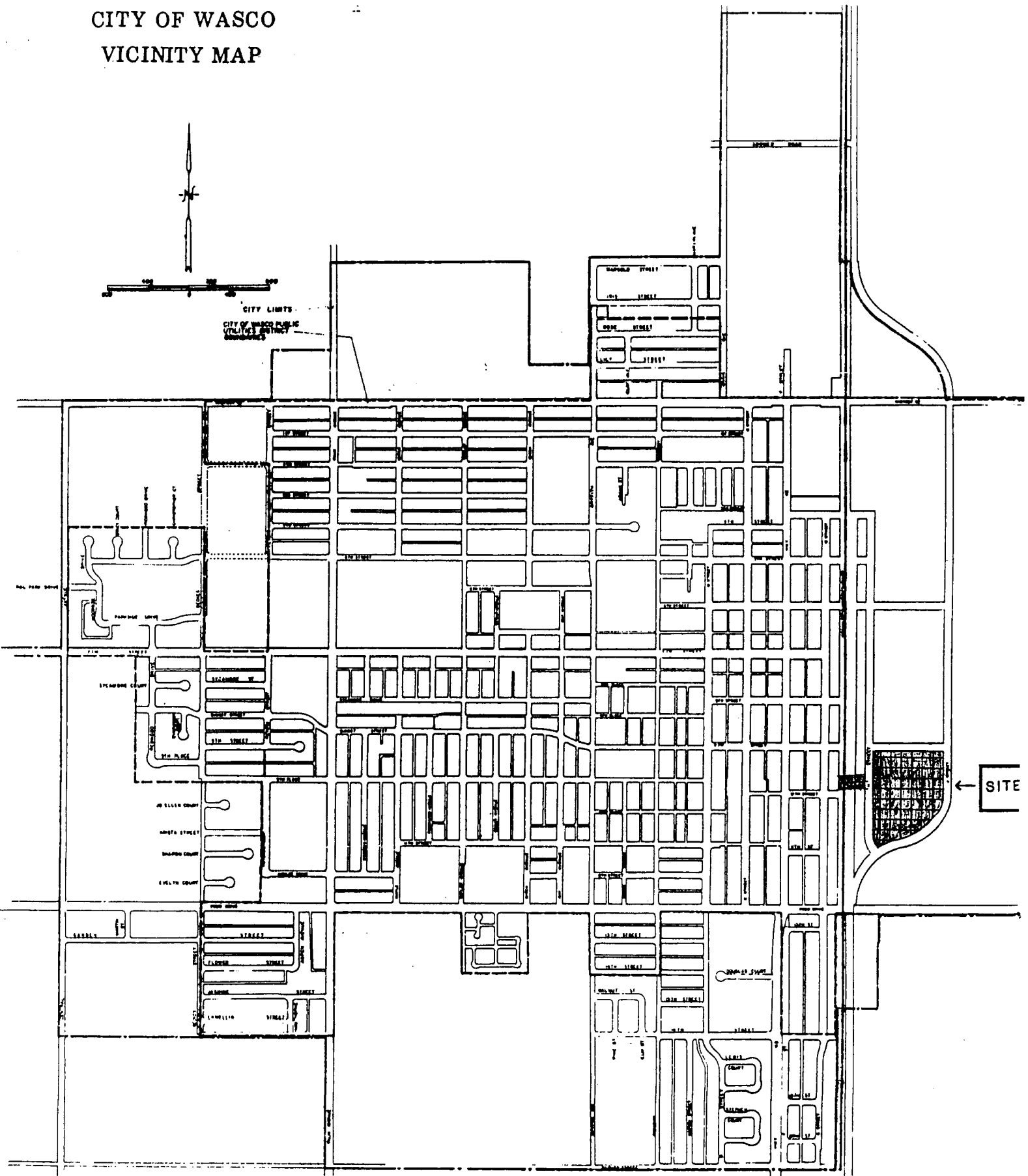
Date Study

Completed: April 10, 1987

CITY OF WASCO VICINITY MAP



CITY LIMITS
CITY OF WASCO PUBLIC
UTILITY DISTRICT



The Wasco Union High School District

P. O. BOX 250

WASCO, CALIFORNIA 93280

PHONE: (805) 758-5324

BOARD OF TRUSTEES

MR. JAMES PAYNE, President
MRS. MERLE GRANT, Clerk
MR. JAMES JOHNSTON
MR. WAYNE MONTGOMERY
MR. MAURICE NADAL

DR. DOUG FLETCHER
Superintendent-Principal

MR. GERALD W. JOHNSON
Assistant Principal

TO: City Planning Dept.

FROM: Dr. Douglas Fletcher, Sup't./Principal
Wasco Union High School

TOPIC: Environmental Consultation Conditional Use Permit #489/89

DATE: May 7, 1987

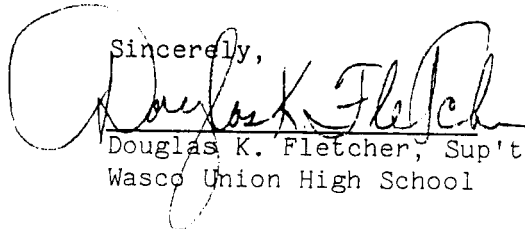
Wasco Union High School District has a safety concern regarding the above listed project. It relates to the busing of students and the students walking to our high school.

A total of six buses either load or unload in the square block bordered by 6th St.- Wasco Ave.-9th St. and H St. Approximately 300 students are transported in the area. These are K through 5th grade. All other students, 6th through 12th are walkers.

Walking across a busy railroad facility could be hazardous to our students. The district does not have the facilities to transport all K - 12 students across the hazardous areas. Approximately 50 high school and junior high school students walk across the tracks.

Our district would like to be involved in the mitigation of the above listed safety problems. Please advise us of the next steps in the mitigation procedures.

Sincerely,



Douglas K. Fletcher, Sup't./Principal
Wasco Union High School

DKF/jb
cc: Allen Walker
Daryl Duke

APPENDIX F
COAL ANALYSIS

<u>PROXIMATE ANALYSIS</u>	<u>As Received</u>	<u>Air Dried</u>	<u>Dry Basis</u>	<u>ULTIMATE ANALYSIS</u>	<u>Dry Basis</u>
Moisture	7.00%	4.10%	%	Carbon	71.84%
Ash	11.20%	11.54%	12.00%	Hydrogen	5.23%
Volatile	35.30%	36.39%	37.94%	Nitrogen	1.39%
Fixed Carbon	<u>46.50%</u>	<u>47.97%</u>	<u>50.06%</u>	Chlorine	Trace 0.02%
	100.00%	100.00%	100.00%	Sulfur	0.59%
Btu/lb.	11,500	11,890	12,428	Ash	8.33%
Sulphur	0.60%	0.61%	0.63%	Oxygen (by difference)	12.60%

SULPHUR FORMS

Pyritic Sulphur	.07%
Organic Sulphur	.53%

<u>ASH FUSION TEMP.</u>	<u>Reducing</u>	<u>Oxidizing</u>
Initial Deformation	2340°F	2400°F
Softening (H=W)	2460°F	2540°F
Softening (H=1/2W)	2540°F	2610°F
Fluid	2660°F	2740°F
Free Swelling Index	2	
T-250 Temperature	2810°F	
Hardgrove Grindability Index	45	
Silica Value	87	

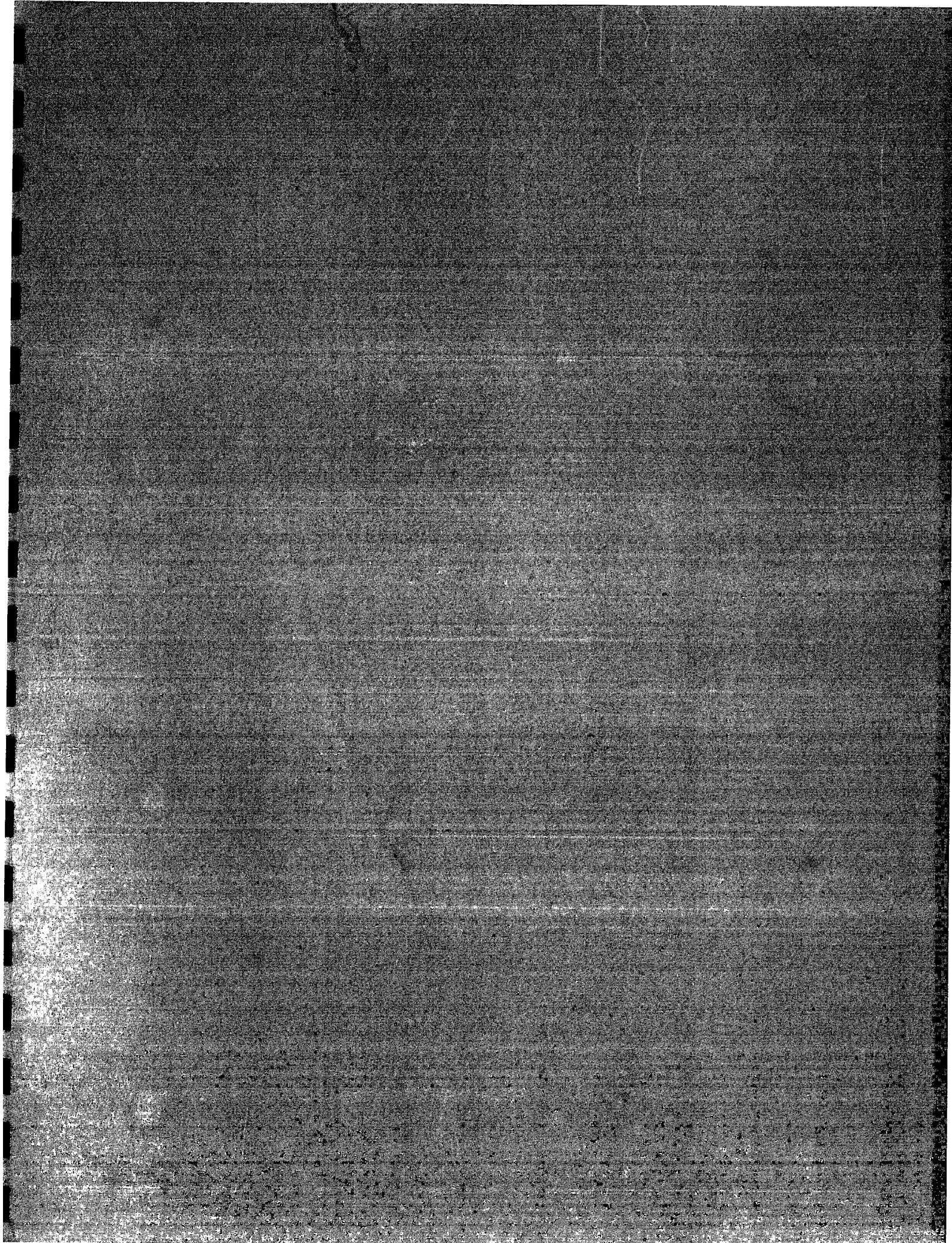
ASH MINERAL ANALYSIS

SO ₃ Sulphur Trioxide	3.89%
Al ₂ O ₃ Alumina	18.77%
Ca) Lime	6.07%
Fe ₂ O ₃ Ferric Oxide	2.14%
K ₂ O Potassium Oxide	.27%
Na ₂ O Sodium Oxide	.63%
P ₂ O ₅ Phosphorous Pentoxide	.14%
MgO Magnesia	1.40%
SiO ₂ Silica	65.00%
TiO ₂ Titania	.92%
Undetermined	<u>.77%</u>
	100.00%

PLASTIC PROPERTIES OF COAL GIESELER PLASTOMETER

Maximum Fluidity, D.D.P.M.*	2
Initial Softening Temperature, (1 DDPM) °C	416
Maximum Fluid Temperature, °C	421
Solidification Temperature, °C	454
Temperature Range, °C	38

* 1 Dial Division Per Minute at 40 Gram Inches Torque



CITY OF WASCO
RESOLUTION OF THE WASCO PLANNING COMMISSION

In the matter of the Application)	Case No. 489-87
Savage Coal Service Corporation)	Resolution No. 90-38
request for a)	Setting Forth Findings of Fact,
Conditional Use Permit)	Determinations and Decision.

Section I.

WHEREAS:

- (a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (Known as the Planning and Zoning law), the City Council of the City of Wasco has adopted the Official Zoning Ordinance for the City of Wasco (Ordinance No. 330 of the City of Wasco), herein called the Zoning Ordinance; and
- (b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the City into zones and showing the zone boundaries; and
- (c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence of the City of Wasco, and other purposes, and other uses more specifically set forth in Ordinance No. 330 and Section 65850 of the California Government Code;
- (d) The City of Wasco Planning Department has received an application pertaining to a parcel of real property which is located within that portion of the incorporated area of the City for which an official Zoning Map has been adopted under Section 17.02 of said Ordinance Code and for which precise land use and zoning regulations are in effect; and
- (e) Said parcel of real property is described as follows:
APN: 30-030-06 and 30-030-07

Beginning at the point where the centerline of H Street intersects J Street and proceeding north to a point 1609 Feet south of where the centerline of 9th Street intersects H Street thence east 800 feet to the centerline of J Street; thence south on the centerline of J Street to the beginning point.

- (f) Said application had been previously made pursuant to provisions of Section 28 of Ordinance 131, and a request for a Conditional Use Permit, insofar as said requirements were applicable to the aforescribed parcel of real property, to allow a Coal Transfer Station in an M-3 (General Manufacturing) zone.

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated below, and reference is hereby made thereof for further particulars; and

(h) On September 14, 1987 this Commission adopted a Mitigated Negative Declaration for this project. All of the mitigation measures proposed by the Environmental Report were made a part of the project.

(i) Said Environmental Report made cause for the following Condition:

A monitoring study shall be performed during the first year of facility operation at interior and exterior locations in the areas most likely to be impacted by the facility. If noise levels are found to exceed city standards, additional mitigation measures shall be imposed to further reduce noise impacts to meet standards, or to be inaudible beyond existing background noise levels, in the event that city noise standards are already exceeded.

(j) In accordance with the above condition of approval a noise monitoring study has been conducted and which made determination that the project, when operating within certain parameters, does not exceed city noise standards.

(k) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(l) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning Department and all persons so desiring were duly heard; and

(m) This commission has considered the recommendation of the Planning Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

(n) The Conditional Use Permit as granted has been so exercised as to constitute a nuisance as defined in section 17.72.06(c) of the City of Wasco Zoning Ordinance.

Section II

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WASCO, AS FOLLOWS:

- (a) This Board finds that the facts recited above are true and that this Board has jurisdiction to consider the subject of this resolution; and
- (b) This Board has fully reviewed and considered the information in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and it is hereby approved, with development to be in substantial conformity with the plan as presented, subject to the following conditions:
 - 1. All structures shall conform at least to the Seismic Zone 3 requirements of the Uniform Building Code, which requires "earthquake resistant" construction measures. The project structures would be designed to withstand groundshaking due to maximum expected earthquake at the site without collapse.
 - 2. The City of Wasco reserves the right to review all structural engineering through a qualified engineer of the city's choosing, the cost of which would be reflected as an additional charge in the building permit.
 - 3. The conveyor tunnel sections shall be designed as short pipes with flexible, watertight connections at each joint. This would mitigate the effects of differential settlement along the reclaim tunnel.
 - 4. Settlement underneath the coal storage silos would be mitigated by the placement of concrete foundations at least 12 inches below the lowest adjacent final grade. A maximum allowable bearing capacity of 3,000 pounds per square foot (psf) shall be used for all structures.
 - 5. Landscaping in the form of ground cover, trees, and bushes as approved by the City of Wasco shall be used to mitigate increases in runoff and erosion in areas not covered by structures or paving.
 - 6. Mitigation measures to control fugitive dust emissions shall consist of totally enclosed storage systems, enclosed railcar unloading, covered conveyor systems, and baghouse dust control at appropriate points, construction dust shall be controlled with a water spray in accordance with applicable regulations. In addition, the city of Wasco retains the right to initiate revocation of the CUP in the event the facility is out of compliance with KCAPCD (Kern County Air Pollution Control District) conditions. The ATC (Authority to Construct) permit

issued for the project would require testing of the facility following construction. All KCAPCD conditions must be met before a Permit to Operate (PTO) shall be issued for the project.

7. The bottom dumper (No. 1) shall be enclosed in a building with curtains on the ends where the railcars enter and exit. Separate dust collection systems shall be used to collect particulates from the two sides of the railcar during unloading. Air from both dust collection systems shall exhaust through a baghouse.
8. All of the transfer points shall be fully enclosed and exhaust to a baghouse dust collection system.
9. All aboveground conveyors shall be equipped with covers. Belt scrapers and collection pans would be provided, as needed, along return belt areas. There shall be no open storage of coal during normal terminal operations. Coal shall be transferred directly from conveyors into enclosed storage bins.
10. The feeders and most of the reclaim conveyor are located underground. The other transfer emission point shall be located at the surge bin and shall be totally enclosed and vented to a baghouse. Connections between the surge bin, the weigh bin, and the loadout chute shall be sealed.
11. Trucks shall be loaded inside a structure enclosed on two sides. Each truck shall have canopies to prevent coal losses during transport. During loading, the canopies shall be opened just wide enough to allow the loadout chute to enter as the truck pulls up to the loading area. The bottom of the chute shall be positioned just below the top of the canopy, producing a partial enclosure. The trailer bed shall slope toward the center from both the front and rear. Coal loading shall begin on the slope at the front of the bed to minimize the drop height.
12. All on-site roads with truck traffic, including the staging area, shall be paved to reduce dust generation. Sweeping shall be used, as needed, to remove dust buildup on the on-site roadway.
13. The proposed project shall be required to locate and install an eight-inch sewer trunkline under H Street in accordance to the specifications and requirements of the City of Wasco.
14. Monthly checks of the domestic water supply to the facility by the City of Wasco shall be permitted to ensure that water quality standards are met.

15. Proper expansion of new storm drainage facilities to serve areas not presently developed should mitigate any drainage problems that would result from urban growth in Wasco. Continued collection of storm drain fees should assure expansion and maintenance of the system.
16. Mitigation measures include on site drainage with filtering systems to collect any localized pollutants (solids or liquids) from truck fueling and maintenance and laydown pad areas before runoff can be collected by a public facility, and the addition of curb and gutter around the entire project site. Savage Coal Service Corporation shall pay storm drain fees which shall support a share of the maintenance and expansion of the city system. In addition, facility sweeping and housekeeping operations would minimize surface dust that would be picked up by surface runoff.
17. The stormwater collection system shall minimize flooding potential due to the proposed project so that no significant adverse impacts would result.
18. The proposed facility shall be designed to include a number of noise-attenuation features, primarily the enclosure of essentially all the transfer equipment.
19. Any potentially annoying noise sources, such as public address systems or equipment alarms, shall be directed towards the interior of the facility to minimize potential impact on nearby residences.
20. The truck noise shall be mitigated by lowering the speed limit from 55 miles per hours (mph) to 35 mph along J Street from Highway 46 to Poso Avenue. The reduction in speed is expected to significantly mitigate truck noise.
21. The truck traffic shall be confined to designated truck routes.
22. A monitoring study shall be performed during the first year of facility operation at interior and exterior locations in the areas most likely to be impacted by the facility. If noise levels are found to exceed city standards, additional mitigation measures shall be imposed to further reduce noise impacts to meet standards, or to be inaudible beyond existing background noise levels, in the event that city noise standards are already exceeded.
23. All construction equipment shall be equipped with operational muffler systems and construction activities shall be prohibited between the hours of 9:00 p.m. and 7:00 a.m.
24. Coal storage facilities shall be constructed to minimize self-heating.

25. Stored-coal temperature shall be constantly monitored.
26. Silos shall be designed to prevent buildup of "old" coal.
27. A laydown pad shall be constructed which shall be used to cool and turn coal in the event a hot spot develops.
28. Site surfaces shall be swept to minimize coal dust collections.
29. Storage systems shall be properly ventilated.
30. Metal detectors shall be placed on conveyors to remove spark sources.
31. All transfer and conveyance points shall be enclosed with air streams vented through fabric filter collectors to remove greater than 90 percent of the entrained particulates. The collected dust shall be pneumatically conveyed and loaded out with the coal.
32. All maintenance, inspection, and source testing conditions required by the Kern County Air Pollution Control District in the Authority to Construct issued for the proposed project, all conditions required by the Kern County Fire Department, and Mine Safety and Health Administration guidelines regarding methane detection shall be complied with.
33. In order to mitigate any adverse impacts caused by the coal trucks on area road conditions, Savage, in consultation with city officials, shall agree to participate in upgrading area roads. Savage shall pay the portion of the cost associated with upgrading J Street. Savage shall install a deceleration lane, curb and gutter, and sufficient new paving to maintain proper slope and drainage, up to a new half-street out to the centerline of J Street along a portion of the property frontage. This half street would be T1 = 10. (T1 stands for traffic index and is a design specification related to load capacity). Savage shall also pay the difference of the cost to upgrade the remainder of the truck route on J Street from T18 to T110 when it is next reconstructed.
34. Truck traffic shall exit the facility on H Street, then turn left onto J Street. A turn lane shall be provided from the intersection of H and J Street to the facility exit. If necessary, Savage shall bear the costs of any road widening needed to accommodate the turn lane plus north-south lanes to assure the coal trucks an adequate turn radius. A qualified traffic engineer shall be retained to evaluate requirements for this section of road. The applicant shall be required to comply with city-approved recommendations of this evaluation.

- X
35. The section of J Street from Highway 46 to Poso Avenue shall be designated No Passing.
 36. The haul truck schedule shall be adjusted to shift the interface period ahead or behind so as to minimize the number of trucks in town during school bus activity.
 37. Channels of communication shall be opened between the school board's school bus personnel and Savage to enable the channeling of information on schedules and/or safety-related concern to those persons affected.
 38. Savage shall maintain a staff of drivers that are professional and safety conscious. Savage drivers shall receive training both at the beginning and annually during the course of employment. The initial course shall be the National Safety Association Profession Driver Improvement Course. The school bus interface and additional topics shall be addressed early on in monthly safety meetings.
 39. Savage trucks shall start their slowdown to make the entrance into the coal storage facility prior to the Ninth Street intersection. A deceleration lane would be constructed from the property boundary at Ninth Street to the facility entrance.
 40. Savage shall place proper cautionary signing (posting) (i.e., Truck Crossing, School Bus Crossing, etc.).
 41. Savage trucks shall be equipped with two-way radio communications to facilitate tracking of school bus movement, helping to smooth the flow of both truck and bus traffic.
 42. The truck haul routes shall be located well away from any school bus pick-up points as currently established. This would greatly decrease the exposure of students to trucks.
 43. The Savage Coal Transfer station shall process no more than 900,000 tons of coal per year.
 44. All Savage-controlled train car movement shall be maintained at speeds of less than 10 mph.
 45. Empty car storage shall be on the three side tracks and shall terminate just below Sixth Street to not impede or cross the designated pedestrian and traffic crossing area.
 46. Savage shall work with the railroad to provide appropriate information and hazard training to advisors and students.
 47. All buildings, structures, and equipment for housing and handling coal shall be of non-combustible construction.

48. Construction should minimize areas where coal dust can accumulate and access would be provided for cleaning or washing down areas. The coal receiving, storage, and load-out areas shall be enclosed under negative pressure, where possible. These areas shall be vented through fabric filters that shall remove dust with greater than 90 percent efficiency.
49. Explosion venting, self-closing doors, and drain systems shall be provided where required.
50. Storage of coal shall be limited to a short duration in accordance with approved design stipulations. The storage silos have been designed to reduce buildup of "old" coal on the sidewalls of the system.
51. Means shall be provided to facilitate the removal of burning, wet, or smoldering coal. This shall include access to material plus equipment. The project shall include a "laydown pad" where coal could be cooled in the event that hot spots develop. In addition, storage silos shall be designed and sized to minimize the development of hot spots and would provide means to continuously monitor coal temperatures.
52. Every building or room where dry coal would be processed or handled shall be provided with approved portable multipurpose fire extinguishers in accordance with NFPA 10.
53. Conveyor belts shall have a fixed fire suppression system.
54. NFPA 14 shall be used to provide hose systems.
55. Training and housekeeping procedures shall be a regular part of Savage employment requirements.
56. Automatic detection for foreign objects shall be provided at initial loading of conveyors.
57. Belt conveyors shall be designed to resist ignition, provided with a device arranged to automatically shut off driving power in the event of a belt slowdown, designed so that the hydraulic system for belt alignment shall use only fire retardant hydraulic fluids or shall be protected by automatic fire protection, and a means shall make a provision to remove tramp metal and other foreign objects.
58. NFPA 120 Standards for Coal Preparation Plants shall be enforced.
59. On-site hydrants and/or monitors shall be provided. Hydrants shall be able to provide 1500 gpm at 20 psi for four hours. The hydrants shall be maintained by approved personnel.

60. Any impact from sanitary wastewater disposal shall be mitigated by proper sizing and construction of the sewer system connection currently proposed.
61. Any impacts to area flooding resulting from construction of the proposed facility shall be mitigated by the project's stormwater drainage system.
62. A visual analysis shall be performed by a landscape architect or other visual planner to develop the most effective plan to mitigate the visual effects of the project.
63. Savage shall be required to comply with all provisions of the city-approved mitigation plan developed by the landscape architect.
64. The project shall comply with all landscaping requirements as specified in the city zoning ordinance.
65. Buildings, tanks, and coal silos shall be painted a flat, earthtone color with consideration to colors that would reduce heat transfer to the tank and silo interiors.
66. The coal terminal shall be subject to a vigorous maintenance program which would ensure that the facility stays well-painted and maintained. The maintenance plan shall be reviewed and approved by the city public works department.
67. Lighting attached to any structure shall be directed to the interior of the site to minimize light and glare impacts to travelers on Ninth, J, and H streets and to residences to the north of the site.
68. High Pressure sodium vapor lights shall be used instead of mercury lights to reduce glare.
69. Light standards within any on-site parking areas and interior driveways shall be no higher than 12 feet and directionally-shaded to reduce glare.
70. If archaeological materials are encountered during project construction, the on-site personnel shall not alter the material and its context until a qualified archaeologist is retained to evaluate the finds and propose recommendations for protection of the resources.
71. All necessary building permits must be obtained from the City of Wasco Building Inspection Department.
72. The method of water supply and sewage disposal shall be as required and approved by the Kern County Health Department and by the City of Wasco.

73. All signs shall be approved by the Planning Director prior to installation.
74. All vehicle parking and maneuvering areas shall be surfaced in compliance with the Building Inspectors approval.'
75. Vehicle parking areas shall be a minimum of 9 feet by 20 feet in size and shall be designated by painted stripes.
76. Concrete wheel blocks shall be installed at each parking space.
77. All new on site utility services shall be placed underground.
78. The method of fire prevention shall be required (but not limited to) and approved by the Kern County Fire Department.
79. This Conditional Use Permit is non transferable except with prior approval of the Planning Commission.
80. Coal shall only be delivered to facilities which currently exist and are using coal or to future facilities whose environmental documents specifically address usage of coal delivered from this project.
81. Expansion of this facility beyond 900,000 tons of coal per year may occur by application to the Planning Commission. Approval can only be granted if one of the following can be shown.
 - a) The project(s) receiving the coal must be approved by the appropriate lead agency and must have undergone an environmental review which identifies the usage of coal.
 - b) The Wasco Coal Transfer Station must undertake an environmental review for any client whose facilities have not had an environmental review.
82. Any transportation of coal to consumers outside of Kern County will be restricted to the use of State Highways while the vehicles are in Kern County.
83. During construction water shall be sprayed twice daily to control fugitive dust.
84. Any pipes holding flammable liquids shall be equipped with automatic shut off valves and designed to minimize breakage potential.
85. All vehicles and equipment used on or at project site shall be kept in good repair and be properly maintained so as to minimize noise, air and visual pollution.
86. This facility shall only receive bituminous coal.

87. The rail car shaker shall be used only to fluidize the coal for the top half of each coal car or for 6 minutes after the car is in position which ever occurs first. The shaker shall be used for no more than 30 seconds during this time period. Savage shall install on or before December 1, 1990 a means approved by the Planning Department to continuously monitor and record the shaker use during all rail car unloading. Savage shall make these records available to the City of Wasco.
88. On or before January 1, 1991 Savage shall develop a training program for all operations of the shaker in order to maximize operation performance and shall monitor the performance of the operators and correct any deficiencies which may arise.
89. Savage shall organize (or have a third party organize) the railcars such that the majority of those rail cars which are responsible for the creation of the most noise during the unloading process, be unloaded during the hours of 7 a.m. to 10 p.m. NOTE: Railcars deemed as being responsible for noise creation are those which have an end slope of less than 42 degrees.
90. Noise emitted by the Savage Coal Company shaker shall not exceed the criteria set forth by Dawson, H. "Practical Aspects of the Low Frequency Noise Problem" Journal of Low Frequency Noise and Vibration, Vol. 1, No. 1, 1982. Evidence of compliance shall be submitted to the Planning Department by March 1, 1991.
91. Savage shall develop and implement an alternative means to the shaker to clean the center portion of all rail cars by December 1, 1990.
- (c) Non compliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 17.73 of said Ordinance; and
- (d) The conditions of approval of the related Conditional Use Permit incorporate all the mitigation measures recommended as a part of the adopted negative declaration and the environmental effects have either been eliminated or reduced to an acceptable level.
- (e) The Secretary of this Commission shall cause a notice of determination to be filed with the County Clerk.

Dated: September 10, 1990


Chairman of the Planning Commission

I, RACHEL RODRIGUEZ, Planning Secretary of the City of Wasco hereby certify the foregoing Resolution was approved, adopted and passed by the body on the 10th day of September 1990 by the following vote:

AYES : Commissioners Hagen, Howard, Meyer, Parrott, Payton, Voth
NOES : Commissioner Henning
ABSENT : None
ABSTAIN: None


Planning Secretary



Community Development Department (661) 758-7250 Fax (661) 758-7239
764 E Street, Wasco, CA 93280

October 31, 2013

Mr. Fred Busch
Savage Services Corporation
6340 S. 3000 E, Suite 600
Salt Lake City, UT 84121

Re: NOTICE OF INCOMPLETE APPLICATION
Conditional Use Permit 489-87 Amendment

Dear Mr. Busch:

This letter serves as notification that the City of Wasco has completed its preliminary review of Conditional Use Permit 489-87 Amendment application, a request to amend your current Conditional Use Permit to increase your operating capacity from 900,000 ton to 1.5 million tons per year to provide for additional customers. Based on this review, staff has deemed the application incomplete. Please provide the following:

1. A signed City of Wasco Indemnification Agreement (see attached)
2. Additional deposit. Your current deposit account has a balance of \$40. It is City policy to stop work on all projects that fall below 25% of the original deposit amount until additional funds are deposited.

This application will ultimately be scheduled for a hearing before The City of Wasco Planning Commission, and you will be notified when the meeting date and time has been finalized.

Should you have any questions or comments please do not hesitate to contact the Planning Department at (661) 758-7200.

Sincerely,

Keri Cobb,
Senior Planner
Community Development Department

Cc: PROJECT FILE: CUP 489-87 Amendment
Roger Mobley, Planning Director
Valerie Rosenkrantz, Insight Environmental



INDENMIFICATION AND HOLD HARMLESS

ORDINANCE No. 2013-631, adopted by the City Council of the City of Wasco on July 2, 2013, requires applicants for land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

INDENMIFICATION AGREEMENT

As part of this application , applicant agrees to defend, indemnify, release and hold harmless the City of Wasco, its council members, agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in the Wasco Municipal Code Chapter 17.04 Section, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, attorneys, employees, council members, boards and commissions.

Date: _____

Applicant

Date: _____

Property Owner



Community Development Department (661) 758-7250 Fax (661) 758-7239
764 E Street, Wasco, CA 93280

November 14, 2013

Mr. Fred Busch
Savage Services Corporation
6340 S. 3000 E, Suite 600
Salt Lake City, UT 84121

Re: NOTICE OF COMPLETE APPLICATION
Conditional Use Permit 489-87 Amendment

Dear Mr. Busch:

This letter serves as notification that the City of Wasco has completed its review of the Conditional Use Permit 489-87 Amendment application, a request to amend your current Conditional Use Permit to increase your operating capacity from 900,000 tons to 1.5 million tons per year to provide for additional customers. Based on this review, staff has deemed the application complete.

The application and supporting documentation will be routed to responsible agencies for comment and a public hearing before the City of Wasco Planning Commission will be scheduled. You will be notified when a meeting date and time has been finalized.

Should you have any questions or comments please do not hesitate to contact the Planning Department at (661) 758-7200.

Sincerely,

Keri Cobb,
Senior Planner
Community Development Department

Cc: PROJECT FILE: CUP 489-87 Amendment
Roger Mobley, Planning Director
Valerie Rosenkrantz, Insight Environmental



City of Wasco
Community Development Department
764 E Street Wasco, CA 93280
(661) 758-7250 phone (661) 758-7239 Fax

Master Uniform Application

I. Type of Application

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Precise Development Plan |
| <input type="checkbox"/> Site Plan Review (Non SFR) | <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Williamson Act Contract | <input type="checkbox"/> Zone Variance |
| <input type="checkbox"/> Zone Change | <input type="checkbox"/> Zone Text Amendment | <input type="checkbox"/> Parcel Map Waiver | <input type="checkbox"/> Lot Line Adjustment |
| <input type="checkbox"/> Parcel Map | <input type="checkbox"/> Tract Map | <input type="checkbox"/> Reversion to Acreage | <input checked="" type="checkbox"/> Other: CUP Amendment |

489-87

II. Submittal Requirements

All items identified below must be included in the application packet. If any items are missing, the application will not be accepted.
ACCEPTANCE OF AN APPLICATION DOES NOT GUARANTEE PROJECT APPROVAL.

- ☐ Completed Master Uniform Application
- ☐ Detailed Project Description
- ☐ One (1) Preliminary Title Report, not less than two months old, for all subject properties
- ☐ Payment of Filing Fees (contact the Community Development Department for fees due)
- ☐ Signed Billing Authorization Form (if applicable, required for all deposit based fees)
- ☐ Submittal Checklist corresponding with application type identified above

CONSENT OF APPLICANT AND PROPERTY OWNER: The consent of the applicant and property owner, if not the applicant, is required for filing an application for a land use development permit within the City of Wasco. The signatures of the applicant and property owner(s) below constitute consent for filing of this application.

INCOMPLETE APPLICATIONS: The completeness of this application, which includes accompanying plans, shall be subject to the review of the Community Development Department. Applications for any of the above listed actions, and other actions as deemed necessary by the Community Development Department, shall be considered incomplete pending a completeness review.

III. General Information

Project Information

Name of Project (if applicable): Savage Services Corporation, Wasco Coal Terminal
Address: 1040 H Street, Wasco CA 93280
APN(s): 030-030-06, -07 Site Area: 15.37 + 3.33 = 18.7 acres
Zone District: I-H Heavy Industrial Planned Land Use Designation: M-3 General Manufacturing
Existing Use of Property: existing Wasco Coal Terminal

Applicant Information

Name of Applicant: Savage Services Corporation (formerly known as Savage Coal Service Corporation)
Address: 6340 S 3000 E, Suite 600, SLC UT 84121 Email Address (optional): fredb@savageservices.com
Phone Number: Fred Busch 801-944-6621 Fax Number (optional):
Signature: [Signature]

Property Owner Information

Savage Services Corporation BNSF Railroad (APN 030-030-07)
(formerly known as Savage Coal Service Corp) (APN 030-030-06), PO Box 961839 FT Worth TX 76161
Address: 6340 S 3000 E, Ste 600 SLC 84121 Email Address (optional):
Phone Number: Fred Busch 801-944-6621 Fax Number (optional):
Signature: C. Fred Busch
Signature: [Signature]

For Staff Use Only:

Application No.:
Date Received:
Fee Amount:

Related Files:
Received By:
Receipt No.:

Handwritten mark

City of Wasco
Community Development Department
754 E Street Wasco, CA 93280
(661) 758-7230 phone (661) 758-7139 Fax

Billing Authorization Form

As partial performance related to application processing, the Applicant (and/or Property Owner of the subject property of the project application) shall make a deposit (funds) in the amount of \$ 2,000 to the City upon filing of their application. City shall charge all lawful expenses incurred in providing Application processing services against Applicant's deposit and any other required City fees. City expenses may include, though not be limited to, City staff time and directly related expenses for application review for completeness, application referrals, noticing of meetings and hearings, site inspections, staff report preparation, preparation of correspondence, response to public inquiries related to the Application, copying and mailing charges, and attendance at meetings.

The undersigned Applicant assumes full responsibility for all costs incurred by the City in the processing of this application. The Applicant further acknowledges and agrees that the fees posted herewith may not be adequate to fully reimburse the City for costs incurred in connection with the Application process, and that periodically, as the need arises, Applicant(s) may be called upon to make further deposit of funds.

Applicant agrees that there shall always remain on deposit with the City sufficient funds to cover the anticipated costs to be incurred with the Application process for a period of thirty (30) business days. (Note: in some instances, funds may be required to cover a period of time beyond 30 days, particularly when consultant services are being used and significant expenses are incurred.) In the event, for any reason, a City request for further deposit of funds from Applicant is not fully satisfied, within thirty (30) business days the City shall cease processing of this Application and the related project, and shall record the failure to make the requested deposit of funds as the Applicant's request to cease processing the Application. In addition, should the funds on deposit ever fall below an amount, estimated by the City in its sole discretion, sufficient to cover the anticipated costs to be incurred in the Application process for a period of thirty (30) business days, the City shall cease processing of the Application and cancel same, and shall record the lack of funds as the Applicant's request to cease processing the Application.

The advance of funds shall not be dependent upon the City's approval or disapproval of the Applicant's application, or upon the result of any action, and shall in no way influence the project. Further, neither Applicant nor any other person providing funding for the Application shall, as a result of such funding, have any expectation as to the results of the Application process or the selection of an alternative favorable to or benefiting the Applicant.

Upon conclusion of processing services and full reimbursement to the City for any outstanding costs that may have been incurred in Application processing, any remaining deposit monies with the City shall be returned to the Applicant. The City may withhold final approval of any project/permit until all fees/invoices are paid in full.

I certify under penalty of perjury that I am the property owner or that I am authorized, as project Applicant, to enter into this funding agreement on his/her behalf. I agree to advise the City in writing should I no longer be associated with the below-referenced property/project.

Signature: [Signature] Date: Oct 21, 2013

Printed Name: **Fred Busch, Sr. VP, Savage Services Corporation (formerly known as**

Savage Coal Services Corporation: ☒ Applicant ☐ Property Owner

Application No.: 489-87 Address/APN: 030-03-06, -07

Billing Contact Information (for mailing of invoices)

Name: **Veri Penrod, General Manager, Savage Services Corporation**

Address: **1040 H Street, Wasco CA 93280** Phone Number: **(661) 758-8454 (office), (661) 201-8888 (cell)**



City of Wasco
Community Development Department
764 E Street Wasco, CA 93280
(661) 758-7250 phone (661) 758-7239 Fax

Conditional Use Permit Submittal Checklist

All items identified below must be included in the application packet. If any items are missing, the application will not be accepted. **ACCEPTANCE OF AN APPLICATION DOES NOT GUARANTEE PROJECT APPROVAL.**

Item	Yes	No
Completed Master Uniform Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Assessment Form (unless exempted by Planning Staff)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
300-foot Radius Map from external property boundaries and property owner mailing lists (refer to Instructions for Mailing Labels)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Site Plan (refer to Required Information for Exhibits) <ul style="list-style-type: none">- Ten (10) full size copies - maximum 24" x 36"- One (1) 11" x 17" copy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Elevations (refer to Required Information for Exhibits) <ul style="list-style-type: none">- Ten (10) full size copies - maximum 24" x 36"- One (1) 11" x 17" copy	<input type="checkbox"/>	<input type="checkbox"/>
Preliminary Landscape Plan (refer to Required Information for Exhibits) <ul style="list-style-type: none">- Two (2) full size copies - maximum 24" x 36"- One (1) 11" x 17" copy	<input type="checkbox"/>	<input type="checkbox"/>
Three (3) copies of a written statement describing the important characteristics of proposed use, including the following information: <ul style="list-style-type: none">- Proposed product or services offered.- Description of operation including the nature of the proposed use of development, hours of operation, number of employees in total and at this location at any one time, number of clients/customers at any one time, other pertinent information.- Outdoor activities including work, storage, display and services.- Construction and/or site plan change.- Materials being stored on-site.- Delivery methods.- Odors, noise, dust or glare produced.- Hazardous or volatile materials or chemicals involved.- Type of vehicle traffic involved including means of access, available parking, drop-off/pick-up, truck deliveries, refuse pick-up, etc.- Description of lease controls or other private provisions affecting the proposed use.- Brief description of prior use of property.- Additional written information, as deemed necessary by the Community Development Director.- Reasons applicant feels justify the granting of the conditional use permit (refer to Required Findings for Conditional Use Permit).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Submitted By: Fred Busch, Sr. VP, Savage Services Corporation
(formerly known as Savage Coal Service Corporation)

Submitted To: Roger Mobley, Planning Director, City of Wasco



City of Wasco
Community Development Department
764 E Street Wasco, CA 93280
(661) 758-7250 phone (661) 758-7239 Fax

NOTICE TO ALL APPLICANTS/ COPYRIGHT STATEMENT

Application/Permit No.: CLIP #487-87 Amendment Date: _____

Property Address: 1040 H Street, Wasco CA 93280 Property APN(s): 030-030-06, -07

The following statement applies to all plans submitted in relation to the above Application/Permit. The signatures of the engineer of record and the applicant below constitute agreement with this statement and demonstrate their understanding of this statement and its application to all related plans.

THE UNDERSIGNED, WHO ARE THE *ENGINEER OF RECORD* AND *APPLICANT* HEREBY WAIVE ALL RIGHTS OF COPYRIGHT AND COPYRIGHT PROTECTION, IF ANY, FOREVER, WITH REGARD TO ANY AND ALL DOCUMENTS FILED OR LODGED WITH THE CITY OF WASCO INCLUDING, WITHOUT LIMITATION, ALL TRACT MAPS, PARCEL MAPS, IMPROVEMENT AND GRADING PLANS, REPORTS, AND ALL OTHER DOCUMENTS RELATING THERETO (COLLECTIVELY, THE "PLANS") AND AGREE THAT THE CITY OF WASCO, ITS OFFICERS, COUNCILMEMBERS, COMMISSIONERS, EMPLOYEES, AND CONTRACTORS (COLLECTIVELY, THE "CITY") SHALL HAVE NO LIABILITY WHATSOEVER FOR DAMAGES TO ENGINEER OR APPLICANT ARISING OUT OF OR RELATING TO, DIRECTLY OR INDIRECTLY, INFRINGEMENT OF COPYRIGHT PROTECTION OR RELATED CLAIMS INCLUDING, WITHOUT LIMITATION, VICARIOUS AND CONTRIBUTORY COPYRIGHT INFRINGEMENT, FOR USE OF THE PLANS OR FOR THEIR RELEASE, REPRODUCTION, DISTRIBUTION OR SALE.

THE UNDERSIGNED UNCONDITIONALLY AUTHORIZE THE CITY TO REPRODUCE, DISTRIBUTE, RELEASE, SELL, OR USE THE PLANS IN ANY WAY DEEMED NECESSARY, APPROPRIATE, OR CONVENIENT BY CITY INCLUDING, WITHOUT LIMITATION, AS FOLLOWS: (1) AS REQUIRED FOR PUBLIC REVIEW AND CONSIDERATION OF ANY PROJECT ASSOCIATED WITH THE PLANS; (2) AS REQUIRED OR AS MAY OTHERWISE BE AUTHORIZED UNDER STATE AND FEDERAL LAWS; (3) FOR OTHER USES THAT ARE IN THE NORMAL AND CUSTOMARY COURSE OF BUSINESS FOR THE CITY AND ITS STAFF; AND (4) UPON REQUEST OF ANY HOLDER OF ANY INTEREST [THE "SUCCESSOR HOLDER"] OR ANY ENGINEER OR SURVEYOR OR ANY AGENT OF THE SUCCESSOR HOLDER IN ANY SUBDIVISION RELATING TO THE PLANS HOWEVER ACQUIRED BY THE SUCCESSOR HOLDER, INCLUDING, WITHOUT LIMITATION, BY PURCHASE, FORECLOSURE, FINANCING, OR ANY OTHER MEANS OF TRANSFER.

ENGINEER OF RECORD SIGNATURE: _____

APPLICANT SIGNATURE: _____

Savage Services Corporation, formerly known as Savage Coal Service Corporation
Represented by Fred Busch, Sr. Vice President

(PRINT NAME)

This includes any plan(s) submitted for consideration during the planning entitlement, building permit, or public works plan review process.

The City Will NOT accept plans that do not include this signed statement. Should you have any questions, please contact the City of Wasco at

(661) 758-7214

Updated May 2010

Wasco Coal Terminal Proposed CUP #489-87 Amendment

Project Description

PROJECT OVERVIEW

Savage Services Corporation proposes the Wasco Coal Terminal Conditional Use Permit (CUP) #489-87 Amendment to bring the project in alignment with its existing San Joaquin Valley Air Pollution Control District (SJVAPCD) air permit and the proposed Hydrogen Energy California (HECA) project.

Specifically, the proposed CUP #489-87 Amendment would request: (1) an increase in annual coal throughput from 900,000 tons per year (CUP #489-87 condition # 43) to 1,500,000 tons per year (consistent with SJVAPCD permit); and (2) a change in CUP #489-87 condition # 86 from "sub-bituminous coal" to "non-metallic minerals." Nonmetallic minerals are noncombustible solid rocks or minerals used in industry and construction, including coal.

The proposed CUP #489-87 amendment at the Wasco Coal Terminal does not include any physical construction or facility modification.

PROJECT BACKGROUND

The City of Wasco Planning Commission approved CUP #489-87 on September 10, 1990 allowing the construction and operation of a coal terminal on APNs 030-030-06 & -07.

CUP #489-87 contains conditions #1 through #91 to maintain acceptable operations for noise, air quality and other community concerns. For 23 years the Wasco Coal Terminal has been continuously operating within the City of Wasco in full compliance with CUP # 489-87.

Savage Wasco Coal Terminal is also operating in compliance with existing air quality permits through the SJVAPCD. The proposed CUP # 489-87 Amendment would continue to comply with existing SJVAPCD air permits.

CEQA REVIEW

The City of Wasco would be a CEQA "Responsible Agency" under the HECA project EIR/EIS (CEC as CEQA lead agency and DOE as NEPA lead agency).

CUP # 489-87 condition #81 allows for expansion of the Wasco Coal Terminal beyond 900,000 tons per year by application to the Planning Commission. Approval can only be granted if one of the following can be shown: (a) The project(s) receiving the coal must be approved by the appropriate lead agency and must have undergone an environmental review which identifies the usage of coal; or (b) The

Wasco Coal Transfer Center must undertake an environmental review for any client whose facilities have not had an environmental review.

A "Supplemental Environmental Analysis" has been prepared for the Wasco Coal Terminal for inclusion in the California Energy Commission public record for the HECA project. This document is available for the City of Wasco in processing the proposed CUP 489-87 Amendment.

Figure 1 depicts the vicinity map for the Savage Coal Terminal. Figures 2 - 4 depict existing aerial and street views of the project site. Figure 5 presents the approved site plan for the existing Wasco Coal Terminal.

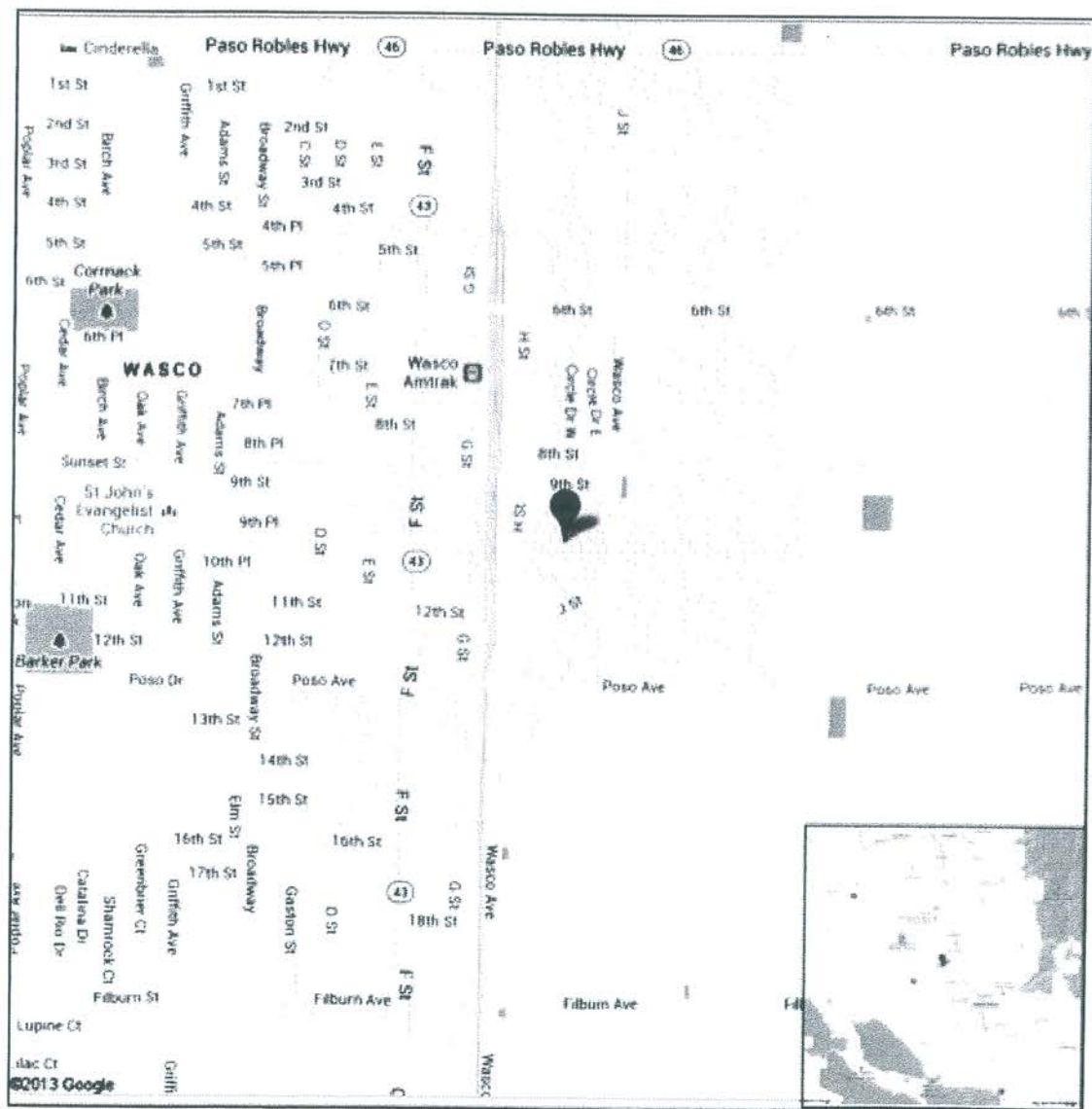


Figure 1 – Wasco Coal Terminal Vicinity Map



Figure 2 - Wasco Coal Terminal Aerial View



Figure 3 - Wasco Coal Terminal Entrance

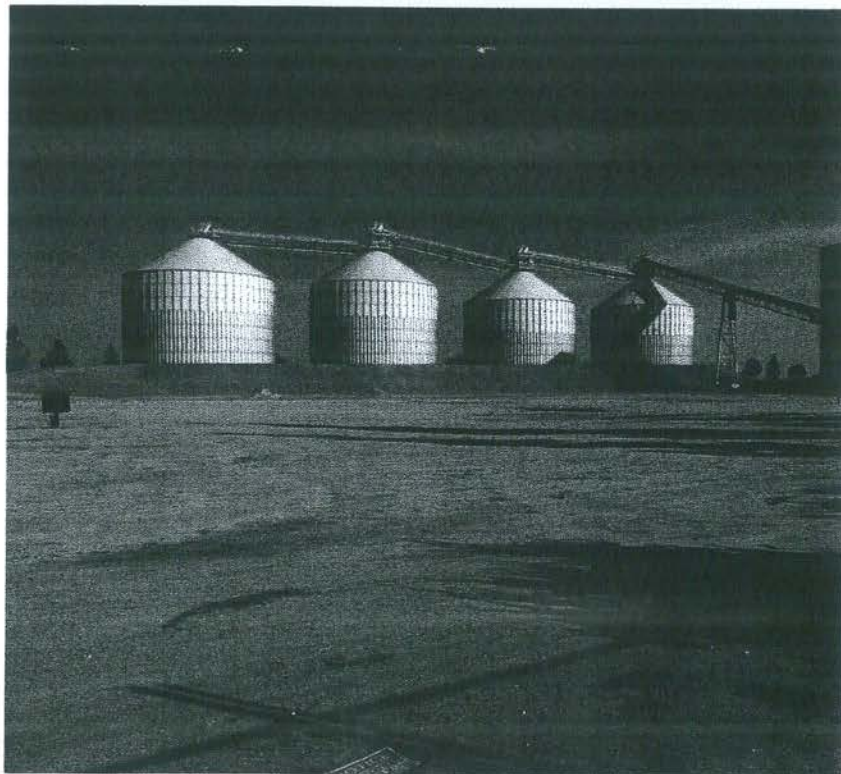


Figure 4 - Wasco Coal Terminal Silos





CITY OF WASCO
PLANNING DEPARTMENT

764 E STREET

WASCO, CA 93280

Phone 661-758-7200

FAX 661-758-7239

Home Page: www.ci.wasco.ca.us

ENVIRONMENTAL ASSESSMENT FORM

(Initial Study Input from Project Applicant, per Section 15080, State CEQA Guidelines)

City of Wasco Planning Department

764 E Street

Wasco, California 93280

Telephone (661) 758-7200

SUBJECT TO REVISION

The following Environmental Assessment Form is intended to assist both the applicant and the Planning Department in determining whether the proposed project could have a significant effect on the environment.

Please complete this form to the best of your knowledge and understanding.

If you do not have sufficient information to answer a question or do not understand a question, please contact the City of Wasco Planning Department, at the above number.

NOTE: This Environmental Assessment Form is to be submitted to the City of Wasco Planning Department, 764 E Street, Wasco, California, as part of the required application of a development project (e.g., zone change, variance, conditional use permit, tentative tract, etc.).

I. Cover Page

A. Project Location: 1040 H Street, Wasco CA 93280

Project Description: Amend CUP 489-87 at existing Savage Wasco Coal Terminal to increase through put from 900,000 tons per year to 1,500,000 tons per year; change CUP 489-87 condition # 86 from "sub-bituminous coal" to "non-metallic minerals". The proposed CUP amendment does not include any physical construction or facility modification.

B. Applicant's Name: Savage Services Corporation (formerly known as Savage Coal Service Corporation)
Fred Busch, Senior Vice President, representative

C. Applicant's Contact Information: 6340 S 3000 E # 600

Address

Salt Lake City
City

Utah
State

84121
Zip Code

C. Applicant's Phone: Business: (801) 944-6621

Home: _____

Fax: _____

Email: fredb@savageservices.com

D. Property Owner's Name: Savage Services Corporation (formerly known as Savage Coal Service Corporation)

E. Property Owner's Contact Information: 6340 S 3000 E #600

Address

Salt Lake City
City

Utah
State

84121
Zip Code

F. Property Owner's Phone: Business: (801) 944-6621

Home: _____

Fax: _____

Email: fredb@savageservices.com

G. Agent's Name: Fred Busch, Sr. VP. Savage Services Corporation (formerly known as Savage Coal Service Corporation)

H. Agent's Contact Information: 6340 S 3000 E Ste 600

Address

Salt Lake City
City

Utah
State

84121
Zip Code

I. Agent's Phone: Business: (801) 944-6621

Home: (801) 694-2211

Verifying Signatures:

I, the undersigned, say that the statements and information contained in this Environmental Assessment Form are correct and true to the best of my knowledge and belief.

Applicant's Signature: _____

Date: _____

If Applicable:

Agent's Signature: _____

Date: _____

Consultant's Signature: _____

Date: _____

Valerie N. Rosencrantz

Oct 21, 2013

II. Questionnaire**IF YES TO ANY QUESTION, PLEASE PROVIDE SUPPORT INFORMATION**

	Yes	No
1. Change in existing features of any lakes or hills, or substantial alteration of ground contours.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Change in scenic views of vistas from existing residential areas or public lands or roads.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Change in pattern, scale or character of general area of project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Significant amounts of solid waste or litter.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Change in dust, ash, smoke, fumes or odors in vicinity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Substantial change in existing noise or vibration levels in the vicinity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Site of filed land or on slope of 10 percent (10%) or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Use of disposal of potentially hazardous materials, such as toxic substances, flammable or explosives.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Relationship to a larger project or series of projects.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Traffic Impact Report Required per City Ordinance – Chapter 17.63 Traffic Impact Studies Required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Project subject to any Combining Zoning Districts – Chapters 17.50 Airport Compatibility, 17.51 Design Districts, 17.52 Cluster Combining District, 17.53 Geological Hazard District, and 17.54 Precise Development District.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. General Information

A. Project Location:

Section 7, Township 27, Range 25 B&M

Street Address: 1040 H Street, Wasco CA 93280

Assessor's Parcel Number: 030-030-06, -07

The project can be generally described as being in the following area (i.e., corner of city, cross streets, geographic area, etc.): south of 9th Street, east and north of Wasco Avenue, east of G Street

B. Property Size: Acres: 18.7 Square Footage: 814,616

C. Property Dimensions: _____

D. Site Land Use: Undeveloped/Vacant: _____

Developed (acres developed and building square footage): existing Savage Wasco Coal Terminal

E. Project Type: The project consists of one or more of the following:

- ☐ General Plan Amendment
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Zone Change
- ☐ Subdivision
- ☐ Parcel Map
- ☒ Conditional Use Permit **Amendment #489-87**
- ☐ Agricultural Preserve Cancellation
- ☐ Other (specify) _____

F. Land Uses Proposed: Indicate which of the following land uses you propose:

- ☐ Single-Family Dwellings (including individual housing & condominiums)
- ☐ Multiple-Family Dwellings (including apartments, mobile home parks, & condominiums)
- ☐ Commercial (including wholesale & retail outlets; professional offices)
- ☒ Industrial (including manufacturing and storage)
- ☐ Agricultural
- ☐ Recreational
- ☐ Other (specify) _____

G. As owner and/or applicant, do you:

1. Own other property adjacent to the project site? ☒ yes ☐ no
2. Propose a phased development? ☐ yes ☐ no; If yes, describe the phases: no construction proposed, see project overview.

IV. Environmental Setting

Briefly describe the project site as it exists before the project, including information on topography, soil stability, plants and animals and any cultural, historical or scenic aspects. Describe any existing structures on the site and the use of the structures. Attach photographs of the site. Attach additional pages if necessary.

____ Developed coal terminal in an existing heavy industrial zone. _____

Briefly describe the surrounding properties, including information on plants and animals, any cultural, historical or scenic aspects and the type of land use. Attach additional pages if necessary. Photos are helpful.

____ west – railroad, east – agriculture, north – residential, south – vacant lot, agriculture _____

Describe adjacent and existing land use within 300 feet of project site:

EXISTING LAND USE (i.e. residential, commercial, industrial, park or school, etc.)

North residential

South industrial, agricultural

East agricultural

West industrial

Are there any trees, bushes or shrubs on the project site? ☒ Yes ☐ No

Are any to be removed? ☐ Yes ☒ No

If yes, attach site plan indicating location, size and type of all trees, bushes and shrubs on the site that are proposed for removal (or show clearly on project site plan.)

Will the project change any water body or ground water quality or quantity, or alter existing drainage patterns? ☐ Yes ☒ No

If yes, explain on a separate sheet of paper.

IV. Environmental Setting Continued

SITE CONDITIONS

If there are structures on the project site, attach site plan indicating location of structures and provide the following information:

- Present Use of Existing Structure(s): existing coal terminal
- Proposed Use of Existing Structure(s): continue coal terminal
- Are any structures to be moved or demolished? ☐ Yes ☒ No; If yes, indicate on site plan which structures are proposed to be moved or demolished.
- Describe age, condition, size and architectural style of all existing on-site structures (include photos):
1990, storage silos, office/shop, conveyance equipment, railcar unloading building, truck loadout tower, bag houses, security fencing

PROPOSED BUILDING CHARACTERISTICS

- Size of New Structure(s) or Building Addition(s) in gross square feet: N/A
 - Building Heights in feet (measured from ground to highest point): _____
 - Height of other accessory structures, excluding buildings, measured from ground to highest point (i.e. antennas, mechanical equipment, light poles, etc): _____
 - Project Site Coverage:

Building Coverage:	_____ Sq. Ft.	_____ %
Landscaped Area:	_____ Sq. Ft.	_____ %
Paved Surface Area:	_____ Sq. Ft.	_____ %
Total:	_____ Sq. Ft.	<u>100 %</u>
 - Exterior Building Materials: _____
 - Exterior Building Colors: _____
 - Roof Materials: _____
 - Describe the type of exterior lighting proposed for the project (heights, intensity):
Building: _____
Parking: _____
 - Estimated Construction Starting Date _____
Estimated Completion Date _____
- If the proposed is a component of an overall larger project, describe the phases and show them on the site plan.

V. Specific Characteristics (As Applicable to Proposal)

RESIDENTIAL PROJECTS

Total

Lots: N/A

Dwelling Units:

Acreage:

Density/Acre

New:

Gross:

Type of Unit(s) [check all that apply]: ☐ Studio ☐ 1 Bedroom ☐ 2 Bedroom ☐ 3 bedroom ☐ 4+ Bedroom

Describe the proposed unit types and sizes, and whether units will be for-sale or rental units:

COMMERCIAL, INDUSTRIAL, MANUFACTURING OR OTHER PROJECTS

Type of Use(s): [check all that apply]: ☐ Commercial ☒ Industrial ☐ Manufacturing

☐ Other: _____

Expected Influence: Regional: _____ X _____ Citywide: _____

Neighborhood: _____

Days and Hours of Operation: _____

Total Occupancy/Capacity of Building(s): _____

Total Number of Fixed Seats: _____ Total Number of Employees: _____

Anticipated Number of Employees Per Shift: _____

Square Footage of: Office Area: _____

Warehouse Area: _____

Sales Area: _____

Storage Area: _____

Loading Area: _____

Total Number of Visitors/Customers on site at any one time: _____

Other Occupants (if applicable): _____

Will the proposed use involve any toxic or hazardous material or waste? ☐ Yes ☐ No; If yes, explain: _____

List any known permits or approvals required for the project by County, State or Federal agencies:

VI. Description of the Proposed Project and Current Environmental Conditions**Project Characteristics**

Provide a written description of the proposed project, including its technical and economic aspects. Discuss all areas of the project not previously mentioned. Attach as many pages as are necessary to complete the discussion.

See referenced Wasco Coal Terminal Supplemental Environmental Analysis prepared for CEC Docket Number: 08-AFC-8A, TN# 200797, docketed October 9, 2013 and project overview.

VII. Required Materials	Submitted
Please furnish the following materials (may be submitted as part of primary entitlement application, such as Tentative Map or Site Plan):	
1. A map showing the location of the project in the vicinity	<input checked="" type="checkbox"/>
2. A map showing the project site of proposed development, including:	<input checked="" type="checkbox"/>
a. Location and use of existing and proposed structures on project site.	<input checked="" type="checkbox"/>
b. Roads, driveways, and parking area (number of spaces)	<input checked="" type="checkbox"/>
c. Boundary lines and dimensions of parcel(s)	<input checked="" type="checkbox"/>
d. Approximate location of all existing easements	<input checked="" type="checkbox"/>
e. Approximate location of all wells, leach lines, seepage pits, or other underground structures	<input checked="" type="checkbox"/>
f. Approximate location of all waterways and generalized contour (topo) information	<input checked="" type="checkbox"/>
g. If for subdivision, show proposed street and lot design, or building location in case of condominiums	<input type="checkbox"/>
h. Scale(s) and north arrow(s)	<input checked="" type="checkbox"/>
i. General notes, including: 1) Assessor's Parcel Number(s) as noted on tax bill 2) Sources of construction material, if applicable	<input checked="" type="checkbox"/>
3. Photographs showing the project site and surrounding area (Please key the photographs into a map or explain location and direction of view.)	<input checked="" type="checkbox"/>
4. Specific scientific or laboratory reports (i.e., soils, geology, biota, archaeology, noise, etc.) may be required following review of submitted materials.	<input type="checkbox"/>



INDENMIFICATION AND HOLD HARMLESS

ORDINANCE No. 2013-631, adopted by the City Council of the City of Wasco on July 2, 2013, requires applicants for land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

INDENMIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City of Wasco, its council members, agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in the Wasco Municipal Code Chapter 17.04 Section, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, attorneys, employees, council members, boards and commissions.

Date: October 31, 2013

[Signature]
Applicant

Date: Oct 31, 2013

Savage Services Corp [Signature]
Property Owner



Community Development Department (661) 758-7250 Fax (661) 758-7239
764 E Street, Wasco, CA 93280

November 20, 2013

Re: Responsible Agency Routing – Conditional Use Permit 489-87 Amendment

To Whom It May Concern:

This Department has received, determined complete, and accepted an application for the above referenced project which is exempt from the California Environmental Quality Act.

You are being asked to consider the enclosed application as it pertains to your area(s) of expertise.

This consultation is requested to ensure that any concerns or pertinent information you may have is considered prior to making a recommendation to the City of Wasco Planning Commission.

Please respond with any comments on or before December 11, 2013. Should you have any questions, please contact the City of Wasco Planning Department at 661-758-7200 or kecobb@ci.wasco.ca.us.

Regards,

Keri Cobb
Senior Planner

**WASCO COMMUNITY DEVELOPMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT AND ENTITLEMENT APPLICATION REVIEW OF**

**Conditional Use Permit 489-87 Amendment
1040 H Street – Savage Services Corporation**

Return Completed Form to: Keri Cobb, Senior Planner ph: (661)758-7200
Community Development Department
764 E Street, Wasco, CA 93280

City Staff

☐ Building Division
☒ Public Works/Engineering
☐ City Attorney
☐ Code Enforcement

☐ Planning
☐ Assessor's Office
☒ Roads Department
☐ Chief Executive Officer
☐ Kern County Airports

☐ US Fish & Wildlife
☐ EPA

Other

☐ LAFCO
☐ Kern COG
☒ BNSF Railroad
☐ Central CA Archaeological
Center
☐ Regional Water Quality Control
Board
☒ San Joaquin Valley APCD
☐ Wasco Recreation and Parks
District
☒ Wasco Housing Authority
☐ Wasco Post Office
☒ Wasco Union School District
☐ Other: _____

Local Utilities

☐ Semitropic Water Stor. Dist.
☐ The Gas Company
☐ Shafter-Wasco Irrigation
Dist.
☐ Pacific Bell Right of Way
☐ PG&E
☐ Brighthouse Cable

School Districts

☐ Semitropic School District
☐ Wasco Union High School
☐ Wasco Elementary School

State and Federal Agencies

☒ Caltrans District 6
☐ Department of Fish & Game
☒ CA Air Resources Board
☐ Department of Conservation
☐ State Clearinghouse
☐ Native American Heritage
Comm.
☐ Cal EPA

County Agencies

☐ Sheriff's Department
☐ Kern County Fire Department
☐ Health Department
☐ Environmental Resources

PROJECT DESCRIPTION AND LOCATION: Conditional Use Permit amendment to increase operating capacity from 900,000 tons of sub-bituminous coal per year to 1,500,000 tons of non-metallic minerals per year (see attached)

APN: 030-030-06 & 07

ADDRESS: 1040 H Street

GENERAL PLAN DESIGNATION: Heavy Industrial

ZONING: I-H (Heavy Industrial)

DATE ROUTED: November 20, 2013

COMMENT DEADLINE: December 11, 2013

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS (Attach additional sheets if necessary):

RECOMMENDED CONDITIONS OF APPROVAL (Attach additional sheets if necessary):

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (If yes, list specific information.):

REVIEWED BY: _____
Name and Title Telephone Number Date

Attachments: Project description



RESPONSIBLE AGENCY ROUTING
Conditional Use Permit 489-87 Amendment
November 18, 2013

TO: Responsible Agencies

FROM: Roger Mobley
City of Wasco Planning Director

DATE: November 18, 2013

PROJECT NAME: Conditional Use Permit 489-87 Amendment

PROJECT DESCRIPTION: A Conditional Use Permit amendment to increase operating capacity from 900,000 tons of sub-bituminous coal per year to 1,500,000 tons of non-metallic minerals per year.

APPLICATION(S): CUP 489-87 Amendment

ENVIRONMENTAL DOCUMENT: Pursuant to CEQA Section 21080(b)(6), the California Environmental Quality Act does not apply to this action (see discussion in Environmental Review below)

APPLICANT: Savage Services Corporation

ADDRESS/LOCATION: 1040 H Street APN 030-030-06 & 07

BACKGROUND

On September 10, 1990, the City of Wasco Planning Commission approved Conditional Use Permit 489-87 to permit a coal transfer station in an M-3 Heavy Industrial Zone. The facility was built to handle a capacity of 1,500,000 tons of bituminous coal. However, condition number 81 of the approved Planning Commission Resolution no. 90-38 restricted the facility to a maximum operating capacity of 900,000 tons. Condition number 81 reads as follows:

81. Expansion of this facility beyond 900,000 tons of coal per year may occur by application to the Planning Commission. Approval can only be granted if one of the following can be shown:
- a) The project(s) receiving the coal must be approved by the appropriate lead agency and must have undergone an environmental review which identifies the usage of coal.
 - b) The Wasco Coal Transfer Station must undertake an environmental review for any client whose facilities have not had an environmental review.



Currently, the facility is permitted by the San Joaquin Valley Air Pollution Control District to operate at 1,500,000 tons of non-metallic minerals per year. The requested amendment would bring the facility's Conditional Use Permit in to line with their existing air permit in order to accommodate the needs of a new client, Hydrogen Energy California LLC (HECA).

In May 2012, HECA filed an Amended Application for Certification (AFC) with the California Energy Commission (CEC) seeking approval to construct and operate the HECA Project (Docket 08-AFC-8A). The HECA Project will use a blend of coal and petroleum coke to produce clean hydrogen fuel. The hydrogen fuel will then be used to produce low carbon electricity and fertilizer. The Project includes two alternative transportation methods for coal delivery. Alternative 1 consists of transporting coal via a new 5-mile railroad spur constructed from the existing San Joaquin Valley Railroad to the HECA Project Site. Alternative 2 consists of transporting coal via trucks from the existing Savage Services Corporation transloading facility in Wasco to the HECA Project Site.

The Wasco Coal Terminal has been operating continuously for 23 years. The Coal Terminal is currently capable of transloading up to 1,500,000 tons per year of coal from trains to trucks. Coal is transferred from trains into storage silos, and then independently transferred from the silos into trucks. The use of the Coal Terminal for the HECA Project would not require any physical expansion of the Coal Terminal or construction of any new systems or additional coal storage silos. The existing Coal Terminal would be dedicated to serving the HECA Project exclusively and has sufficient capacity without modifications to meet the needs of the HECA Project.¹

PROJECT DESCRIPTION

Existing Operations – Wasco Coal Terminal:

Under existing operations, coal is delivered to the Wasco Coal Terminal in an 80-car train along the Burlington Northern Santa Fe (BNSF) railroad. The coal train is split into four 20-car segments and set-off the main line by the BNSF south of the Coal Terminal in queue for unloading. The existing Inbound Operations use Savage's existing switch locomotive to move a 20-car segment to the railcar unloading building. The locomotive is used to move each train segment through the railcar unloading building. The coal is unloaded from each rail car through dropping it into a conveyance system. The conveyance system conveys the coal at an effective rate of 700 tons per hour (tph) from the railcar unloading building to a designated coal storage silo for storage. After each segment is unloaded, the empty train segment is placed on holding tracks north of the railcar unloading building and the switch locomotive travels back to the set-off point to pick up another segment and repeat the process. Total unloading time for an 80-car train is approximately 32 clock hours; this process is currently performed over a two-day period.

The existing Outbound Operations involve conveying coal from a selected coal storage silo to a batch weigh bin located in the truck loadout building. The conveyance system sends coal in 27+ ton

¹ Although the Amended AFC for the HECA Project initially indicated annual coal usage greater than 1,500,000 tons per year, the required quantity has since been reduced to no more than 1,500,000 tons per year.



increments to the batch weigh bin in preparation for the next truck arriving to pick up a load. The automated system validates the truck arrival and load destination for delivery; then the batch load of coal is automatically loaded into the truck while the trailer is inside the building below the weigh bin. Once the truck leaves the building, the automated system dispatches the next load into the weigh bin and the process is repeated. Total truck loading time for each truck is 7 minutes and this process is repeated 6 times per hour or a maximum of 49 times per day based on a coordinated delivery schedule with the existing customer. Outbound Operations typically occur eight hours per day for 5.5 days per week.

Proposed Operations - Wasco Coal Terminal:

The proposed Conditional Use Permit Amendment for the Wasco Coal Terminal would involve the same inbound and outbound processes described for existing operations. Implementation of the HECA Project would not require construction of any new coal storage silos at the Coal Terminal. Implementation of the HECA Project would increase the volume of coal being transloaded through the Coal Terminal relative to recent historical levels.

Table 2-1 summarizes the operations levels at the Coal Terminal as follows: 2012, historic average operations from 1989 to 2011, existing Wasco CUP, and current permit to operate (PTO) by SJVAPCD and proposed Wasco CUP amendment. The existing Wasco CUP allows up to 900,000 tons of coal per year to be transferred through the Coal Terminal. The facility operations peaked at 500,000 tons per year with only 119,405 tons being transloaded in 2012. The HECA Project would involve 1,500,000 tons of coal per year being transloaded through the Coal Terminal.



Table 2-1 – Wasco Coal Terminal

Operations Description

	2012 OPERATIONS	HISTORIC AVERAGE OPERATIONS (1989-2011)	OPERATION UNDER CURRENT CUP	OPERATION PERMITTED UNDER SJVAPCD PTO AND PROPOSED CUP AMENDMENT
Tons/Year	119,405	500,000	900,000	1,500,000
Trucks/Year (1)	4,353	18,225	32,805	54,675
Average Trucks Per Day (2)	22.2	50	91	150
Maximum Trucks Per day (3)	49	120	182	182
Average Trucks/Hour (4)	3	2-3	5	7-8
Maximum Trucks per Hour	6	6	9	9
Trains/Year	9	39	70	117 (5)
Rail Cars/Year (6)	1,041	4,348	7,826	13,043
Locomotive Idle Hours/year	369	1,193	2,142	3,580
Locomotive (7) Half-Throttle Hours/year	41	133	238	398
Average Deliveries/Month	<1	3-4	6	10
Number of Employees	4	15	40	55-60

Source: Insight Environmental Consultants and Savage Services 2013

Notes: (1) Based on 27+ tons per truck load

(2) Averaged over 365 operating days per year except for 2012 Operations which was averaged over 196 operating days

(3) Historic maximum trucks per day based on 6 truck loadings per hour x 20 hours per day = 120 trucks per day maximum.



Maximum trucks per day under existing CUP and SJVAPCD PTO is based on facility capacity to load a truck every 6.66 minutes for 9 trucks per hour x 20 hours per day = 182 trucks per day maximum.

(4) Average Trucks per day averaged over 20 loading hours per day except for 2012 Operations which was averaged over an 8-hour operating day

(5) Based on 111 cars per train

(6) Based on 115 tons per rail car

(7) 2012 locomotive is a 1979 Tier 0 engine; future locomotive is a 2005-2010 Tier 2 engine

Under the current permit to operate (PTO) by SJVAPCD and proposed Wasco CUP amendment scenario, the coal delivery train size is anticipated to increase from 80 to 111 cars per train. The train segments would increase from four 20-car segments to five 20-car segments and one 11-car segment. The Coal Terminal would be using a 2005-2010 Tier 2 switch locomotive. Each rail car would be carrying approximately 115 tons of coal. The total anticipated Inbound Operations time would average 35 clock hours and this process will be repeated approximately 117 times a year (based on 111 cars per train).

The anticipated Outbound Operations would occur 7 days per week for 365 days per year and the number of truck loading processes would be an average of 150 in a 20-hour period each day; this would generate 7-8 trucks per hour based on the 1,500,000 tons maximum volume to service the HECA Project. The truck loading operations have historically operated up to 20 hours per day as allowed by the existing SJVAPCD PTO.

Proposed Materials Designation Change:

The Coal Terminal is currently designated to handle "Bituminous Coal" in the City of Wasco CUP. The Coal Terminal is designated as a "Non Metallic Minerals" facility in the SJVAPCD PTO. The proposed City of Wasco CUP amendment would include a proposed change in the materials designation from "Bituminous Coal" to "Non Metallic Minerals" to bring the Wasco CUP in alignment with the SJVAPCD PTO.

Non Metallic Minerals are generally defined as *mineral* resources that do not contain metals; examples include all grades of coal, building stone, gravel, sand, gypsum, phosphate, and salt. Metals are typically defined as "any of a class of elementary substances, as gold, silver, or copper, all of which are crystalline when solid and many of which are characterized by opacity, ductility, conductivity, and a unique luster when freshly fractured."² Minerals that do not exhibit the characteristics defined as "metal" are; therefore, defined as "non-metallic". The SJVAPCD uses the facility's Standard Industrial Code (SIC) to

² <http://dictionary.reference.com/browse/metal>



classify each permitted facility. Since the Coal Terminal operation is classified as SIC 3299, the SJVAPCD incorporated this designation into the permit's Facility Description.

This change in material designation would not change functionally the materials being handled within the Coal Terminal and thus have no environmental effects.

ENVIRONMENTAL REVIEW

Pursuant to California Public Resources Code Section 21080(b)(6), the California Environmental Quality Act does not apply to this action. This section reads as follows:

21080(b) This division does not apply to any of the following activities:

6. Actions undertaken by a public agency relating to any thermal powerplant site or facility, including the expenditure, obligation, or encumbrance of funds by a public agency for planning, engineering, or design purposes, or for the conditional sale or purchase of equipment, fuel, water (except groundwater), steam, or power for a thermal powerplant site if the powerplant site and related facility will be the subject of an environmental impact report, negative declaration, or other document, prepared pursuant to a regulatory program certified pursuant to Section 21080.5, which will be prepared by the State Energy Resources Conservation and Development Commission, by the Public Utilities Commission, or by the city or county in which the powerplant and related facility would be located if the environmental impact report, negative declaration, or document includes the environmental impact, if any, of the action described in this paragraph.

The proposed modification to the Conditional Use Permit will allow the terminal to increase throughput to full capacity, which is necessary for the terminal to provide service to the proposed Hydrogen Energy California Power Plant Project (HECA). HECA is a thermal powerplant currently under review by the State Energy Resources Conservation and Development Commission (also known as the California Energy Commission or CEC), which acts as the lead agency for HECA pursuant to the California Environmental Quality Act (CEQA). The CEC is conducting a CEQA review of HECA pursuant to its regulatory program certified pursuant to Public Resources Code Section 21080. This review includes analysis of the action being proposed in this application. The documents prepared by the CEC in connection with its CEQA review and all docketed comments are available for public review at http://www.energy.ca.gov/sitingcases/hydrogen_energy/. A Supplemental Environmental Analysis specifically addressing the coal terminal was docketed on 10/9/2013 and is available at this link: http://docketpublic.energy.ca.gov/PublicDocuments/08-AFC-08A/TN200797_20131009T142156_Wasco_Coal_Terminal_Supplemental_Environmental_Analysis.pdf Any action taken on this application will be subject to completion of the CEQA review being undertaken by the CEC and certification of HECA.

ATTACHMENTS

Attachment 1 – Site Plan – Wasco Coal Terminal



CHICAGO TITLE COMPANY

PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a Nebraska corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.


Countersigned



Chicago Title Company

BY



President

ATTEST



Secretary



Chicago Title Company

ISSUING OFFICE: 2540 W. Shaw Lane, Suite 112 • Fresno, CA 93711
559 492-4251 • FAX 559 448-8526

PRELIMINARY REPORT

Title Officer: Kevin Whitney

Title No.: 13-**54113494**-KW

Locate No.: CACTI7715-7715-4541-0054113494

TO: Savage Services / Savage Coal
1040 H Street
Wasco, CA 93280

ATTN: Fred Busch

PROPERTY ADDRESS: 1040 H Street, Wasco, California

EFFECTIVE DATE: September 10, 2013, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

CLTA Standard Coverage Policy - 1990

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

CATELLUS DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, FORMERLY KNOWN AS SANTA FE PACIFIC REALTY CORPORATION, SUCCESSOR BY MERGER TO SANTA FE LAND IMPROVEMENT COMPANY, AS TO PARCEL 1;

EPEC WEST, INC., A DELAWARE CORPORATION, FORMERLY KNOWN AS TENNECO WEST, FORMERLY KNOWN AS KERN COUNTY LAND COMPANY, AS TO PARCEL 2;

SAVAGE INDUSTRIES, INC., A UTAH CORPORATION, AS TO PARCEL 3

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DV\DV 09/20/2013

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF WASCO, COUNTY OF KERN, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF WASCO, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID SECTION 7, DISTANT NORTH 0° 28' EAST (BEARING ASSUMED FOR PURPOSE OF THIS DESCRIPTION) ALONG SAID WESTERLY 208.48 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 0° 28' EAST ALONG SAID WESTERLY LINE 967.18 FEET TO THE CENTER LINE OF 10TH STREET (80 FEET WIDE) AS SAID STREET IS SHOWN ON MAP OF THE TOWN OF WASCO, DATED JANUARY 3, 1899, AND FILED JANUARY 29, 1900, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY; THENCE SOUTH 89° 32' EAST ALONG SAID CENTER LINE OF 10TH STREET 142.00 FEET TO A POINT IN THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF "H" STREET (80 FEET WIDE) AS SHOWN ON SAID MAP; THENCE SOUTH 0° 28' WEST ALONG SAID SOUTHERLY PROLONGATION 715.53 FEET TO A POINT IN THE NORTHWESTERLY LINE OF STATE HIGHWAY NO. 139 (80 FEET WIDE); THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE BEING THE ARC OF A CURVE FROM WHENCE A TANGENT BEARS SOUTH 42° 56' 52" WEST CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 640 FEET THROUGH A CENTRAL ANGLE OF 26° 05' 37" A DISTANCE OF 291.47 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM A ONE-HALF PART OF ALL PETROLEUM OIL, NATURAL GAS, ASPHALTUM, AND OTHER HYDRO-CARBON SUBSTANCES, UPON, WITHIN OR UNDER THE ABOVE DESCRIBED LAND, WHETHER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, DEVELOPED OR PRODUCED, AS RESERVED IN THE DEED RECORDED JUNE 30, 1936 IN BOOK 648 PAGE 201, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OF THE MINERALS INCLUDING OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS IN AND UNDER THE HEREINABOVE DESCRIBED PROPERTY; PROVIDED, HOWEVER, THAT FIRST PARTY, ITS SUCCESSORS AND ASSIGNS, SHALL NOT CONDUCT DRILLING OR OTHER OPERATIONS UPON THE SURFACE OF SAID REAL PROPERTY ABOVE DESCRIBED WITHOUT FIRST HAVING SECURED THE WRITTEN CONSENT OF SAID SECOND PARTY, ITS SUCCESSORS AND ASSIGNS, BUT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT THE SAID FIRST PARTY, ITS SUCCESSORS AND ASSIGNS, FROM EXPLORING FOR OR CAPTURING SAID MINERALS BY DRILLING ON ADJACENT OR NEIGHBORING LANDS AND/OR FROM CONDUCTING SUBSURFACE DRILLING OPERATIONS UNDER THE LAND HEREIN CONVEYED AT SUCH DEPTHS AS NOT TO DISTURB THE SURFACE THEREOF OR ANY IMPROVEMENTS THEREON, AS RESERVED IN THE DEED RECORDED SEPTEMBER 15, 1949 IN BOOK 1606 PAGE 208, OFFICIAL RECORDS.

APN: 030-030-07 (PORTION)

PARCEL 2:

THAT PORTION OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF WASCO, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTH OF THE CENTER LINE OF 10TH STREET (80 FEET WIDE) AS SAID STREET IS SHOWN ON THE MAP OF THE TOWN OF WASCO, DATED JANUARY 3, 1899, FILED JANUARY 29, 1900, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND LYING EAST OF THE EAST LINE OF THAT CERTAIN 100 FOOT WIDE RIGHT OF WAY CONVEYED TO THE SAN FRANCISCO AND SAN JOAQUIN VALLEY RAILWAY COMPANY, A CORPORATION, IN THE DEED RECORDED SEPTEMBER 20, 1897 IN BOOK 73 PAGE 79 OF DEEDS, KERN COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION LYING EASTERLY OF THE WESTERLY LINE OF "J" STREET, ALSO KNOWN AS STATE HIGHWAY NO. 139, AS DESCRIBED IN THE DEED RECORDED AUGUST 20, 1930 IN BOOK 374 PAGE 413, OFFICIAL RECORDS.

APN: 030-030-07 (PORTION)

PARCEL 3:

THAT PORTION OF THE WEST HALF OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, AND A PORTION OF BLOCKS 29 AND 30 OF THE TOWN OF WASCO, AS SHOWN UPON MAP THEREOF RECORDED JANUARY 29, 1900 IN BOOK 1 PAGES 53 AND 54 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, IN THE CITY OF WASCO, COUNTY OF KERN, STATE OF CALIFORNIA, TOGETHER WITH PORTIONS OF ABUTTING STREETS AND ALLEYS AS SHOWN ON SAID MAP AND AS VACATED JUNE 1, 1949, BY RESOLUTION NO. 39 OF THE COUNCIL OF THE CITY OF WASCO, ALL OF SAID PROPERTY BEING IN OR NEAR THE CITY OF WASCO, COUNTY OF KERN, STATE OF CALIFORNIA, AND DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7, THENCE NORTH 0° 28' EAST 1176.16 FEET ALONG THE WEST LINE OF SECTION 7, TO THE CENTER LINE OF 10TH STREET, THENCE SOUTH 89° 32' EAST 182.0 FEET ALONG THE CENTER LINE OF 10TH STREET, THENCE NORTH 0° 28' EAST 331.0 FEET ALONG THE CENTER LINE OF "H" STREET TO A POINT WHICH IS 1609 FEET SOUTH 0° 28' WEST OF INTERSECTION OF CENTER LINE OF "H" STREET AND 6TH STREET, SAID INTERSECTION BEING THE NORTHWEST CORNER OF SAID PARCEL OF LAND CONVEYED BY WILLIE H. METTLER AND MARY M. METTLER, TO THE UNITED STATES OF AMERICA IN DEED RECORDED NOVEMBER 2, 1943, IN BOOK 1161 PAGE 234 OF OFFICIAL RECORDS; THENCE SOUTH 89° 32' EAST 800.0 FEET TO THE CENTER LINE OF HIGHWAY NO. 139 AT A POINT WHICH IS 1609 FEET SOUTH 0° 28' WEST OF THE INTERSECTION OF SAID HIGHWAY NO. 139 WITH THE CENTER LINE OF 6TH STREET, SAID INTERSECTION BEING THE NORTHEAST CORNER OF SAID PARCEL OF LAND CONVEYED BY WILLIE H. METTLER AND MARY M. METTLER TO THE UNITED STATES OF AMERICA, THENCE SOUTH 0° 28' WEST 299.24 FEET ALONG THE CENTER LINE OF HIGHWAY 139 TO A POINT; THENCE CONTINUING ALONG THE CENTER LINE OF HIGHWAY NO. 139, 790.29 FEET ON AND ALONG A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 600 FEET AND A CENTRAL ANGLE OF 75° 28' TO A POINT; THENCE SOUTH 75° 56' WEST 71.42 FEET TO A POINT; THENCE 790.29 ON AND ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 600 FEET AND A CENTRAL ANGLE OF 75° 28' TO A POINT; THENCE NORTH 89° 32' WEST 10 FEET TO A POINT; THENCE SOUTH 0° 28' WEST 28.4 FEET, MORE OR LESS, TO A POINT, THENCE NORTH 89° 41' WEST, 4.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; SUBJECT TO THE RIGHTS OF THE PUBLIC IN THAT PORTION OF EXISTING "H" STREET AS SHOWN ON SAID MAP RECORDED JANUARY 29, 1900, AND PORTION OF STATE HIGHWAY NO. 139, ALL AS INCLUDED IN THIS DESCRIPTION.

EXCEPT THE FOLLOWING IN SECTION 7, TOWNSHIP 27 SOUTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID SECTION 7 DISTANT NORTH 0° 28' EAST (BEARING ASSUMED FOR PURPOSE OF THIS DESCRIPTION) ALONG SAID WESTERLY LINE 208.48 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 0° 28' EAST ALONG SAID WESTERLY LINE 967.18 FEET TO THE CENTER LINE 10TH STREET (80 FEET WIDE) AS SAID STREET IS SHOWN ON MAP OF THE TOWN OF WASCO, DATED JANUARY 3, 1899, AND FILED JANUARY 29, 1900, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTH 89° 32' EAST ALONG SAID CENTER LINE OF 10TH STREET 142.00 FEET TO A POINT IN THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF "H" STREET (80 FEET WIDE) AS SHOWN ON SAID MAP; THENCE SOUTH 0° 28' WEST ALONG SAID SOUTHERLY PROLONGATION 715.53 FEET TO A POINT IN THE NORTHWESTERLY LINE OF STATE HIGHWAY NO. 139 (80 FEET WIDE); THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE BEING THE ARC OF A CURVE FROM WHENCE A TANGENT BEARS SOUTH 42° 56' 52" WEST CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 640 FEET THROUGH A CENTRAL ANGLE OF 26° 05' 37" A DISTANCE OF 291.47 FEET TO THE POINT OF BEGINNING.

SUBJECT TO THE FOLLOWING:

EXCEPTING THEREFROM AND RESERVING UNTO THE PARTY OF THE FIRST PART, ITS SUCCESSORS AND ASSIGNS, A ONE-HALF PART OF ALL PETROLEUM OIL, NATURAL GAS, ASPHALTUM, AND OTHER HYDROCARBON SUBSTANCES, UPON, WITHIN OR UNDER THE ABOVE DESCRIBED LAND, WHETHER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, DEVELOPED OR PRODUCED, AS RESERVED BY KERN COUNTY LAND COMPANY IN INSTRUMENT RECORDED JUNE 30, 1936 IN BOOK 648 PAGE 201, OF OFFICIAL RECORDS.

ALSO SUBJECT TO THE FOLLOWING:

EXCEPTING AND RESERVING, HOWEVER, UNTO THE FIRST PARTY, ITS SUCCESSORS AND ASSIGNS, AND

EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OF THE MINERALS, INCLUDING OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS IN AND UNDER SAID PARCEL OR REAL PROPERTY ABOVE DESCRIBED. THE SAID FIRST PARTY, ITS SUCCESSORS AND ASSIGNS, SHALL NOT CONDUCT DRILLING OR OTHER OPERATIONS UPON THE SURFACE OF SAID PARCEL OF REAL PROPERTY ABOVE DESCRIBED WITHOUT FIRST HAVING SECURED THE WRITTEN CONSENT OF SAID SECOND PARTY, ITS SUCCESSORS AND ASSIGNS; BUT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT THE SAID FIRST PARTY, ITS SUCCESSORS AND ASSIGNS FROM EXPLORING FOR, EXTRACTING OR CAPTURING SAID MINERALS BY DRILLING ON ADJACENT OR NEIGHBORING LANDS AND/OR FROM CONDUCTING SUBSURFACE DRILLING OPERATIONS UNDER THE SAID LANDS AT SUCH DEPTHS AS NOT TO DISTURB THE SURFACE THEREOF OR ANY IMPROVEMENTS THEREON, AS EXCEPTED AND RESERVED BY KERN COUNTY LAND COMPANY IN QUITCLAIM DEED RECORDED SEPTEMBER 15, 1949 IN BOOK 1523 PAGE 483, OF OFFICIAL RECORDS.

AND SUBJECT TO THE FOLLOWING:

EXCEPTING, HOWEVER, AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OF THE MINERALS, INCLUDING OIL, GAS, ASPHALTUM, AND OTHER HYDROCARBONS IN AND UNDER THE HEREINABOVE DESCRIBED PARCEL AS RESERVED AND SUBJECT TO RESTRICTIONS AND CONDITIONS CONTAINED IN DEED DATED AUGUST 15, 1949, FROM KERN COUNTY LAND COMPANY TO THE CITY OF WASCO, RECORDED SEPTEMBER 15, 1949 IN BOOK 1523 PAGE 483, OF OFFICIAL RECORDS.

RESERVING UNTO FIRST PARTY, ITS SUCCESSORS AND ASSIGNS, AND EXCEPTING ALSO HEREFROM THE REMAINING AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OF THE MINERALS INCLUDING OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS IN AND UNDER THE HEREINABOVE DESCRIBED REAL PROPERTY; PROVIDED, HOWEVER, THAT FIRST PARTY, ITS SUCCESSORS AND ASSIGNS, SHALL NOT CONDUCT DRILLING OR OTHER OPERATIONS UPON THE SURFACE OF SAID REAL PROPERTY ABOVE DESCRIBED WITHOUT FIRST HAVING SECURED THE WRITTEN CONSENT OF SAID SECOND PARTY, ITS SUCCESSORS AND ASSIGNS, BUT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT THE SAID FIRST PARTY, ITS SUCCESSORS OR ASSIGNS, FROM EXPLORING FOR OR CAPTURING SAID MINERALS BY DRILLING ON ADJACENT OR NEIGHBORING LANDS AND/OR FROM CONDUCTING SUBSURFACE DRILLING OPERATIONS UNDER THE LAND HEREIN CONVEYED AT SUCH DEPTHS AS NOT TO DISTURB THE SURFACE THEREOF OR ANY IMPROVEMENTS THEREON, AS EXCEPTED AND RESERVED BY THE CITY OF WASCO, IN DEED RECORDED SEPTEMBER 15, 1949 IN BOOK 1606 PAGE 208, OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE ENTIRE MINERAL ESTATE IN THE DESCRIBED LAND WHICH HAS NOT BEEN PREVIOUSLY RESERVED. FOR PURPOSES OF THIS RESERVATION THE MINERAL ESTATE SHALL INCLUDE ALL SUBSTANCES WHICH HAVE BEEN DISCOVERED OR WHICH MAY IN THE FUTURE BE DISCOVERED UPON OR UNDER THE DESCRIBED LAND, WHICH ARE NOW OR MAY IN THE FUTURE BE VALUABLE, AND WHICH ARE NOW OR MAY BE IN THE FUTURE ENJOYED THROUGH EXTRACTION FROM THE DESCRIBED LAND. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE MINERAL ESTATE SHALL INCLUDE ALL FORMS OF GEOTHERMAL ENERGY, ALL COAL, ALL GASES, ALL HYDROCARBON SUBSTANCES, ALL FISSIONABLE MATERIALS, ALL METALLIC MINERALS, AND ALL NON-METALLIC MINERALS.

NOTWITHSTANDING OWNERSHIP OF THE MINERAL ESTATE, NEITHER GRANTOR NOT ITS SUCCESSORS OR ASSIGNS SHALL HAVE THE RIGHT TO ENTER UPON THE SURFACE OF THE DESCRIBED LAND FOR THE PURPOSE OF EXTRACTING ANY CONSTITUENTS OF THE MINERAL ESTATE. GRANTOR RESERVES THE RIGHT, ON BEHALF OF ITSELF, ITS SUCCESSORS AND ASSIGNS, (1) TO EXTRACT THE CONSTITUENTS OF THE MINERAL ESTATE FROM THE DESCRIBED LAND BY MEANS OF WELLS, SHAFTS, TUNNELS OR OTHER SUBSURFACE ACCESSES WHICH MAY BE CONSTRUCTED, DRILLED OR DUG ON OR FROM OTHER LAND AND WHICH MAY PENETRATE INTO THE DESCRIBED LAND, AND (2) TO EXCAVATE, CONSTRUCT, MAINTAIN, AND OPERATE SUBSURFACE FACILITIES BENEATH THE DESCRIBED LAND FOR THE EXTRACTION OF THE CONSTITUENTS OF THE MINERAL ESTATE SO LONG AS THE SUBSURFACE FACILITIES DO NOT UNREASONABLY INTERFERE WITH THE USE AND ENJOYMENT OF THE SURFACE ESTATE IN THE DESCRIBED LAND, AS RESERVED BY SANTA FE LAND IMPROVEMENT COMPANY, A CALIFORNIA CORPORATION, RECORDED OCTOBER 17, 1986 IN BOOK 5927 PAGE 584, OF OFFICIAL RECORDS.

APN: 030-030-06

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Reservations contained in the Patent

From: The United States of America
To: Edwin Mc Afee
Recorded: January 25, 1896, Book 7, Page 268, of Patents

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by local customs, law and decision of the courts; and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

Affects: Parcels 1 and 2

2. Property taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2013-2014, Assessor's Parcel Number 030-030-06, as to Parcel 3.

Code Area Number: 007-018
1st Installment: \$19,172.45 OPEN
2nd Installment: \$19,172.43 OPEN
Land: \$843,000.00
Improvements: \$2,641,000.00
Exemption: \$0.00
Personal Property: \$0.00

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

3. Any City or County taxes which may be levied against said land by reason of the fact that the herein described land was not included on the Tax Assessor's Roll for the fiscal year.

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Affects: Parcels 1 and 2

4. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation code of the State of California.

5. Taxes and assessments levied by the Shafter Wasco Irrigation District.

Amounts are unavailable at this time. A report has been ordered and the Company reserves the right to add additional items or make further requirements after review of the requested report.

6. **Contract of Settlement of Water Rights** made between Henry Miller and others, as parties of the first part and James B. Haggin and others, as parties thereto of the second part, under date of July 28, 1888, recorded in Book 2, Page 40 et seq., of Agreements, and also the amendment thereof or supplement thereto, dated November 30, 1889; all as recited in the Deed executed by James B. Haggin to Kern County Land Company, a Corporation, dated July 12, 1892 and recorded December 30, 1892 in Book 44, Page 287 et seq. of Deeds.

7. **Matters** contained in that certain document entitled "Indenture" dated June 8, 1936, recorded June 30, 1936, Book 648, Page 201, of Official Records.

Reference is hereby made to said document for full particulars.

Affects: Parcels 1 and 2

8. **A Contract** of Settlement of water rights between Henry Miller and others a disclosed in the Deed recorded October 11, 1946, in Book 1341, Page 135, Official Records.

Affects: Parcels 1 and 2

9. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: City of Wasco
Purpose: roadway purposes
Recorded: September 15, 1949, Book 1606, Page 208, of Official Records
Affects: Parcel 3 as set forth in said document

Said easement to be subject, however, to the right hereby granted to the Atchison, Topeka and Santa Fe Railroad Company, its successors and assigns, at any time and from time to time to construct, maintain and operate a railroad track or tracks in and across said roadway or street the portion of said property over which said roadway or street easement exists

Reference is made to said document for full particulars.

10. **An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Notice
Lessor: Santa Fe Land Improvement Company
Lessee: Agriform Company, Inc.
Recorded: December 4, 1952, Instrument No. 52481, Book 2011, Page 466, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

The exact location and extent of said lease cannot be determined.

Affects: Parcels 1 and 2

- 11. An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Notice
Lessor: Santa Fe Land Improvement Company
Lessee: Barling Bros
Recorded: June 18, 1964, Instrument No. 39405, Book 3736, Page 709, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

The exact location and extent of said lease cannot be determined.

Affects: Parcels 1 and 2

- 12. Matters** contained in that certain document entitled "Intercreditor Agreement" dated September 4, 1987, recorded December 21, 1987, Book 6077, Page 1659, of Official Records.

Reference is hereby made to said document for full particulars.

Affects: Parcel 3

Matters contained in that certain document entitled "Amendment to Intercreditor Agreement" dated, recorded April 1, 1993, Instrument No. 047360, Book 6525, Page 1764, of Official Records.

Reference is hereby made to said document for full particulars.

- 13. The fact** that said land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document.

Redevelopment
Agency: Wasco Redevelopment Project
Recorded: August 17, 1988, Instrument No. 019013, Book 6153, Page 2041, of Official Records

- 14. Matters** contained in that certain document entitled "Warranty Deed" dated March 31, 1988, recorded August 24, 1990, Instrument No. 027393, Book 6423, Page 0376, of Official Records.

Reference is hereby made to said document for full particulars.

Affects: Parcel 3

- 15. An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease and Agreement
Lessor: Newco Corporation at Utah corporation
Lessee: Savage Coal Services Corporaton, a Utah corporation
Recorded: August 24, 1990, Instrument No. 27394, Book 6423, Page 385, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

Affects: Parcel 3

By the provisions of an agreement

Dated: November 30, 1990
Executed by: Newco Corporation, a Utah corporation, Savage Industries, Inc., a Utah corporation and The Savage Companies, a Utah corporation
Recorded: December 28, 1990, Instrument No. 089338, Book 6472, Page 2057, of Official Records

Said instrument was made subordinate to the lien of the document or interest described in the instrument

Recorded: August 24, 1990, Instrument No. 027398, 027400, 027401, Book 6423, Page 423, 521, 571, of Official Records

- 16. Matters** contained in that certain document entitled "Subordination, Estoppel Certificate and Security Agreement" dated March 31, 1988, recorded August 24, 1990, Book 6423, Page 408, of Official Records.

Reference is hereby made to said document for full particulars.

Affects: Parcel 3

Matters contained in that certain document entitled "Notice of Assignment and of Modification of Loan" dated , executed by and between Mt. Poso Cogeneration Company, a California limited partnership and Zions First National Bank, a national association recorded April 1, 1993, Instrument No. 047359, Book 6825, Page 1748, of Official Records.

Reference is hereby made to said document for full particulars.

17. A deed of trust which purports to secure performance of an agreement referred to therein, and any other obligations secured thereby

Dated: June 19, 1987
Trustor: Savage Industries Incorporated, a Utah corporation (formerly known as Savage Coal Service Corporation) and Newco Corporation, a Utah corporation
Trustee: Ticor Title Insurance Company of California, a California Corporation
Beneficiary: Mount Poso Cogeneration Company, a California limited partnership
Recorded: August 24, 1990, Instrument No. 027398, Book 6423, Page 0423, of Official Records

Affects: Parcel 3

No assurance is made as to the priority existing between said deed of trust and the deed of trust (or deeds of trust) recorded concurrently therewith.

An assignment of the beneficial interest under said deed of trust which names:

Assignee: Swiss Bank Corporation, New York Branch, as Agent for itself and the other banks set forth in that certain amended and restated Loan Agreement dated as of November 30, 1990
Loan No.: N/A
Recorded: December 29, 1990, Instrument No. 089337, Book 6472, Page 2054, of Official Records

Matters contained in that certain document entitled "Reassignment of Promissory Notes, Deeds of Trust and Security Agreements" dated , executed by and between Swiss Bank Corporation, New York Branch, as agent for itself and the other banks set forth in that certain Amended and Restated Loan Agreement dated as of November 30, 1990 and Mt. Pose Cogeneration Company, a California limited partnership recorded April 1, 1993, Instrument No. 047358, Book 6825, Page 1727, of Official Records.

Reference is hereby made to said document for full particulars.

Matters contained in that certain document entitled "Notice of Assignment and of Modification of Loan" dated , executed by and between Mt. Poso Cogeneration Company, a California limited partnership and Zions First National Bank, a national association recorded April 1, 1993, Instrument No. 047359, Book 6825, Page 1748, of Official Records.

Reference is hereby made to said document for full particulars.

- 18. A deed of trust** which purports to secure performance of an agreement referred to therein, and any other obligations secured thereby

Dated: June 19, 1987
Trustor: Savage Industries Incorporated, a Utah corporation (formerly known as Savage Coal Service Corporation) and Newco Corporation, a Utah corporation
Trustee: Tigor Title Insurance Company of California, a California Corporation
Beneficiary: Rio Bravo Jasmin and Rio Bravo Poso, California general partnerships
Recorded: August 24, 1990, Instrument No. 027399, Book 6423, Page 0472, of Official Records

Affects: Parcel 3

No assurance is made as to the priority existing between said deed of trust and the deed of trust (or deeds of trust) recorded concurrently therewith.

A partial assignment of the beneficial interest under said deed of trust

From: Rio Bravo Jasmin, a California general partnership
To: Canadian Imperial Bank of Commerce, a New York banking corporation, as collateral agent for itself and the other lenders set forth in that certain Amended and Restated Credit Agreement dated as of the date hereof by and among Assignor, Assignee and such other lenders
Recorded: August 24, 1990, Instrument No. 027402, Book 6423, Page 0579, of Official Records
As to: all of Assignor's right, title and interest

A partial assignment of the beneficial interest under said deed of trust

From: Rio Bravo Poso, a California general partnership
To: Canadian Imperial Bank of Commerce, a New York banking corporation, as collateral agent for itself and the other lenders set forth in that certain Amended and Restated Credit Agreement dated as of the date hereof
Recorded: August 24, 1990, Instrument No. 027403, Book 6423, Page 0589, of Official Records
As to: all of assignor's right, title and interest

19. A deed of trust which purports to secure performance of an agreement referred to therein, and any other obligations secured thereby

Dated: June 19, 1987
Trustor: Savage Industries Incorporated, a Utah corporation (formerly known as Savage Coal Service) and Newco Corporation, a Utah corporation
Trustee: Ticor Title Insurance Company of California, a California Corporation
Beneficiary: Mount Poso Cogeneration Company, a California limited partnership and Rio Bravo Jasmin and Rio Bravo Poso, California general partnerships
Recorded: August 24, 1990, Instrument No. 027400, Book 6423, Page 0521, of Official Records

Affects: Parcel 3

No assurance is made as to the priority existing between said deed of trust and the deed of trust (or deeds of trust) recorded concurrently therewith.

A partial assignment of the beneficial interest under said deed of trust

From: Rio Bravo Jasmin, a California limited partnership
To: Canadian Imperial Bank of Commerce, a New York banking corporation, as collateral agent for itself and the other lenders set forth in that certain Amended and Restated Credit Agreement dated as of the date hereof by and among Assignor, Assignee and such other lenders
Recorded: August 24, 1990, Instrument No. 027402, Book 6423, Page 0579, of Official Records
As to: all of assignor's right, title and interest

A partial assignment of the beneficial interest under said deed of trust

From: Rio Bravo Poso, a California general partnership
To: Canadian Imperial Bank of Commerce, a New York banking corporation, as collateral agent for itself and the other lenders set forth in that certain Amended and Restated Credit Agreement dated as of the date hereof
Recorded: August 24, 1990, Instrument No. 027403, Book 6423, Page 0589, of Official Records
As to: all of assignor's right, title and interest

A partial assignment of the beneficial interest under said deed of trust

From: Mount Poso Cogeneration Company, a California limited partnership
To: Swiss Bank Corporation, New York Branch
Recorded: December 28, 1990, Instrument No. 089337, Book 6472, Page 2054, of Official Records
As to: all of assignor's right, title and interest

Matters contained in that certain document entitled "Reassignment of Promissory Notes, Deeds of Trust and Security Agreements " dated , executed by and between Swiss Bank Corporation, New York Branch, as agent for itself and the other banks set forth in that certain Amended and Restated Loan Agreement dated as of November 30, 1990 and Mt. Poso Cogeneration Company, a California limited partnership recorded April 1, 1993, Instrument No. 047358, Book 6825, Page 1727, of Official Records.

Reference is hereby made to said document for full particulars.

Matters contained in that certain document entitled "Notice of Assignment and of Modification of Loan" dated , executed by and between Mt. Poso Cogeneration Company, a California limited partnership and Zions First National Bank, a national association recorded April 1, 1993, Instrument No. 047359, Book 6825, Page 1748, of Official Records.

Reference is hereby made to said document for full particulars.

20. A deed of trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount:	none shown
Dated:	August 20, 1990
Trustor:	Savage Industries Incorporated and Newco Corporation
Trustee:	Ticor Title Insurance Company of California, a California Corporation
Beneficiary:	Mount Poso Cogeneration Company, a California limited partnership and Rio Bravo Poso, a California partnership and Rio Bravo Jasmin, a California partnership
Loan No.:	N/A
Recorded:	August 24, 1990, Instrument No. 027401, Book 6423, Page 0571, of Official Records

Affects: Parcel 3

Said instrument states it is subordinate to the Deed of Trusts recorded concurrently herewith.

A partial assignment of the beneficial interest under said deed of trust

From:	Rio Bravo Jasmin, a California general partnership
To:	Canadian Imperial Bank of Commerce, a New York banking corporation, as collateral agent for itself and the other lenders set forth in that certain Amended and Restated Credit Agreement dated as of the date hereof by and among Assignor, Assignee and such other lenders
Recorded:	August 24, 1990, Instrument No. 027402, Book 6423, Page 0579, of Official Records
As to:	all of Assignor's right, title and interest

A partial assignment of the beneficial interest under said deed of trust

From: Rio Bravo Poso, a California general partnership
To: Canadian Imperial Bank of Commerce, a New York banking corporation, as collateral agent for itself and the other lenders set forth in that certain Amended and Restated Credit Agreement dated as of the date hereof
Recorded: August 24, 1990, Instrument No. 027403, Book 6423, Page 0589, of Official Records
As to: all of Assignor's right, title and interest

A partial assignment of the beneficial interest under said deed of trust

From: Mount Poso Cogeneration Company, a California limited partnership
To: Swiss Bank Corporation, New York Branch
Recorded: December 28, 1990, Instrument No. 089337, Book 6472, Page 2054, of Official Records
As to: all of Assignor's right, title and interest

Matters contained in that certain document entitled "Reassignment of Promissory Notes, Deeds of Trust and Security Agreements" dated , executed by and between Swiss Bank Corporation, New York Branch, as agent for itself and the other banks set forth in that certain Amended and Restated Loan Agreement dated as of November 30, 1990 and Mt. Pose Cogeneration Company, a California limited partnership recorded April 1, 1993, Instrument No. 047358, Book 6825, Page 1727, of Official Records.

Reference is hereby made to said document for full particulars.

- 21. Matters** contained in that certain document entitled "Subordination Agreement" dated November 30, 1990, recorded December 28, 1990, Instrument No. 089338, Book 6472, Page 2057, of Official Records.

Reference is hereby made to said document for full particulars.

Affects: Parcel 3

- 22. Any discrepancies** in boundary or area or any rights which may arise or exist which are disclosed by a Map of Survey on said property.

Recorded: in Book 19, Page 53 of Record of Surveys

Affects: Parcel 3

- 23. Rights of the public** as to any portion of the land lying within the area commonly known as J Street and H Street.

- 24. As of this report date,** we find no open deeds of trust of record. Please verify with escrow personnel and/or agents whether or not we have overlooked something and advise the title department accordingly prior to close of escrow.

Affects: Parcels 1 and 2

END OF ITEMS

Note 1. *IMPORTANT RECORDING NOTE*****

Please send all original documents for recording to the following office:

Chicago Title Company
4015 Coffee Road #100
Bakersfield, CA 93308
Attn: Recording Desk
Phone: (661) 410-4700
Fax: (661) 410-4665

Please direct all other title communication and copies of documents, including recording release instructions, policy write-up instructions and settlement statements, to the Title Only Department at the issuing office.

Note 2. There are NO deeds affecting said land, recorded within twenty-four (24) months of the date of this report.

Note 3. The charge for a policy of title insurance, when issued through this title order, will be based on the Basic (not Short-Term) Title Insurance Rate.

Note 4. Escrow Information Note: Arb No. 30-3-X-06,07

Note 5. **The application** for title insurance was placed by reference to only a street address or tax identification number.

Based on our records, we believe that the description in this report covers the parcel requested, however, if the legal description is incorrect a new report must be prepared.

If the legal description is incorrect, in order to prevent delays, the seller/buyer/borrower must provide the Company and/or the settlement agent with the correct legal description intended to be the subject of this transaction.

- Note 6.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 7.** Please contact Escrow Office for Wire Instructions.
- Note 8.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

END OF NOTES

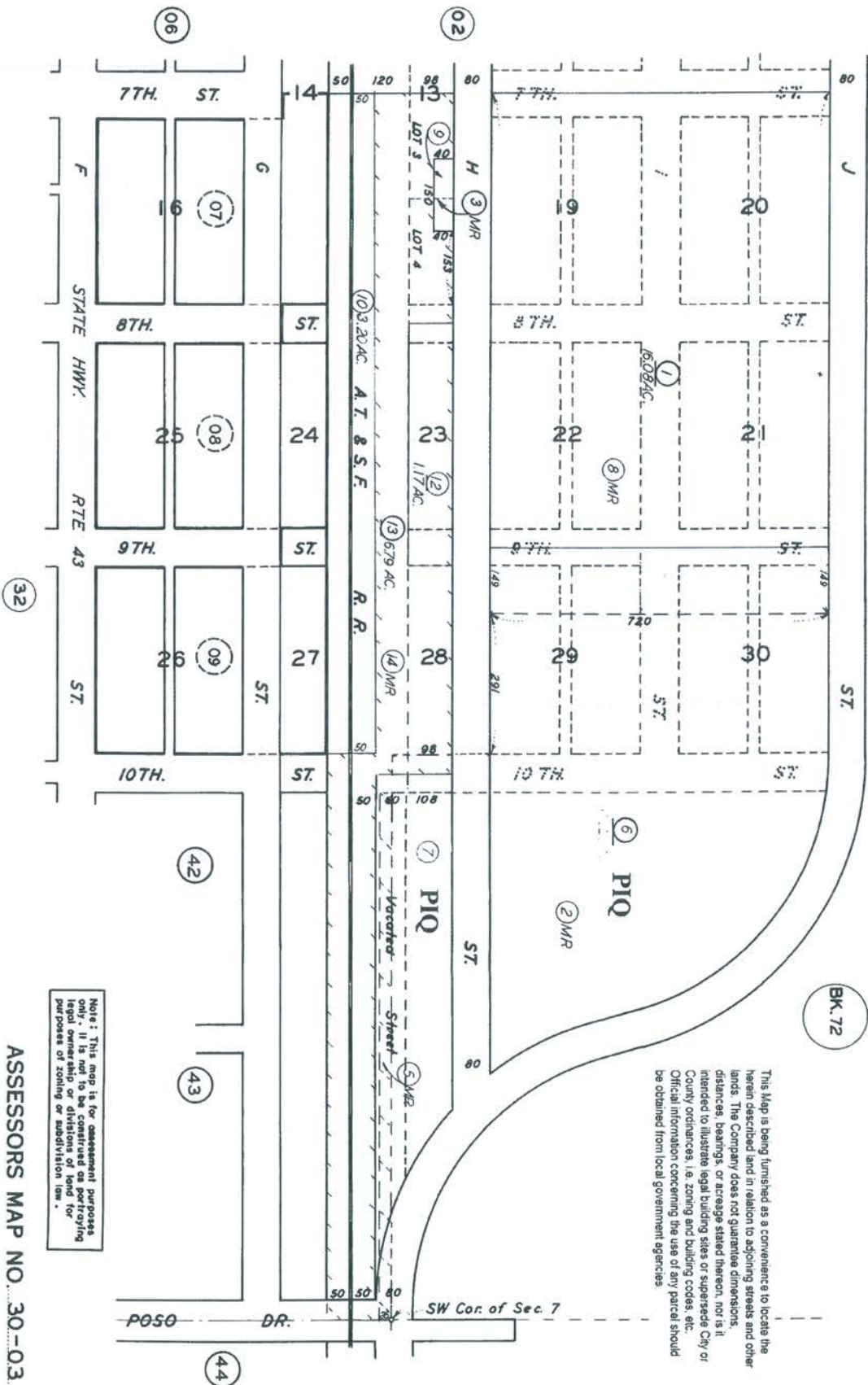
30-03

TOWNSITE OF WASCO & PTN. OF SW 1/4 OF SEC. 7 T. 27S. R. 25 E.

SCHOOL DIST. 7-3 7-8
7-25 7-18
7-26 7-20
1" = 200'

30-03

This Map is being furnished as a convenience to locate the herein described land in relation to adjoining streets and other lands. The Company does not guarantee dimensions, distances, bearings, or acreage stated thereon, nor is it intended to illustrate legal building sites or supersede City or County ordinances, i.e. zoning and building codes, etc. Official information concerning the use of any parcel should be obtained from local government agencies.



ATTACHMENT ONE

AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.

This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.

3. Title Risks:

- that are created, allowed, or agreed to by you
- that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
- that result in no loss to you
- that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

4. Failure to pay value for your title.

5. Lack of a right:

- to any land outside the area specifically described and referred to in Item 3 of Schedule A
- or
- in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.

4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:

- (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in no loss or damage to the insured claimant;
- (d) attaching or created subsequent to Date of Policy; or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

**SCHEDULE B, PART I
EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**FORMERLY AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)
WITH A.L.T.A. ENDORSEMENT-FORM 1 COVERAGE
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or

material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or

- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
(iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ATTACHMENT ONE (CONTINUED)

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed, or agreed to by the Insured Claimant;
(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records;
- (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

**ATTACHMENT ONE
(CONTINUED)**

**FORMERLY AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ATTACHMENT ONE (CONTINUED)

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed, or agreed to by the Insured Claimant;

(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

(c) resulting in no loss or damage to the Insured Claimant;

(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or

(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. Land use
 - d. improvements on Land
 - e. Land division
 - f. environmental protectionThis Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
 - a. notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 14, 15, 16 and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 14:	1.00% of Policy Amount or <u>\$ 2,500.00</u> (whichever is less)	<u>\$ 10,000.00</u>
Covered Risk 15:	1.00% of Policy Amount or <u>\$ 5,000.00</u> (whichever is less)	<u>\$ 25,000.00</u>
Covered Risk 16:	1.00% of Policy Amount or <u>\$ 5,000.00</u> (whichever is less)	<u>\$ 25,000.00</u>
Covered Risk 18:	1.00% of Policy Amount or <u>\$ 2,500.00</u> (whichever is less)	<u>\$ 5,000.00</u>

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	<u>1.00%</u> of Policy Amount Shown in Schedule A or <u>\$ 2,500.00</u> (whichever is less)	<u>\$ 10,000.00</u>
Covered Risk 18:	<u>1.00%</u> of Policy Amount Shown in Schedule A or <u>\$ 5,000.00</u> (whichever is less)	<u>\$ 25,000.00</u>
Covered Risk 19:	<u>1.00%</u> of Policy Amount Shown in Schedule A or <u>\$ 5,000.00</u> (whichever is less)	<u>\$ 25,000.00</u>
Covered Risk 21:	<u>1.00%</u> of Policy Amount Shown in Schedule A or <u>\$ 2,500.00</u> (whichever is less)	<u>\$ 5,000.00</u>

**ATTACHMENT ONE
(CONTINUED)**

**ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or areas of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
(a) created, suffered, assumed or agreed to by the Insured Claimant;
(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
(c) resulting in no loss damage to the Insured Claimant;
(d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
(e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(e) and 26.
7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are Known to the Insured at:
(a) The time of the advance; or
(b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

**ATTACHMENT ONE
(CONTINUED)**

**ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07/26/10)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is subject of your current transaction, you must - prior to the close of the current transaction - inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount which is subject to other terms and conditions.

Fidelity National Financial, Inc.
Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

(privacy)

Page 2 of 2

Effective Date: 5/1/2008

Disclosure to Affiliated Companies - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access To Personal Information/

Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company

CTC – Chicago Title Company

FNF Underwriter

CTIC – Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 or 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (CTC and CTIC)

Eligible customers shall receive a \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al.*, Sacramento Superior Court Case No. 99AS02793, and related cases.

DISASTER LOANS (CTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% or 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 32% or 50% of the appropriate title insurance rate, depending on the type of coverage selected.