



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
5796 Corporate Avenue  
Cypress, California 90630



Arnold Schwarzenegger  
Governor

June 26, 2007

Mr. Robert Worl  
Siting Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, California 95814

<b>DOCKET</b> <b>'05-AFC-3</b>
<b>DATE</b> JUN 26 2007
<b>RECD.</b> JUN 29 2007

### REQUEST FOR AGENCY COMMENTS ON THE PRELIMINARY STAFF ASSESSMENT (PSA) FOR THE SUN VALLEY ENERGY PROJECT (SVEP)

Dear Mr. Worl:

The Department of Toxic Substances Control (DTSC) has received your submitted PSA for the above-mentioned project. The following project description is stated in your document: "The SVEP facility will be located at 29500 Rouse Road, approximately .075 miles southeast of Romoland in unincorporated western Riverside County. Application For Certification (05-AFC-3). CEC-700-2007-009-PSA. On December 1, 2005, Valle del Sol Energy, LLC, (VSE) a wholly-owned subsidiary of Edison Mission Energy (EME), submitted an Application for Certification (AFC) seeking a license from the California Energy Commission to construct and operate the Sun Valley Energy Project (SVEP). The SVEP would be a 500 megawatt (MW) simplecycle peaking power plant located south of the unincorporated city of Romoland in the western unincorporated portion of Riverside County. The SVEP would add 500 MW of generating capacity to Southern California Edison's (SCE) grid through the nearby SCE Valley Substation. On February 1, 2006, The Energy Commission accepted the AFC (05-AFC-3) with supplemental information as complete, initiating the Energy Commission staff's independent analysis of the proposed project.." DTSC provides comments as follows:

- 1) The PSA should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances.
- 2) The PSA should identify the known or potentially contaminated sites within the proposed Project area. For all identified sites, the PSA should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
  - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
  - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
  - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
  - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
  - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
  - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
  - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The PSA should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No.17 below for more information.
- 4) All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment

Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.

- 5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the PSA.
- 6) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.
- 7) If buildings or other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 8) The project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 9) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code,

Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).

- 11) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (714) 484-5423 to initiate pre-application discussions and determine the permitting process applicable to the facility.
- 12) If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- 13) Your document states: "With adoption of the proposed conditions of certification, the proposed project will comply with all applicable laws, ordinances, regulations and standards. In response to Health and Safety Code, section 25531 et seq., the applicant would be required to develop a Risk Management Plan. To insure adequacy of the Risk Management Plan, staff's proposed conditions of certification would require that the Risk Management Plan be submitted for concurrent review by the United States Environmental Protection Agency, the Riverside County Environmental Health Department, and the California Energy Commission staff. In addition, staff's proposed conditions of certification require the Riverside County's Environmental Health Department's review, and staff review and approval of the Risk Management Plan prior to delivery of any hazardous materials to the facility. Other proposed conditions of certification address the issue of the transportation, storage, and use of aqueous ammonia. " Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 14) If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
- 15) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.
- 16) Your document states: "Both the proposed project site and the Dawson Road site do not provide good habitat for fish, wildlife, or sensitive plant species. Both are in or have recently been in agricultural use. The SVEP facility will be located at 29500 Rouse Road, approximately .075 miles southeast of Romoland in

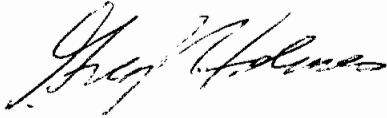
Mr. Robert Worl  
June 26, 2007  
Page 5

unincorporated western Riverside County. The proposed project site is an approximately 20-acre site, contained in two parcels, previously in agricultural use, with no crop intended to be grown on the site in 2007 ..." If the site was used for agricultural or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.

- 17) Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see [www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, at (714) 484-5477 or email at [thom@dtsc.ca.gov](mailto:thom@dtsc.ca.gov).

Sincerely,



Greg Holmes  
Unit Chief  
Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
1001 I Street, 22nd Floor, M.S. 22-2  
Sacramento, California 95814

CEQA#1679