



PO Box 6064, Chula Vista, CA 91909, (619) 425-5771

5/25/08

RE: Comments on Air Quality Section of the PSA for the public record:

Mr. Christopher Myers:

We object strenuously to the contention that buying emission credits in anyway mitigates the harmful health effects to us of the increase in emissions of this proposed “large generating facility.” Staff has not assessed the local impacts, because they have not looked at the spreadsheet the school district has that shows health problems at each of the schools in the District. It is relevant that the closest schools already have more respiratory problems. The historic pollution problems in the area are also relevant, but not mentioned.

It is also problematic that the APCD reporting station is so far away from this regional center of traffic congestion. The amount of truck traffic on Main Street is not found anywhere else in Chula Vista. We also suffer from the impacts of a bus terminal, the existing SBPP and a cement factory. The SBPP leaves an oily substance in hot tubs and pools and particulate matter on windowsills and in air filters whenever it operates. The cement factory actually leaves visible particulates on people’s cars and lawn furniture regularly. The amount of extra particulate contamination predicted for this proposed “large generating facility” is excessive and likely to compound existing health problems since the owners admitted on 5/12 that it is likely to run 800 hours per year, not 400 as they previously stated. <http://www.youtube.com/v/5y1GdmNfA3s>.

Page 4.1-26:

**“AIR QUALITY Table 18**

**Applicant CVEUP Incremental Annual Emissions (CEQA Mitigation Basis)**

	pollutant	tons	per	year
Emission Source	NOX	VOC	SOX	PM10/2.5
CVEUP Expected maximum Annual Emissions tons/year	5.66	1.12	1.03	3.01
Chula Vista Power Plant Emissions Baseline tons/year	1.3	0.07	0.2	0.5
Incremental Emissions Increase, tons/year	4.36	1.05	0.83	2.51

Source: CH2MHill 2008a, DR 2 and 3.

<sup>a</sup> SO<sub>2</sub> annual emissions for the purposes of determining adequate CEQA mitigation are based on an annual average natural gas sulfur content of 0.25 grains/100 dry standard cubic feet, rather than the 0.75 grains/100 dry standard cubic feet basis shown in **AIR QUALITY Table 17** for the District’s permit emissions basis.

This table makes it very clear that there will be a large increase in emissions from this “large generating facility.” It is too close to schools and homes to be allowed here. It also is not needed as SDG&E has stated, which is why it does not have a contract with SDG&E. It needs to be put elsewhere where there is a need.

Actually, why are the existing plant's emissions even relevant to this issue? According to our zoning ordinances that plant no longer has the right to operate and if laws are enforced as they normally are, it needs to be dismantled and the ground returned to its previous state. This means this plant should be being treated here as a NEW facility, producing NEW emissions. The old plant as MMC's rep (Josie Calderon) stated on 5/27 "hardly operated for three years."

Staff is basing its conclusions upon erroneous assumptions. This study needs to be redone as though this were a brand new plant, because it is NOT an upgrade of an existing plant, since the non-conforming nature of the old plant has been phased out by city policy and ordinance as soon as it ceased operating for more than 12 months. The fact that MMC fired it up a few times illegally is irrelevant.

Staff used two main significance criteria in evaluating this project. First, all project emissions of nonattainment criteria pollutants and their precursors (NOx, VOC, PM10, and SO<sub>2</sub>) are considered significant and must be mitigated. **It is not possible to mitigate these.** They add to our non-attainment. The only way to truly protect the health of residents is to not allow the plant.

We strongly disagree with the following statement. Every year new health effects are recognized for lower levels of pollution. Ultra-fine particulate matter does not even have a standard, but it is expected that it will prove to be a significant health risk. Current thresholds, especially at the federal level, but also at the state level are way too high to offer adequate protection. The alarming increase in allergies, asthma and other health problems is a clear indication of this. The southern part of San Diego County already has 30% more asthma cases than the rest of the county.

*"The ambient air quality standards that staff uses as a basis for determining project significance are health-based standards established by the ARB and U.S. EPA. They are set at levels to adequately protect the health of all members of the public, including those most sensitive to adverse air quality impacts such as the aged, people with existing illnesses, children, and infants, and include a margin of safety."*

This statement could be used in court to hold the CEC to blame if even one case of exacerbated illness occurs.

Although this is much better than any air quality report I have read in an EIR or MND we still believe that mitigating by buying credits is essentially selling our health to the highest bidder and is not acceptable. The Environmental Justice issue is that it is possible to pay a fee to mitigate affects to the health of the residents.

Another failing of this report which must be corrected is: **We would like to point out again that this is not and never was an SDG&E peaker.** SDG&E does not have, has not had nor does it wish a contract with this peaker. The contract is with the ISO for state energy needs and the plant must install two cut-offs to protect the transmission lines of SDG&E from possible over load from this plant. **The CEC needs to have a standard for whether a peaker is needed in a site or not.** This one is NOT, so it is impossible to mitigate its impacts.

Since this is not an SDG&E contracted peaker shouldn't the capacity and operation capacity figures be based upon a similar ISO peaker? One would think

it is quite possible that an ISO peaker would be called upon more often than an SDGE peaker, especially considering the condition of local transmission lines.

Table 25 is interesting and possibly very inaccurate since the particulate matter for the existing plant is not available and the existing plant did not run at all for two years as well as the fact that figures are being used for Larkspur that is contracted by SDGE, which CVEUP will not be. The existing plant needs to be omitted since it no longer legally exists and an ISO contracted similar plant needs to be used for comparison purposes.

**The existing power plant has a requirement in its MND to upgrade the pollution control and the generator every two years. Why is the CEC not requiring that CVEUP totally upgrade to the newest available technology every two years or better yet as soon as the technology becomes available? The problem with the existing plant is they used a used generator and they never did the required upgrades. Actually shutting it down was better. CVEUP should not be allowed ever to operate with anything other than the highest and best technology available at the time. No plant in California should be allowed to operate with inferior technology.**

**If six miles is being used to determine cumulative impacts then two of the busiest ports of entry into the USA must be included-San Ysidro and Otay Mesa. Also most of Tijuana and a large part of National City and the Southbay Power Plant need to be included.** This creates a very significant amount of background pollution, which likely is the reason for the high asthma rates in this area. There is an inversion layer in Otay Mesa that keeps the air quality at an extremely unhealthy level. 4.1-47 Why are worse case situations not being included? Why is the vague receptors for several miles used when previous six miles was used? Even if 3 miles was used the Southbay Power Plant is within 3 miles. Also was the Hanson cement plant included? It is a VERY significant source of particulate matter.

***In regard to Greenhouse Gas Emissions. This plant will produce between 7% and 25% of the entire CO produced in the city of Chula Vista. This will make achieving the desired reduction in CO extremely difficult for the city. As stated by Michael Meecham on 5/12/08 the carbon emissions from this plant would be between 7-and 25% of all the carbon emissions for the city. Since the city has signed the Kyoto Treaty and currently has an increase of 35% carbon emissions, this facility would have an extremely negative effect upon the total environment of Chula Vista and cause severe hardships for the citizens who will have to some how cut back 42-55% in order to have a chance of meeting our goal to lowering emissions to 1990 levels. <http://www.youtube.com/v/tlu2-GlqNIU>***

*There will be a new regulatory document once adopted formally by the council in a few months:*

<http://www.chulavistaca.gov/clean/conservation/Climate/ccwg1.asp>

**Staff needs to enforce maximum emissions limits per hour, day and year. There needs to be some way of assuring that waivers will not be given as has been done in Escondido. The amount that the plant is being permitted for is way too high.**

There is an Environmental Justice issue related to air quality, because CVEUP is being allowed to buy credits to mitigate its Air Quality impacts. This will not help the air

quality of the area at all nor will it protect the health of the near-by residents. \$34,752 is not going to change a significant number of diesel engines to cleaner fuel. The representative of MMC keeps saying large diesel trucks idling at Heartland Meat are a bigger pollution source than the peaker. Actually this is not a relevant or accurate argument. The point is the peaker is an unnecessary and unneeded additional source. Heartland Meat actually mostly uses box trucks not semis. These could be run on gasoline or replaced with gasoline ones. The city needs a new ordinance.

This plant is not needed or wanted here and should be rejected.

Sincerely,

Theresa Acerro  
President  
Southwest Chula Vista Civic Association