

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Unless Mitigation Incorporated	Less-than- Significant Impact	No Impact
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samples at depths of 9 feet or shallower that had arsenic concentrations in excess of the established remedial threshold value of 10 ppm were identified. Two samples were identified for remediation in Components 1A and 1B. Remediation was performed by excavating soil and mixing it with clean soil, then recompacting in accordance with the geotechnical specifications. Upon completion of soil remediation and relocation, confirmation samples were collected from depths of approximately 6 inches bgs. The arsenic confirmation sample results were all below the established remedial threshold value of 10 ppm. The average arsenic concentration was 4.04 mg/kg at depths of less than 10 feet bgs.

Construction Impacts Related to Arsenic Soils On-Site

The potential impacts related to the accidental release of arsenic during construction of the proposed project are considered less than significant for the following reasons:

- a) The project would require very little earthwork. The site is almost fully paved with concrete and asphalt, and only a small portion of the project's construction involves excavating soils.
- b) The HRC for the cumulative 6-month excavation period indicated that the ILCR for short-term construction workers and downwind residents (children and adults) was de minimus (of no concern);
- c) The HI for short-term excavation/construction receptors was also less than EPA's acceptable HI; thus, there is no potential for noncancer health effects; and
- d) The arsenic soils have already been remediated according to an approved RAP (based on the 1996 BBL Plan).

Operation Impacts from Arsenic Soils On-Site

The site would remain almost fully paved after the proposed future development. The only non-paved areas would be those that are landscaped. The landscaped areas are currently supplemented with clean off-site soil suitable for vegetation, a practice that would continue in the future. Therefore, landscape maintenance would not disturb arsenic soils. Furthermore, project operations would not disturb the soils. Potential impacts from arsenic on downwind and on-site receptors are very unlikely and would not occur during normal operations at the facility.

Construction Impacts Caused by the Handling and Transport of Hazardous Substances

Short-term construction activities, including demolition, grading, and building activities, would involve the transport of fuels, lubricating fluids, solvents, and other substances. However, construction activities must follow strict regulations of the California Fire Code regarding hazardous materials. Furthermore, construction activities would be temporary and would not require the handling of significant amounts of these substances. Therefore, the impacts in this regard would be considered less than significant. However as a precautionary measure, in the event that unexpected hazardous materials are discovered or released during the construction process, the following measure will be implemented:

HAZ-1: If any hazardous materials not previously addressed are identified and/or released to the environment at any point during the construction process, operations in the contaminated area shall cease immediately. The contractor shall notify the City of Huntington Beach Fire

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Department immediately of any such findings. Upon notification of the appropriate agencies, a course of action would be determined subject to the approval of the by the City of Huntington Beach Fire Department.

Operation Impacts Caused by the Handling and Transport of Hazardous Substances

The household hazardous waste collection center (HHWCC) operated by the County is located on the Rainbow property between Gates 5 and 6. This facility accepts household hazardous waste in accordance with local, county, state, and federal laws. Common materials collected here include car batteries, used motor oils, paints, cathode ray tubes, and propane tanks. In the event that these types of materials are observed in the waste stream, they would be removed and stored on the red household hazardous waste pallets located throughout the facility to ensure that they are categorized and taken to the HHWCC. Load checkers, yard personnel, and MRF sorters are trained in identifying the different types of materials mentioned above. In the field, collection trucks are instructed to look for suspicious waste and material. If such waste is found, the generator is notified and the waste is not collected. In the event of a hazardous waste spill or incident, Rainbow would notify the City of Huntington Beach Fire Department to develop a plan for cleanup and disposal (ie, contract with an outside company that specializes in spill response, cleanup and disposal). Compliance with applicable laws and regulations governing the disposal of hazardous waste would minimize the potential for significant safety impacts to occur and would ensure that all potentially hazardous materials are used and handled in an appropriate manner. With implementation and adherence to these laws and regulations, impacts would be considered less than significant.

The site currently maintains a CNG fueling station for Rainbow's trucks and City vehicles. To minimize impacts associated with CNG fueling, Rainbow has used and will continue to use the following safety devices and features, which exceed the requirements of NFPA-52 (CNG Vehicular Fuel Systems Code):

- a) The use of emergency pushbuttons located at logical points around the site, which are integrated into a hardwired master control relay for positive system control;
- b) Automated pressure isolation valves, which isolate storage volume, compressor inlet, and dispenser supply lines in the event of an emergency stop condition;
- c) Inferred gas detectors in the compressor enclosure, which can detect and signal a gas leak condition;
- d) Excess-flow detection and shutdown feature on each CNG hose;
- e) Fail-safe control systems for the control of the compressors and dispensers;
- f) Pressure over-protection devices and vent stacks on all storage assemblies, all American Society of Mechanical Engineers (ASME) vessels, and all dispenser circuits at each stage of compression;
- g) Manual pressure isolation valves that are at all logical points of isolation;
- h) Appropriate site signage and firefighting equipment;
- i) Controlled access to the CNG compression and storage compound;
- j) Site notification in the event of an alarm or fault condition; and
- k) On-site training of all maintenance personnel.

Therefore, with implementation of existing safety measures, the impacts of the on-site CNG fueling operations would be less than significant.

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- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 14, 15, 27, 28, 29)
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Discussion:
Refer to response IX(a).

- c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 5, 14, 15, 27, 28, 29)
-

Discussion:
Oakview Elementary School is located 60 feet east of the project site. Refer to response IX(a).

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: 14, 15, 20)
-

Discussion:
There is no impact in this regard. The site is not listed as a hazardous material site, per the State of California Department of Toxic Substance Control "Cortese List." See response IX(a) for more in this regard.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 3)
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Discussion:
Although the City is located within the Airport Environs Land Use Plan for the Joint Forces Training Center Los Alamitos, the project site is not located within 2 miles of any known public or private airstrip. As mentioned previously, the closest airport is John Wayne Airport, which is located 7.5 miles to the east; therefore, the proposed project would not result in a

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safety hazard to people working or residing in the project area. No impacts would occur.

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| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

Although the City is located within the Airport Environs Land Use Plan for the Joint Forces Training Center Los Alamitos, the project site is not located within 2 miles of any known public or private airstrip. As mentioned previously, the closest airport is John Wayne Airport, which is located 7.5 miles to the east; therefore, the proposed project would not result in a safety hazard to people working or residing in the project area. No impacts would occur.

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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The City of Huntington Beach Fire Department provides emergency medical and fire protection support, and the City of Huntington Beach Police Department is responsible for coordinating law enforcement and traffic control operations in emergency situations. The project does not propose off-site improvements and would not interfere with any adopted emergency response or evacuation plan. The proposed project would not require the closure of streets or affect potential emergency response routes, and emergency access on the proposed project site would be maintained.

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| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The project is not located within the vicinity of any wildland area; therefore, no impacts would occur.

X. NOISE. Would the project result in:

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| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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of other agencies? (Sources: 3, 16)

Discussion:

Current land uses surrounding the proposed project site include industrial uses to the north, south, and west and Oakview Elementary School to the east. The City Noise Ordinance establishes limits based on zones, with Zone 1¹ being residential and Zone 4 being industrial. These limits are shown in Table 4.

Table 4. Noise Ordinance Limits

Allowed Duration	Residential		Industrial	
	Day	Night	Day	Night
30 minutes in 1 hour (L50)	55	50	70	70
15 minutes in 1 hour (L25)	60	55	75	75
5 minutes in 1 hour (L8)	65	60	80	80
1 minute in 1 hour (L2)	70	65	85	85
Any time in 1 hour (Lmax)	75	70	90	90

The current noise levels were measured at six locations, listed below, in and around the existing project site by Gordon Bricken & Associates. Measurement locations are also shown in Exhibit 6 of Attachment 7.

1. Position 1 was at the edge of the primary dumping area. This location is 150 feet from the unloading operations and 100 feet from the west property line.
2. Position 2 was at the entrance area, 10 feet from the west property line.
3. Position 3 was 60 feet from the public dumping operations, 170 feet from the south property line, and 255 feet from the west property line.
4. Position 4 was at the sidewalk on the east side of Nichols Street, opposite the public entrance.
5. Position 5 was at the sidewalk on the east side of Nichols Street, opposite the trash truck entrance.
6. Position 6 was on Emerald Lane, at the school parking lot.

Existing noise levels were quantified using an Ono Sokki Model LA1250 Type 2 instrument and a Bruel and Kjaer Model 2317 recorder. Current noise levels are included in Table 5.

¹ Zone 1 residential was used for the existing school.

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Table 5. Noise Levels (dBA)

Position		AM					PM				
		Lmax	L2	L8	L25	L50	Lmax	L2	L8	L25	L50
1	Measured	81	77	75	74	73	81	77	75	74	73
	Standard	90	85	80	75	70	90	85	80	75	70
2	Measured	82	78	76	74	70	82	78	76	74	70
	Standard	90	85	80	75	70	90	85	80	75	70
3	Measured	100	84	81	78	75	100	84	81	78	75
	Standard	90	85	80	75	70	90	85	80	75	70
4	Measured	72	62	61	59	58	72	62	61	59	58
	Standard	81	70	65	60	55	81	65	60	55	50
5	Measured	79	68	66	62	58	79	68	66	62	58
	Standard	87	70	65	60	60	87	65	60	55	50
6	Measured	67	67	56	55	54	67	67	56	55	54
	Standard	75	70	65	60	55	70	65	60	55	50

According to the noise report, Positions 4, 5, and 6 all currently violate the City's Noise Ordinance. Positions 1 and 3 were not on the edge of the property line and therefore required a certain amount of reduction to account for the placement of the noise meter. Position 1 would be reduced by approximately 4 A-weighted decibels (dBA) when transferred to the property line, and Position 3 would be reduced by 14 dBA from the south property line and 9 dBA from the west property line.

Construction

Temporary increases in ambient noise levels would occur during periods of construction at the project site. Chapter 8.40 of the City Municipal Code for noise control generally prohibits construction activity between the hours of 8 p.m. and 7 a.m. on weekdays, including Saturdays, or at any time on Sunday or a federal holiday (Section 8.40.090). Additionally, a permit for construction activities (which requires a review of the proposed activities) must be obtained from the City of Huntington Beach.

To reduce potential construction noise impacts to less than significant, the contractor shall adhere to the following mitigation measure:

NOI-1. Prior to issuing grading permits, the construction foreman shall submit a signed affidavit to the Public Works Department that states that he/she will comply with the following restrictions:

- All equipment will have sound-control devices that are no less effective than those provided on the original equipment. No equipment will have an unmuffled exhaust; and
- The contractor will implement appropriate additional noise mitigation measures, including, but not limited to, changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying the adjacent school in advance of construction work, and installing acoustic barriers around stationary construction noise sources.

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Operations

Upon buildout, the proposed project would be more efficient and quieter than the existing operations. This would be achieved primarily by enclosing all recycling and waste handling facilities. Table 6 shows the reduction in noise levels that would be achieved with implementation of the proposed project. Furthermore, as illustrated in Table 6, the project would comply with the terms of the City's Noise Ordinance. Therefore, the operational noise impacts would be less than significant, and no mitigation is required.

Table 6. Future Noise Conditions

Position		AM					PM				
		Lmax	L2	L8	L25	L50	Lmax	L2	L8	L25	L50
1	Measured	71	67	65	64	63	81	67	65	64	63
	Standard	90	85	80	75	70	90	85	80	75	70
2	Measured	82	73	71	69	65	82	73	71	69	65
	Standard	90	85	80	75	70	90	85	80	75	70
3	Measured	90	74	71	68	85	90	74	71	68	65
	Standard	90	85	80	75	70	90	85	80	75	70
4	Measured	72	52	51	49	48	72	65	51	49	48
	Standard	81	70	65	60	55	81	70	65	60	55
5	Measured	79	58	56	52	48	79	58	56	52	48
	Standard	87	70	65	60	55	87	70	65	60	55
6	Measured	67	57	46	45	44	67	57	46	45	44
	Standard	75	70	65	60	55	75	70	65	60	55

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 16)

Discussion:

Construction activities associated with grading and excavation may result in some minor amount of ground vibration. Vibration from construction activity is typically below the threshold of perception when the activity is more than about 50 feet from receivers. Additionally, vibration from construction activities would be short term and would end when construction is completed. Because construction activity would not involve high-impact activities, such as pile driving, vibration impacts would be less than significant.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 16)

Discussion:

Refer to response X(a). By enclosing all recycling and waste handling facilities, the proposed project would reduce existing noise levels in the surrounding areas. This would be a project

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benefit. Therefore, no impacts would occur, and no mitigation is required.

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| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 16) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

Construction of the proposed project would result in temporary or periodic increases in ambient noise levels. Although construction-related increases in noise are anticipated to be short term, impacts on sensitive receptors are considered potentially significant. Refer to response X(a) for proposed mitigation that will reduce temporary construction noise impacts to less than significant.

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| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

Although the City is located within the Airport Environs Land Use Plan for the Joint Forces Training Center Los Alamitos, the project site is not located within 2 miles of any known public or private airstrip. As mentioned previously, the closest airport is John Wayne Airport, which is located 7.5 miles to the east. Therefore, no impacts would occur.

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| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

Although the City is located within the Airport Environs Land Use Plan for the Joint Forces Training Center Los Alamitos, the project site is not located within 2 miles of any known public or private airstrip. As mentioned previously, the closest airport is John Wayne Airport, which is located 7.5 miles to the east; Therefore, no impacts would occur.

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XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) Fire protection? (Sources: 1, 5, 17)

Discussion:

The City of Huntington Beach operates eight fire stations. The closest station to the project site is Fire Station 2, Murdy, located at 16221 Gothard Street, approximately 1.2 miles north of the proposed project site. Fire Station 2 offers a paramedic/engine company, truck company, and advanced and basic life-support ambulances. Fire Station 1, Gothard, is the next closest station to the project site, approximately 1.4 miles to the south. Fire Station 1 offers a command vehicle, paramedic engine company, and advanced and basic life-support ambulances. These two stations would be capable of offering support to the proposed project in the event of an emergency. The project will place a nominal increase in demand on the fire department and will also increase the fire flow requirements because of the increase in building square footage. The project includes the installation of two new hydrants that will be located as determined by the Huntington Beach Fire Department. The proposed project would not increase population; in fact, due to the automation included in the project, the number of employees would decrease. The impacts would be less than significant.

- b) Police Protection? (Sources: 1, 5, 18)

Discussion:

City of Huntington Beach Police Department (HBPD) headquarters is located at 2000 Main Street. HBPD also has one substation in the Oakview area located at the corner of Beach Boulevard and Slater Avenue and another in the downtown area at 5th Street and Walnut. The City is divided into twelve beat areas. These beat areas are assigned a sufficient number of officers to provide coverage 24 hours a day, 7 days a week. The project site is located in Beat 9. The proposed project would not increase population; in fact, due to the automation included in the project, the number of employees would decrease. Therefore, the project would not place increased demand on the City Police Department, and no impacts would occur.

- c) Schools? (Sources: 1, 5)

Discussion:

School services in the City are provided by one high school district: Huntington Beach High School District, and four elementary/junior high school districts: Ocean View, Westminster, Fountain Valley, and Huntington Beach City. Oakview Elementary is closest to the project site, immediately across Nichols Street. The demand for new schools is associated with

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population increases. The proposed project would not add children to the school system and would not increase demand on area schools; therefore, no impacts are anticipated.

- d) Parks? (Source: 5)

Discussion:

The proposed project does not propose any changes to City parks, nor would result in changes to City parks. Therefore, no impacts would occur.

- e) Other public facilities or governmental services? (Source: 5)

Discussion:

The project would not require any other new or altered service facilities; therefore, no impacts would occur.

XII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 5, 11)

Discussion:

The project site is located within the service area of the Santa Ana Regional Water Quality Control Board (RWQCB). All industrial wastewater is routed through an on-site industrial clarifier prior to discharge into the sewer system. No substantial change in the amount of wastewater generated is anticipated with the implementation of the project. The project would not exceed the wastewater treatment capacity of the Orange County Sanitation District. Less than significant impact are anticipated.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 5)

Discussion:

The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. No substantial change in the amount of water or wastewater is anticipated with the implementation of the project.

- c) Require or result in the construction of new storm water drainage facilities or

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expansion of existing facilities, the construction of which could cause significant environmental effects?
(Source: 5, 26)

Discussion:

The proposed project would slightly increase the amount of stormwater runoff produced on the project site. However, the proposed project would not require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities; any increase in stormwater runoff would be accommodated by existing facilities. No impacts are anticipated.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
(Source: 5)
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Discussion:

The existing facility currently uses approximately 12,500 gallons of water per day. No substantial change in the amount of water used per day is anticipated with the implementation of the project; therefore, less-than-significant impacts are anticipated.

- e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
(Source: 5)
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Discussion:

Through all phases of development, the proposed project would generate the same amount of wastewater as it currently does; therefore, wastewater treatment capacity would not be exceeded, and no impacts are anticipated.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
(Source: 5)
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Discussion:

The facility is a solid waste and recycling facility. After separating the solid waste from the recyclables, the recyclable materials go to various manufacturing/recycling plants, and the solid waste goes to either the Olinda Alpha Sanitary Landfill or the Frank R. Bowerman Sanitary Landfill. The Olinda Alpha Sanitary Landfill has a cease operation date of December 31, 2013; that of the Frank R. Bowerman facility is December 31, 2022. Therefore, there is

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capacity to accommodate the additional waste that would be transferred from the proposed project. The impacts would be less than significant.

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| g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The proposed project would comply with all federal, state, and local statutes and regulations related to the handling of solid waste; therefore, no impacts would occur.

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| h) Include a new or retrofitted storm water treatment control BMP (e.g., water quality treatment basin, constructed treatment wetlands?) (Source: 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The Rainbow facility existing storm water treatment BMPs are adequate to treat the runoff from the proposed improvements. Because the site is already fully developed, the change in stormwater runoff will be negligible. The existing BMPs can accommodate the improvements and no new or retrofitted stormwater treatment control BMPs are required. The impacts would be less than significant. See Section IV *Hydrology and Water Quality* for more in this regard.

XIII. AESTHETICS. Would the project:

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| a) Have a substantial adverse effect on a scenic vista? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The City's General Plan recognizes the need to protect visual and aesthetic resources within the City. The proposed project would be located in an area that is zoned for industrial land uses. No scenic vistas have been identified in the area of the proposed project. Therefore, no impact would occur.

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| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The proposed project site is currently developed, serving as a materials recovery facility. No scenic resources are located on the property; therefore, no impacts on scenic resources would occur.

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| c) Substantially degrade the existing visual | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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character or quality of the site and its surroundings? (Sources: 1, 2, 26)

Discussion:

The proposed project would be located in an area that is zoned for industrial land uses. The surrounding area, which has the same character as the proposed project site, is developed with industrial uses. The project would not result in substantial degradation of the existing visual character or quality of the site or its surroundings. In fact, the project proposes to enclose and relocate facilities. These improvements would benefit the overall aesthetics of the site. In addition, the project is subject to review by the City's Design Review Board, which reviews design, colors, and materials for proposed projects. This process ensures that the aesthetic values of the adopted Urban Design Guidelines are implemented through high-quality architectural style, superior landscaping, and compatibility of design with surrounding properties. Therefore, no impact would occur.

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? (Source: 5, 26)

Discussion:

As mentioned above, the project would be located in an area that is zoned for and developed with industrial land uses. The existing site includes some outdoor lighting. The proposed project would incorporate outdoor lighting, but that lighting would be shielded and directed toward the interior of the project site. The surrounding land uses are industrial, with the exception of Oakview Elementary School to the east. The existing land uses would not be affected by increased nighttime lighting in the area because the industrial uses are not considered sensitive uses, and the school does not typically operate at night. Therefore, impacts would be less than significant.

XIV. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Source: 5)

Discussion:

The project site is currently developed, operating as a materials recovery facility. Neither the adjacent parcels nor the project site contain properties that meet the age criterion of 50 years or older to be considered as potentially historic resources for the purposes of CEQA. Therefore, no impact would occur, and mitigation is not necessary.

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- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: 1, 19)

Discussion:

The project would not disturb any known significant archaeological resources. The site is currently developed; it has been graded and disturbed in the past. An archaeological records search conducted for an adjacent project site determined that there are three archaeological sites located within 0.25 mile of the project site, but that none are located on the proposed project site (Jones & Stokes 2007). Therefore, no impacts would occur.

- c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 1, 5)

Discussion:

The proposed project would not disturb any known significant paleontological resources. The site is developed and has been graded and disturbed in the past; therefore, no impacts would occur.

- d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1)

Discussion:

The proposed project is not anticipated to disturb any known human remains. The proposed project site is not located in a cemetery or on burial ground. The site is currently developed and has been disturbed in the past; therefore, no impacts would occur.

XV. RECREATION. Would the project:

- a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1)

Discussion:

The proposed project would not result in increased growth that would increase the use of existing local parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Employees of the facility may choose to frequent area parks. However, with implementation of the project, the actual number of Rainbow employees would decrease due to automation. In addition, pursuant to HBZSO Section 230.20, the project proponent is required to pay park impact fees based on the increase in building square footage. Therefore, any impacts on area parks from employee use would be

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-Significant Impact	No Impact
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less than significant.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project would not require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment; therefore, no impacts would occur.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Affect existing recreational opportunities? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

See response to XV (a), above.

XVI. AGRICULTURE RESOURCES. In

determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

There is no Prime Farmland, Farmland of Statewide Importance, or Unique Farmland located on the proposed project site; the site is currently developed and zoned for industrial uses. The proposed project would not affect an agricultural resource area. No impacts would occur.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-Significant Impact	No Impact
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contract? (Source: 1)

Discussion:

The project site is not under a Williamson Act contract because the site is currently developed and zoned for industrial uses; therefore, the project would not result in the conversion of any lands under a Williamson Act contract or other agricultural preserve areas.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
(Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project would not involve other changes in the existing environment that, due to their location or nature, could result in the conversion of farmland to nonagricultural use. The area surrounding the project site is developed with industrial uses, manufacturing, roadways, and public facilities (i.e., Oakview Elementary School).

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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?
(Sources: 1, 5, 19) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

The proposed project area is highly urban in character and does not contain biological resources that would be affected by project implementation. Additionally, no cultural resources, either historical or prehistorical, would be affected by construction or operation of the proposed project. However the project has the potential to generate noise during construction. Any potential noise impacts can be mitigated, so the impacts are less than significant with mitigation. See the Noise section or the Summary of Impacts and Mitigation Measures that follows for a list of noise mitigation measures.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-Significant Impact	No Impact
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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 5, 6, 9, 10, 11, 14, 15, 16, 25) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The City has identified one other project, the Warner Nichols project, in the vicinity of the proposed project. The Warner Nichols project is located on the southeast corner of Warner Avenue and Nichols Street, adjacent to the proposed project. The Warner Nichols project was originally proposed as a residential development. However, the project proponent now proposes a recreational storage facility because it would be more compatible with the industrial uses in the area. An initial study was prepared for the original Warner Nichols residential project; the only potentially significant impact identified was regarding historic resources due to former Japanese inhabitation/use of the site dating back to 1911. However, the proposed project would not result in potential impacts on historical resources. In fact, any potential impacts of the proposed project could be mitigated to less-than-significant levels. In addition, the proposed project would be implemented in phases that would be in step with market demand (only one structure would be built at a time, with long periods of no construction); it would likely take up to 10 years to achieve full buildout. The Rainbow site is already fully paved (with the exception of a small amount of landscaping); the proposed project would require only a small amount of grading and excavation. Construction impacts associated with the proposed project would be minimal due to phasing and the short duration of construction for each of the proposed structures. In addition, the 17-acre site provides a buffer to adjacent land uses. Furthermore, the project would provide many benefits, such as fewer emissions with implementation of a CNG truck fleet, decreased noise levels, and fewer odors in the vicinity due to enclosed facilities, which are currently out in the open. Therefore, the project would not contribute to cumulatively considerable impacts. Any impacts would be less than significant.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 9, 11, 13, 14, 15, 16) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

The project has the potential to cause temporary noise impacts due to construction. However, construction noise impacts can be mitigated to less than significant. The project also has the potential for the following geology and soil impacts: strong seismic ground shaking; soil erosion due to grading; and soil stability due to expansive soil. However, each of these impacts

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

can be mitigated with implementation of 2007 California Building Code and mitigation measure GEO-1, identified in Section III(ii). Therefore, with mitigation, the project would not have a substantial adverse effect on human beings, directly or indirectly. See the Summary of Impacts and Mitigation Measures section for a list of mitigation measures. Note that climate change impacts are discussed in Section V, Air Quality.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

All potential impacts of the proposed project can be mitigated to less-than-significant levels. The following is a summary of the impacts and related mitigation measures for the proposed project. Attachment 8 contains a list of the City’s Standard Code Requirements, which also provide mitigation. In addition, SCAQMD Rules 403 and 410 also apply to the proposed project. A copy of SCAQMD Rule 403 is contained in Attachment No. 9 of this initial study, while Rule 410 is contained in Attachment No. 10. These standard conditions (Code Requirements), regulations, and project-specific mitigation measures provide mitigation for any potential impacts of the proposed project.

Description of Impact

Mitigation Measure

NOISE:

Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (temporary construction impacts).

NOI-1: Prior to issuing grading permits, the construction foreman shall submit a signed affidavit to the Public Works Department that states that he/she will comply with the following restrictions:

- All equipment will have sound-control devices that are no less effective than those provided on the original equipment. No equipment will have an unmuffled exhaust; and
- The contractor will implement appropriate additional noise mitigation measures, including, but not limited to, changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying the adjacent school in advance of construction work, and installing acoustic barriers around stationary construction noise sources.

GEOLOGY AND SOILS:

Strong seismic ground shaking.
 Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading or fill (soil erosion due to grading).
 Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property (soil stability due to expansive soil).

GEO-1: All new structures and site preparation (i.e., grading, trenching, fill, etc.) shall be designed and constructed in accordance with the geotechnical recommendations presented in the January 16, 2006 Geotechnical Assessment Report and any addendum thereto prepared for the project. Rainbow shall submit building plans for review and approval to the City of Huntington Beach Building and Safety Department and shall submit and gain approval of utility plans with the Public Works Department prior to issuance of a grading permit.

HAZARDS/HAZARDOUS MATERIALS

Create a significant hazard to the public or the

HAZ-1: If any hazardous materials not previously addressed are identified and/or

environment through the routine transport, use, or disposal of hazardous materials.

released to the environment at any point during the construction process, operations in the contaminated area shall cease immediately. The contractor shall notify the City of Huntington Beach Fire Department immediately of any such findings. Upon notification of the appropriate agencies, a course of action would be determined subject to the approval of the by the City of Huntington Beach Fire Department.

REFERENCES/EARLIER ANALYSIS

Ref.

<u>No.</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1.	City of Huntington Beach. 1996. <i>City of Huntington Beach General Plan</i> . Prepared by Envicom Corporation. Adopted May 13, 1996, as amended through June 2004.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648
2.	City of Huntington Beach. 1994. <i>City of Huntington Beach Zoning and Subdivision Ordinance</i> . Adopted October 3, 1994, as amended through April 2008.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648 < www.ci.huntingtonbeach.ca.us/ElectedOfficials/CityClerk/ZoningCode >
3.	City of Huntington Beach. 1990. <i>Municipal Code</i> . As amended through April 2008.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648 < www.ci.huntingtonbeach.ca.us/ElectedOfficials/CityClerk/MunicipalCode/ >
4.	Rainbow Disposal. 2006. <i>Project Narrative Prepared for the Rainbow Disposal Transfer Station and Material Recovery Facility</i> . July.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648
5.	Rainbow Disposal. 2007. <i>Environmental Assessment Form Prepared for the Rainbow Disposal Transfer Station and Material Recovery Facility</i> . Prepared by Chip Clements. March 21.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648
6.	Environ Strategy Consultants. 2006. <i>Geotechnical Assessment Report for Rainbow Disposal Company, Inc.</i> Prepared by Environ Strategy Consultants, Inc. January 16, 2006 (Received April 12, 2007)	Attachment No. 1 to this Environmental Assessment.
7.	Federal Emergency Management Agency. 2004. <i>Flood Insurance Rate Map. Panel 253 of 550. Orange County and Incorporated Areas. Map Number 06059CO256H.</i> Map Revised February 18, 2004.	Map #06059CO256H. Panel 253 of 550 Available: < http://msc.fema.gov >
8.	EIP Associates. 2004. <i>City of Huntington Beach Newland Street Residential Project Environmental Assessment No. 04.07</i> . Prepared for the City of Huntington Beach.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648
9.	ICF Jones & Stokes Associates. 2008. <i>Air Quality Assessment Report</i> . July.	Attachment No.2 to this Environmental Assessment.

Ref.

No. Document Title

Available for Review at:

10. Paul E. Cook. 2007. *Traffic Impact Analysis*. Prepared by Paul E. Cook. December 12. (Received December 18, 2007) Attachment No.3 to this Environmental Assessment.
11. Paul E. Cook. 2008. *Parking Analysis, Rainbow Disposal Buildout Project*. Prepared by Paul E. Cook. (Received August 7, 2008) Attachment No.4 to this Environmental Assessment.
12. Federal Highway Administration. 2001. *Manual on Uniform Traffic Control Devices (MUTCD)*. U.S. Department of Transportation. Publication No. MUTCD-1. City of Huntington Beach Public Works Department. 2000 Main St., 1st Floor, Huntington Beach, CA 92648
13. Orange County Transportation Authority. 2007. *Bus Schedules and Maps*. Available: <http://www.octa.net/schedules_maps.aspx>. Accessed: January 2007. <http://www.octa.net/schedules_maps.aspx>
14. Environ Strategy Consultants. 2007a. *Phase II Environmental Site Assessment-Component 1A*. Prepared for Rainbow Disposal Company, Inc. April 3. (Received April 12, 2007) Attachment No.5 to this Environmental Assessment.
15. Environ Strategy Consultants. 2007b. *Soil Remedial Action Report*. Prepared for Rainbow Disposal Company, Inc. August 27. (Received September 4, 2007) Attachment No.6 to this Environmental Assessment.
16. Gordon Bricken & Associates. 2006. *Acoustical Analysis for the Rainbow Disposal Trash Transfer Site*. August 31. (Received September 5, 2006) Attachment No.7 to this Environmental Assessment.
17. City of Huntington Beach Fire Department. 2007. Available: <http://www.ci.huntington-beach.ca.us/CityDepartments/Fire/Fire_Operations/FireStations/FireStations.cfm>
18. City of Huntington Beach Police Department. 2008. *Divisions*. <<http://www.surfcity-hb.org/government/departments/PD/divisions/>>
19. ICF Jones & Stokes. 2007. *Archaeological Records Site Record for the Warner/Nichols Street*. January 16, 2007. City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648
20. State of California Department of Toxic Substance Control. 2008. *Cortese List*. <<http://www.envirostor.dtsc.ca.gov/public/>>
21. South Coast Air Quality Management District. 2008. *The Public Inquiry System for Information About Notice of Violation and Notice to Comply*. <<http://www.aqmd.gov/nov/default.htm>>

<u>Ref. No.</u>	<u>Document Title</u>	<u>Available for Review at:</u>
22.	City of Huntington Beach Public Works Department. 2008. <i>Project Implementation Code Requirements</i> . January 10, 2008.	Attachment No. 8 to this Environmental Assessment.
23.	South Coast Air Quality Management District. 1976. <i>South Coast Air Quality Management District Rule 403</i> . As amended through June 3, 2005.	Attachment No. 9 to this Environmental Assessment.
24.	South Coast Air Quality Management District. 2006. <i>South Coast Air Quality Management District Rule 410</i> .	Attachment No. 10 to this Environmental Assessment.
25.	City of Huntington Beach Planning Department. 2003. <i>Environmental Assessment for TTM No. 16429/CUP No. 02-61 (Warner Nichols Project)</i> . February 2, 2003.	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648
26.	J. R. Miller & Associates, Inc. 2008. <i>Master Site Plan</i> . July 9, 2008.	See Figure 3
27.	Environ Strategy Consultants. 2004. <i>Phase I Environmental Site Assessment</i> - Prepared for Rainbow Disposal Company, Inc. June 24, 2004.	Attachment No. 11 to this Environmental Assessment.
28.	Environ Strategy Consultants. 2007c. <i>Phase II Environmental Site Assessment-Component 1B</i> . Prepared for Rainbow Disposal Company, Inc. April 5, 2007.	Attachment No. 5 to this Environmental Assessment.
29.	Environ Strategy Consultants. 2007d. <i>Phase II Environmental Site Assessment-Component 1C</i> . Prepared for Rainbow Disposal Company, Inc. April 9, 2007.	Attachment No. 5 to this Environmental Assessment.
30.	Mam SoCal Inc. Rainbow Disposal Stormwater BMPs	Attachment No. 12 to this Environmental Assessment.

**RESPONSE TO COMMENTS/ERRATA
FOR THE
RAINBOW DISPOSAL TRANSFER STATION AND
MATERIAL RECOVERY FACILITY IMPROVEMENTS PROJECT
NEGATIVE DECLARATION NO. 06-006**

February 24, 2009

I. INTRODUCTION

This document serves as the Response to Comments on the Negative Declaration No. 06-006 (MND). This document responds to comments in accordance with Section 15088 of the California Environmental Quality Act (CEQA) guidelines.

This document contains six sections. In addition to this Introduction, these sections are Public Participation and Review, Comments, Responses to Comments, Errata to Negative Declaration No. 06-006 and Appendices.

The Public Participation section outlines the methods the City of Huntington Beach has used to provide public review and solicit input on the Negative Declaration. The Comments section contains all written comments received from agencies, groups, organizations, and individuals as of December 29, 2008. The Response to Comments section contains individual responses to each comment. The Errata to the Negative Declaration is provided to show clarifications and revisions to the Draft Mitigated Negative Declaration.

It is the intent of the City of Huntington Beach to include this document in the official public record related to the Negative Declaration. Based on the information contained in the public record the decision makers will be provided with an accurate and complete record of all information related to the environmental consequences of the project.

II. PUBLIC PARTICIPATION AND REVIEW

The City of Huntington Beach notified all responsible and interested agencies and interested groups, organizations, and individuals that a Negative Declaration had been prepared for the proposed project. The City also used several methods to solicit input during the review period for the preparation of the Negative Declaration. The following is a list of actions taken during the preparation, distribution, and review of the Negative Declaration.

1. An official thirty (30) day public review period for the Negative Declaration was established by the City. It began on Thursday, November 20, 2008 and officially ended on Friday, December 19, 2008. Public comment letters were accepted by the City of Huntington Beach through December 29, 2008.
2. Notice of the Negative Declaration was published in the Huntington Beach Independent on Thursday, November 20, 2008 and was mailed to property owners and occupants within 500 feet of the site. The Negative Declaration was sent to the

State Clearinghouse for distribution to applicable agencies, and copies were made available at City Hall, the City's website, and select libraries.

3. The Public Notice of Availability and Intent to Adopt Draft Mitigated Negative Declaration No. 06-006 was posted at the Orange County Clerk of the Board on November 21, 2008.
2. A copy of the cover letter and the distribution list for the notices are available for review and inspection at the City of Huntington Beach, Planning Department, 2000 Main Street, Huntington Beach, California 92648.

III. COMMENTS

Copies of all written comments received as of December 29, 2008 are contained in Attachment 1 of this document. All comment letters have been identified alphabetically and each specific comment has been assigned an alphanumeric identifier. All comments have been summarized in a comment-response format. See the actual comment letter for further details.

IV. RESPONSE TO COMMENTS

The Negative Declaration No. 06-006 was distributed to responsible agencies, interested groups, organizations, and individuals. The report was made available for public review and comment for a period of at least thirty days. The public review period for the Negative Declaration established by the City commenced on November 19, 2008.

Response to each comment that raised an environmental issue are contained in this document. Some comments do not address the completeness or adequacy of the Negative Declaration, do not raise significant environmental issues, or request additional information. A substantive response to such comments is not required within the context of the California Environmental Quality Act (CEQA). Such comments are responded to with a "comment acknowledged" reference. This indicates that the comment will be forwarded to all appropriate decision makers for their review and consideration.

Letter A - Caltrans:

Comment A-1:

Caltrans District 12 is a reviewing agency on this project and has requested that the traffic modeling be redone using the method outlined in the latest version of the Highway Capacity Manual (HCM). They also requested that all input sheets, assumptions and volumes on State Facilities including ramps and intersection analysis should be submitted to the Department for review and approval.

Response A-1:

The project will not impact Department of Transportation (Caltrans) facilities and the project does not need any discretionary approvals from Caltrans (i.e., encroachment permit). However, the Caltrans comments have been addressed herein and will be considered by the City of Huntington Beach decision makers prior to making a decision whether or not to approve the proposed project.

As suggested by Caltrans, the traffic consultant (Paul E. Cook and Associates) conducted traffic modeling using the HCM method. The results of the HCM modeling are shown in Attachment 2. As shown in Attachment 2 (Table 2A), the impact on area intersections would be nominal. The HCM illustrates that the level of service (LOS) would remain at acceptable levels (LOS D or better) at each of the targeted intersections. Therefore, the traffic projection and significance determination are the same using both the Intersection Capacity Utilization (ICU) and the HCM methodology; the impacts would be less than significant.

Comment A-2:

Caltrans District 12 requested the trip generation rate on the trips per day (TPD) to determine how the TPD translated into 574 additional Passenger Car Equivalents (PCEs).

Response A-2:

Based on information in the Highway Capacity Manual, PCEs for flat terrain were assigned as follows:

Passenger cars and light trucks	PCE= 1.0
Front-loaders, roll-off and rent-a-bin trucks (35 feet long)	PCE=2.0
Transfer trucks (70 feet long)	PCE=3.0

The trip increase is not directly related to the increase of tonnage. The project includes a reduction of trips in the recycling facility and increases due to the CNG facility. An analysis of Tables I and II in the December 2007 Traffic Impact Analysis report shows the additions and subtractions of trips due to the project. By subtracting the total PCE shown in Table I (3,023) from Table II (3,597) you are left with the project PCE of 574 additional trips. This PCE total is a combination of all the various types of vehicles.

Attachment 2 shows the baseline and project traffic as vehicles, rather than PCEs. Table 2C of Attachment 2, identifies the actual number of trips generated by the proposed project. As shown in Table 2D of Attachment 2, the baseline conditions—current number of actual Rainbow Disposal trips is 2,076. The baseline plus projected vehicle trips is 2,277. Therefore, the actual increase in trips is 201 or about 100 new vehicles coming and going from the site when operating at maximum capacity. The increase in project trips is less than 10 percent increase over existing conditions. Even though the physical improvements would allow for up to 43% more capacity, the project-related traffic would only increase by 10% because employee vehicle trips would decrease substantially, which will offset the total number of trips. The trip generation for the increase in tonnage was determined by analyzing trip generation for the existing facility, and then adding trips based on new programs and business (i.e., closure of Hansen’s recycling, virtual ban on self-haul loads at the landfill), and other projections.

Comment A-3:

Caltrans District 12 requested that the trip distribution be included in the traffic study in percentage format.

Response A-3:

The trip generation is included as percentages in the traffic study. Please see pages 2 and 3 under the section titled "Project Traffic Conditions."

Comment A-4:

Caltrans District 12 requested clarification as to why there will be no new traffic generated from south and east of project site using Beach Boulevard.

Response A-4:

As stated in the Traffic Impact Analysis report (Attachment 3 to the MND), the trip distribution was analyzed by Rainbow management and Paul Cook and Associates based on local circulation patterns and current routes to and from the transfer station. The City's Traffic Engineer was also consulted regarding the methodology and assumptions used in the Traffic Impact Analysis. It was decided that only the six intersections addressed in the traffic study warranted intersection analysis. Prior to preparing the CEQA document, the City's Traffic Engineer approved the Traffic Impact Analysis report and the assumptions and methodology contained therein.

Letter B - Local Enforcement Agency (LEA):

Comment B-1:

The LEA requested that a detailed study focusing on site's design capacity and operational practices be prepared by a professional environmental consultant. The study should determine if: a) the Site can accept and process, while complying with State Minimum Standards, 4,000 tons/day of municipal solid waste in addition to tonnage carried over from the previous operating day through proposed Transfer Station Nos. 1 and 2, and proposed secondary recycling buildings; b) additional CEQA mitigation measures are needed, and c) additional conditions should be included when the Site's Solid Waste Facility Permit is revised.

Response B-1:

As illustrated in Attachment 3, the proposed project has the ability to safely and efficiently handle the additional traffic and tonnage associated with the increase from 2,800 TPD to 4,000 TPD. Please see Attachment 3.

Comment B-2:

The LEA has documented one off-site odor complaint call in May 2008 and one dust complaint from nearby businesses in June 2007. The LEA is concerned about the lack of mitigations for dust and odor controls for Transfer Station 2 during operation as a three-sided structure. Additionally the LEA is concerned about odor and dust controls during daily operations with the proposed increase of daily tonnage MSW.

Response B-2:

The proposed project will provide an enhanced ability to control odor and dust as compared to the existing operation even considering the potential increase in tonnage processed per day:

- Construction of Transfer Station 2 as a 3-sided building with misting system; for construction and demolition debris and greenwaste processing only. These two operations are currently outdoors with no enclosure and function without odor issues.
- Once the facility as a whole reaches 2,800 TPD (the current permit limit), Transfer Station 2 will be fully enclosed and compliant with SCAQMD Rule 410 design and operating requirements, including:
 - Negative air pressure;
 - Minimized openings;
 - Full misting system; and
 - Air filtration (cyclone) and treatment (scrubber)

Rainbow has initiated detailed odor control programs and complaint response protocols. See Attachment 4.

At the 4,000 TPD maximum capacity, the facility will remain in full compliance with all SCAQMD and CIWMB regulations. Please see Attachment 3, Design Capacity Study for more in this regard.

Letter C - Environmental Board

Comment C-1:

The Environmental Board requested that the MND include a detailed discussion of the emergency procedures for Oak View School in the event that a hazardous material/waste discharge should occur.

Response C-1:

Rainbow has existing programs in place related to response to handling and mitigating any incidence of hazardous waste either at the Household Hazardous Waste Center or within the main MRF/transfer operation. These programs are approved by the Orange County Health Care Agency and the CIWMB. See Attachment 5 (last page), for contact list and protocol related to the school in the unlikely event of an emergency at the Rainbow facility.

Comment C-2:

The Environmental Board requested that the project should consider the incorporation of Green Building (LEED) measures in the project design.

Response C-2:

This is not a comment on the adequacy of the MND. However, the comment has been acknowledged and will be forwarded to all appropriate decision makers for their review and consideration. The new buildings will include many LEED features including:

- A “skylight band” to provide maximum natural lighting;

- High efficiency lighting;
- Use of 100% recycling steel in construction;
- Use of recycled concrete aggregate material; and
- High efficiency motors for MRF equipment.

In addition, the facility is adding significant environmental controls that are expected to reduce the overall impacts as compared to the current operation. Most notable of these controls are:

- Enclosure of operations in buildings that are now conducted outside. These buildings will meet all SCAQMD regulations for air control and treatment.
- Stormwater capture and filtration
- Conversion of the diesel truck fleet to CNG powered vehicles.

Comment C-3:

The Environmental Board requested the implementation of measures to mitigate the traffic Level of Service (LOS) D at Warner and Beach.

Response C-3:

The project does not change existing Levels of Service (LOS) except at the intersection of Warner and Beach where the PM peak increases from 0.80 to 0.81 and changes the LOS from C to D. Level D is an acceptable level in the City of Huntington Beach. The intersection is fully signalized and has either single or double left turn lanes in each direction. Therefore, no further mitigation is warranted.

Comment C-4:

The Environmental Board requested additional information from Rainbow Disposal on the reasons and rationale for the increase in per capita waste generation rates used in the MND.

Response C-4:

Attachment 7 shows generation, diversion and disposal for the City of Huntington Beach for the years 2003-2006 as reported to the CIWMB. As shown, per capita generation has increased each year. However, diversion (i.e., recycling) has also increased each year, resulting in a per capita disposal that has been more or less steady.

Rainbow continues to recycle more and more tonnage each year at the MRF/transfer station. The Company has recently retooled the MRF lines to increase recovery. The improvements proposed in this project will further increase the efficiency of recycling at the facility.

As mentioned earlier, Rainbow is one of the leading companies assessing the feasibility and viability of advance recycling and energy recovery through conversion technologies, and has set aside a building area of 30,000 s.f. for this future purpose.

It is also important to note that even though Rainbow is applying for a maximum permit of 4,000 TPD, roughly 10% of this total is set aside for emergency situations and peak days. The actual maximum for normal operations is approximately 3,600 TPD.

Letter D – Department of Toxic Substances Control (DTSC)

Comment D-1:

The DTSC requested that the document identify and determine whether current or historic uses at the project area may have resulted in any release of hazardous wastes/substances.

Response D-1:

The CEQA document includes thorough discussion of current and historic uses at the project area that could have resulted in any release of hazardous wastes/substances. Although the hazardous material impacts are considered less than significant, as a precautionary measure, the document includes mitigation measure HAZ-1 that would further protect the environment from any unexpected release of hazardous materials.

In addition, Rainbow conducted a Phase I Environmental Site Assessment (Phase I) of the entire facility in June of 2004. The purpose of the Phase I was to review past and present land use practices, site operations and applicable regulatory permits in order to evaluate the presence of hazardous substances at the site. See pages 29-34 in the IS/MND for analysis on hazardous materials.

Comment D-2:

The DTSC requested that the CEQA document identify any known or potentially contaminated sites within the proposed project area, and evaluate whether conditions at the site may pose a threat to human health or the environment. They also provided a list of databases for regulatory agencies that could be applicable to the proposed project.

Response D-2:

Various levels of environmental site assessments (ESAs) were conducted by Environ Strategy Consultants, including a Phase I Environmental Assessment (June 2004), a Phase II Environmental Site Assessment (June 2004) that included subsurface soil investigations chemical analyses and a Health Risk Characterization (HRC) of potentially hazardous areas.

As part of the Phase I Environmental Site Assessment, Environ Strategy Consultants reviewed federal, state, and local databases provided by Environmental Data Resources Incorporated (EDR) for known or potential hazardous waste sites, sites investigated for hazardous substances, and/or sites issued environmental violations within the indicated distance of the subject property. They also performed a city directory and local regulatory agency information review. Requests were submitted to the U.S. Environmental Protection Agency - Region 9, the South Coast Air Quality Management District, the California Regional Water Quality Control Board - Santa Ana Region, the Department of Toxic Substances Control, and the County of Orange Health Care Agency. Environ Strategy staff also visited the Huntington Beach Building Department and called the Huntington Beach Department of Public Works. All of the databases listed in the comment were reviewed as part of the Phase I ESA.

See pages 29-34 in the MND/IS for analysis on hazardous materials and the technical appendices for copies of the various ESAs that were conducted for the project site.

Comment D-3:

The DTSC requested that the CEQA document 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.

Response D-3:

As discussed in previous responses, there were various levels of ESAs conducted by Environ Strategy Consultants, including a Phase I, a Phase II subsurface soil investigations and a Health Risk Characterization (HRC) of potentially hazardous areas. The results of the studies indicate that the impacts would be less than significant. However as a precautionary measure, in the event that unexpected hazardous materials are discovered or released during the construction process, mitigation measure HAZ-1, as included in the MND, will be implemented.

The Huntington Beach Fire Department (HBFD) has developed a City Specification No. 431-92 as a Soil Cleanup Standard for sites in the City of Huntington Beach. The HBFD has been overseeing all the soil excavation activities at the Rainbow Facility using City Specification No. 431-92 as the guideline for soil assessment and cleanup. Furthermore, the HBFD has required additional testing at the time of any groundbreaking activity, and will continue to do so for all the future planned development of the site with the HBFD as the lead agency overseeing any hazardous materials or waste issues in the soil.

Comment D-4:

The DTSC requested that appropriate measures be taken (sampling and proper disposal of any contaminated soils) to prevent impacts from potentially contaminated soils.

Response D-4:

As stated in the previous responses to comments, the HBFD has required soil testing at the time of any groundbreaking activity. The HBFD has developed a City Specification No. 431-92 as a Soil Cleanup Standard for sites in the City of Huntington Beach. The HBFD has been overseeing all the soil excavation activities at the Rainbow Facility using City Specification No. 431-92 as the guideline for soil assessment and cleanup. It will continue to be used for all the future planned development of the site with the HBFD as the lead agency overseeing any hazardous materials or waste issues in the soil. This includes the testing of soils that are imported from offsite for use as backfill materials to make sure that they are free of contamination.

If the soils exceed the threshold limits that are established in the City Specification No. 431-92 then the HBFD requires a plan to be submitted for the removal and proper disposal of the soil off site. The HBFD reviews the plan and then upon approval the soil is removed and either treated at an offsite facility or sent to an approved disposal facility.

Comment D-5:

The DTSC requested that any sensitive receptors should be protected from any releases of hazardous materials that may pose a risk to human health or the environment during the construction or demolition activities.

Response D-5:

Rainbow conducted a Health Risk Assessment (HRA) for the soil at the site so that workers and other receptors would be protected during grading activities. The results showed that the level of risk is acceptable and no further action is required. The Hbfd approved the HRA and established a soil testing protocol for all future grading activities at the site. Furthermore, Environ Strategy expects the risk of exposure to arsenic will be very low for on-and off-site receptors as long as the fugitive dust controls are implemented appropriately during construction, and as long as the construction duration is 6 months or less for each phase.

Comment D-6:

The DTSC requested that if during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

Response D-6:

The CEQA document includes mitigation measure HAZ-1 for the unexpected release of any hazardous materials during the construction process. Also, as stated in the previous responses, the Hbfd has established a soil assessment and cleanup guideline City Specification No. 431-92 and it is being used by them for all the construction work at the site currently and on any future construction.

Comment D-7:

The DTSC commented that if weed abatement occurred, onsite soils may contain herbicide residue. They requested that if herbicides were used onsite, proper investigation and remedial actions may be necessary prior to construction of the project.

Response D-7:

The previous responses refer to the Phase II Environmental Site Assessment and other soil testing recently conducted at the Rainbow site. The analytical data from soil testing shows that there is no herbicide residue at the site. Since the site does not contain herbicide residue, this recommendation is not applicable.

Comment D-8:

The DTSC commented that hazardous 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), and the facility should also obtain a United States Environmental Protection Agency Identification Number. Furthermore, certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA).

Response D-8:

All hazardous waste will be managed per applicable federal, state and local guidelines. The CUPA has issued a permit for the site to oversee the use of hazardous materials and generation of hazardous wastes at the site. Rainbow is inspected regularly by the CUPA and they submit reports documenting the amount and type of hazardous wastes generated at the site. The majority of the wastes come from heavy duty truck maintenance activities and include mainly waste oil and antifreeze. Most of the wastes are recycled for reuse as motor oil or other vehicle fluids. The amounts are documented and reported annually to the CUPA and the State of California.

In addition, as stated in the previous responses, the HBFD has established the City Specification No. 431-92 to address hazardous waste issues associated with soil excavation at the site.

Comment D-9:

The DTSC reminded the City that the DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties.

Response D-9:

Comment noted. The City will utilize the DTSC services and expertise if needed. The HBFD has developed a City Specification No. 431-92 as a Soil Cleanup Standard for sites in the City of Huntington Beach. The HBFD has been overseeing all the soil excavation activities at the Rainbow Facility using City Specification No. 431-92 as the guideline for soil assessment and cleanup. It will continue to be used for all the future planned development of the site with the HBFD as the lead agency overseeing any hazardous materials or waste issues in the soil. This includes the testing of soils that are imported from offsite for use as backfill materials to make sure that they are free of contamination.

Letter E – California Integrated Waste Management Board (CIWMB)

Comment E-1:

The CIWMB acknowledged that they are not a responsible agency regarding Air Quality issues, but questioned the analysis of Air Quality impacts as a result of vehicular traffic passing directly by Oak View Elementary School and Oak View Preschool.

Response E-1:

Rainbow has already converted 31 vehicles from diesel to cleaner CNG trucks (31% of the entire fleet). For each diesel truck that is replaced with CNG power there is a 96% reduction in particulates and 53% reduction in NOx. In addition, the CNG powered trucks have none of the diesel exhaust odor. Of the 31 collection trucks converted to CNG to date, the first 29 are powered with engines that emit 1.8 grams per (b)hp-hour. The two most recent conversions and all subsequent conversions will be with engines that achieve the lower 0.2 grams per (b)hp-hour. Rainbow is pressing ahead with the 0.2 gram engines even though compliance is not required until 2012.

Comment E-2:

The CIWMB requested that the CEQA document discuss impacts and mitigation related to noise from the vehicular traffic entering and departing the facility on Nichols Street and the adjacent schools, and that it include mitigation as necessary.

Response E-2:

The noise study included readings at six positions within and around the facility, including Position 4 (on the sidewalk on the east side of Nichols Street opposite the public entrance); Position 5 (on the sidewalk on the east side of Nichols Street opposite the trash truck entrance); and Position 6 (on Emerald Lane at the school parking lot). The conclusion of the noise study was that "Upon buildout, the proposed project would be more efficient and quieter than the existing operations, primarily by enclosing recycling and waste handling activities." Additionally, CNG vehicles are substantially quieter than traditional diesel engines (10 decibels less for CNG powered vehicles). Rainbow is proactively converting the diesel truck fleet to quieter CNG trucks (ahead of the mandated timeline), which will also reduce noise.

Comment E-3:

The CIWMB stated that there is no indication in the CEQA document that the Lead Agency consulted with the Oak View Elementary and Preschool. They specifically asked, "If the Lead Agency consulted with the school district; when was the consultation and what was the outcome of that consultation?"

Response E-3:

The school consultation officially began when the City sent the school district a copy of the MND. City staff also called the District Superintendent and offered to meet to discuss the project and any concerns they may have. To date the District has not asked to meet with city staff. Furthermore, Rainbow has periodically met with the School District to address important issues as detailed in Attachment 5. Their most recent consultation occurred on January 8, 2009 with the Superintendent of the School District to specifically discuss this proposed project, and the Company's willingness to continue to work closely with the Oak View Pre- and Elementary Schools on this project and all issues of mutual concern. Rainbow has also given school representatives a tour of the transfer station facility. Attachment 5 also contains the contact list and protocol related to the schools in the unlikely event that an emergency should occur at the Rainbow facility.

It should also be noted that the School District bus fleet fuels at Rainbow's new CNG fueling station on the project site.

Comment E-4:

The CIWMB requested more information regarding the type or types of conversion technology expected to be used on this site to handle processing waste residual. They also requested that the document address any potential impacts from this conversion technology.

Response E-4:

Rainbow is currently performing extensive reviews of several types and providers of conversion technologies. These technologies include: anaerobic digestion, in-vessel composting, steam autoclave to cellulosic ethanol, molecular Depolymerization, pyrolysis, and gasification. While Rainbow has been active in promoting these technologies and seeking funding and partner arrangements, no definitive agreements or contracts for any of these systems have been executed. Rainbow is continuing to evaluate the technologies, and will prepare and submit revised permit applications and CEQA documents as needed once a preferred technology has been identified and the Company is ready to proceed.

Comment E-5:

The CIWMB reminded the City that all material except supplies and equipment entering the site will be counted against the peak tonnage.

Response E-5:

The project will comply with this methodology.

Comment E-6:

The CIWMB requested that copies of any subsequent environmental documents including the Transfer/Processing Report, any Addendums, copies of public notices and any Notices of Determination (NOD) for this project are sent to the Permitting and LEA Support Division. They also requested ten days advance notice of any approval meeting/hearing.

Response E-6:

The City will provide a copy of any subsequent CEQA documentation to the CIWMB, including the NOD. Furthermore, the City will provide at least ten days advance notification of the date and location of the hearing for project approval by the Planning Commission. Rainbow will also provide a copy of the draft Transfer Processing Report (TPR) to the LEA and the CIWMB for their review in support of the Solid Waste Facility Permit process. The LEA will also be conducting an informational hearing on the project that will be noticed to all neighbors of the facility. This hearing may be combined with the Planning Commission hearing on the Conditional Use Permit (CUP). We expect that the CIWMB will be notified of this hearing by the LEA.

Letter F – South Coast Air Quality Management District (AQMD)

Comment F-1:

This comment refers to construction-related air quality impacts. The AQMD commented that localized significance threshold (LST) analysis is applicable to all projects, regardless of size. Projects that are five acres or less can use the LST lookup tables whereas projects that are larger than five acres should undergo a dispersion modeling analysis to determine localized air quality impacts.

Response F-1:

Comment noted. The analysis used the look up tables as applicable for projects that will disturb less than five acres per day. Any indication that the LST analysis is only needed for projects that will disturb less than five acres per day was inadvertent. This erroneous statement does not trigger new analysis, nor does it alter the significance determination.

Comment F-2:

This comment refers to construction-related air quality impacts. The AQMD requested clarification on the equipment list used for the air quality modeling. They want to ensure that emissions from the breakers and snorkel lifts were included in the analysis.

Response F-2:

A breaker will not be used; a snorkel lift or electric scissor lift will be used. Because the missing equipment will not generate any emissions, the analysis does not need to be modified.

Comment F-3:

This comment refers to construction-related air quality impacts. The AQMD requested that the air quality analysis use the LST mass rate look-up tables for a one-acre project to determine whether or not localized air quality impacts to local receptors (i.e., schools) are significant for each construction phase.

Response F-3:

Each phase of the project will disturb more than one and less than five acres in total. However, on a daily basis, the acreages listed in Appendix A of the AQAR are correct. The analysis has been revised to reflect the LST mass rate look-up tables for a one-acre project. The LST 1-acre threshold limits are 92 lbs/day NO_x, 639 lbs/day of CO, 4 lbs/day of PM₁₀ and 3 lbs/day of PM_{2.5} for construction; and 92 lbs/day NO_x, 639 lbs/day of CO, 1 lb/day of PM₁₀ and 1 lb/day of PM_{2.5} for operation. With mitigation measures AQ-1, AQ-2 and AQ-3 (shown in the Response to F-4), the air quality impacts for all phases of construction would be less than significant.

Comment F-4:

This comment refers to construction-related air quality impacts. The AQMD requested mitigation to limit the maximum daily acreage disturbed to 1-acre per day, to coincide with the modeling assumptions.

Response F-4:

As shown in Table 1 on the following page, Conservative Estimate of Localized Construction Emissions (using 1-acre LST threshold limits), the construction of the proposed project will slightly exceed the significant threshold levels for NO_x, PM₁₀ and PM_{2.5}.

Table 1. Conservative Estimate of Localized Construction Emissions (pounds per day)

Maximum Onsite Emissions	NOx	CO	PM ₁₀ ^a	PM _{2.5} ^a
Phase 1—Transfer Station 2	93.46	51.38	12.59	3.97
Phase 2—Transfer Station 1	77.59	45.50	7.03	1.71
Phase 3—Secondary Recycling	60.11	31.36	9.54	2.95
Localized Significance Threshold ^b	92	639	4	3
Exceed Threshold?	Yes	No	Yes	Yes

Notes:

URBEMIS 2007 output sheets and emissions calculation worksheets are included in Attachment 10.

^aFugitive PM₁₀ and PM_{2.5} emissions estimates take into account compliance with SCAQMD Rule 403 requirements for fugitive dust suppression, which require that no visible dust be present beyond the site boundaries.

^bThe project site is located in SCAQMD SRA No. 18. These Localized Significance Thresholds are based on the site location SRA, distance to the nearest sensitive-receptor location from the project site (25 meters), and the project area (1 acre).

Source: Jones & Stokes, February 2009 (Attachment 10).

However, with the implementation of mitigation measures listed below, the construction impact will be reduced to less than significant. The following measures will be added to the MND:

AQ-1 For each phase of the project, the project will not disturb more than 1-acre per day.

AQ-2. Fleet Modernization for Construction Equipment. The following types of measures are required on construction equipment (including on-road trucks):

1. Use diesel oxidation catalysts and catalyzed diesel particulate traps.
2. Maintain equipment according to manufacturers' specifications.
3. Restrict idling of construction equipment to a maximum of 5 minutes when not in use.
4. Install high-pressure fuel injectors on construction equipment vehicles.
5. Equipment Tier Specifications:

All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

AQ-3. Fugitive Dust Controls. The calculation of fugitive dust (PM₁₀) from unmitigated proposed project earth-moving activities assumes a 75% reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure proposed project compliance with SCAQMD Rule 403.

The following measures, at minimum, must be part of the contractor Rule 403 dust control plan:

- Active grading sites shall be watered one additional time per day beyond that required by Rule 403;
- Contractors shall apply approved nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas;
- Construction contractors shall provide temporary wind fencing around sites being graded or cleared;
- Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code;
- Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off tires of vehicles and any equipment leaving the construction site;
- The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed; and
- Trucks hauling materials such as debris or fill shall be fully covered while operating off the proposed project property.

Comment F-5:

This comment refers to operation-related air quality impacts. The AQMD requested clarification on the phasing-in of compressed natural gas (CNG) trucks. The AQMD requested that the modeling be reworked if the previous modeling did not accurately reflect the phasing schedule for CNG vehicles.

Response F-5:

On September 25, 2003, the California Air Resources Board adopted a measure to reduce diesel PM emissions from on-road heavy-duty residential and commercial solid waste

collection vehicles. This rule requires owners to achieve significant particulate matter (PM) reduction from their existing in-use trucks that collect solid waste for a fee. Owners are required to apply best available control technology (BACT) to their collection trucks by specified implementation dates. The implementation has been phased-in from 2004 through 2010 in groups determined by the age of the engines (engine model years) in each group.

BACT used in the implementation process is defined as one of the following:

- A new diesel engine certified to a 0.01 g/brake horse power [(b)hp] hour PM standard;
- An existing diesel engine retrofitted with the highest level (most effective) ARB verified PM control device; and
- An alternative-fuel engine, such as compressed or liquefied natural gas

Owners were required to begin implementation by December 31, 2004, through application of BACT to 10 percent of their 1988 through 2002 model year (MY) engines.

In addition, South Coast AQMD promulgated a new Rule 1193 - Clean Commercial Refuse Vehicles, which applies to the trucks that collect trash from the homes and businesses within the District. Rule 1193 requires an owner of 15 or more waste collection vehicles, including transfer trucks, to acquire only alternative-fuel vehicles when adding additional vehicles to a fleet.

Rainbow Disposal is in compliance with the ARB's BACT and SCAQMD Rule 1193 requirements by converting all of the diesel waste collection trucks to the CNG alternative fuel engines.

By 2018, the entire Rainbow fleet (101 collection trucks) will be converted to CNG vehicles. Currently, 31 diesel trucks have already been converted (31% of the entire fleet). The conversion will occur at a rate of 7 vehicles per year. This results in a 96% reduction in particulates and 53% reduction in NOx per truck. In addition, the CNG powered trucks have none of the diesel exhaust odor. Of the 31 collection trucks converted to CNG to date, the first 29 are powered with engines that emit 1.8 grams per (b)hp-hour. The two most recent conversions and all subsequent conversions will be with engines that achieve the lower 0.2 grams per (b)hp-hour. Rainbow is pressing ahead with the 0.2 gram engines even though compliance is not required until 2012.

Comment F-6:

This comment refers to operation-related air quality impacts. The AQMD commented on the phasing schedule for CNG fleet and indicated that the analysis may need to be updated to assess the cancer health risks to nearby sensitive receptors.

Response F-6:

As stated in Response F-5, the entire Rainbow fleet (101 collection trucks) will be converted to CNG vehicles by 2018. The conversion will occur at a rate of 7 vehicles per year. According the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions, the suggested mitigation to reduce the harmful diesel particulates is by restricting the operation to "clean" trucks. Since the

Rainbow Disposal Facility has already implemented the fleet conversion to CNG trucks, a health risk assessment is not required.

Comment F-7:

This comment refers to operation-related air quality impacts. The AQMD questioned whether the modeling parameters and assumptions included the CNG fleet phasing were correctly assessed in the air quality analysis.

Response F-7:

Regarding SCAQMD's suggestion to correct the fleet make-up to 100 percent of heavy-duty diesel refuse trucks and the suggestion to provide some portion of the fleet consist of CNG refuse trucks, it was found that Rule 1193 and US EPA 2007 compliant trucks are not available in sufficient quantities in the URBEMIS2007 model before the end of 2010. All heavy duty trucks are considered 100% diesel in the URBEMIS model for the year 2010. However, the ARB has predicted significant reduction in NOx emissions for the new diesel and alternative fueled trucks in their EMFAC2007 emission factor model. The EMFAC2007 model assumed that all older diesel trucks will be phased out in between 10 to 30 years. Due to the new low-NOx standards for both diesel and alternative fueled trucks, the emission factors for NOx will be relatively the same for all new diesel and CNG trucks.

As previously mentioned in Response to F-5, the entire fleet of refuse trucks will be CNG powered by year 2018. Mobile-source emissions were re-calculated using the URBEMIS 2007 emissions inventory model for the year 2030. The revised URBEMIS 2007 model output for operational impacts are provided in Attachment 10. As shown in Table 2, the proposed project operation would be below the SCAQMD regional significance thresholds for CO, NO_x, PM₁₀, PM_{2.5}, ROG, and SO_x. As such, project operation emissions would result in a less-than-significant air quality impact.

Table 2. Estimate of Operational Emissions (pounds per day)

	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}	CO _{2e}
Mobile Source	4.34	38.13	16.24	<1	12.97	3.16	28,573e
Area Source	1.65	0.83	2.23	<1	<1	<1	967e
Stationary Source	0.20	11.19	1.93	0.87	0.29	0.26	8,721e
Total Project	6.19	50.15	20.40	0.95	13.26	3.42	38,263e
SCAQMD Daily Significance Threshold	55	55	550	150	150	55	--
Exceed Significance Threshold?	No	No	No	No	No	No	NA

URBEMIS 2007 output is provided as Attachment 10.

Source: Jones & Stokes, February 2009 (Attachment 10).

With respect to the project's onsite mass emissions, Table 3 shows that onsite operations-period emissions would be below SCAQMD's localized significance thresholds for NO_x, CO, PM₁₀ and PM_{2.5} for the SRA No. 18 for 1-acre. Impacts from emissions of these criteria pollutants would be less than significant.

Table 3. Estimate of Operation-Period Localized (Onsite) Emissions

	NO _x	CO	PM ₁₀	PM _{2.5}
Proposed Project Emissions^a				
Mobile Source	2.95	20.31	0.26	0.09
Area Source	0.83	2.23	<1	<1
Stationary Source	11.19	1.93	0.29	0.26
Total Project	14.97	24.47	0.55	0.35
SCAQMD Daily Significance Threshold (lbs/day) ^b	92	639	1	1
Exceed Significance Threshold?	No	No	No	No

Notes:

^a Onsite emissions calculated using the URBEMIS 2007 emissions model. Model output sheets are provided in Attachment 10.

^b The project site is located in SCAQMD SRA No. 18. These Localized Significance Thresholds are based on the site location SRA, distance to the nearest sensitive-receptor location from the project site (25 meters), and the project area (1 acre).

Source: Jones & Stokes, February 2009 (Attachment 10).

Comment F-8:

The AQMD requested that when replacing diesel refuse trucks with CNG refuse trucks, CNG engines with the lowest emissions should be required by the lead agency.

Response F-8:

Of the 31 collection trucks converted to CNG to date, the first 29 are powered with engines that emit 1.8 grams per (b)hp-hour. The two most recent conversions and all subsequent conversions will be with engines that achieve the lower 0.2 grams per (b)hp-hour. Rainbow has converted to the 0.2 gram engines even though compliance is not required until 2012.

Comment F-9:

The AQMD commented that the MND erroneously reported the number of odor complaints. The SCAQMD staff recommends that at a minimum the project be upgraded and constructed with full enclosure prior to obtaining its increased solid waste permit, in accordance with SCAQMD Rule 410.

Response F-9:

The proposed project will provide an enhanced ability to control odor as compared to the existing operation, even with the proposed increase in tonnage processed per day:

- Construction of Transfer Station #2 as a 3-sided building with misting system for construction and demolition debris and green waste processing only. These two operations are currently outdoors with no enclosure.

- Once the facility as a whole reaches 2,800 TPD (the current permit limit), Transfer Station #2 will be fully enclosed and compliant with SCAQMD Rule 410 design and operating requirements, including:
 - Negative air pressure;
 - Minimized openings;
 - Full misting system; and
 - Air filtration (cyclone) and treatment (scrubber)

Rainbow has initiated detailed odor control programs and complaint response protocols. See Attachment 4.

At the 4,000 TPD maximum capacity, the facility will remain in full compliance with all SCAQMD and CIWMB regulations.

Regarding the Notice of Violation and Notice to Comply, see Attachment 6 for details on successful resolution of these matters.

V. ERRATA TO NEGATIVE DECLARATION NO. 06-006

The following clarifications and revisions to Negative Declaration No. 06-006 and the Initial Study Checklist are as noted below. The changes to the Negative Declaration as they relate to issues contained within this errata sheet do not affect the overall conclusions of the environmental document. The changes are identified by the comment reference response.

This section provides changes in revision-mode text (i.e., deletions are shown with ~~strike through~~ and additions are shown in **bold and underline**). These notations are meant to provide clarification, corrections, or minor revisions as a result of public comments.

Page 3 – Land Use Summary

Building Data	Square Feet
<i>Existing Building Area</i>	
Transfer Station 1	25,500
MRF	31,900
Office—MRF	3,700
Office—Main	9,700
Truck Wash	2,013
Maintenance	28,644
Bin Repair	13,200
Sub-total	114,657
<i>Existing Canopy Area</i>	
MRF ¹	13,058
Maintenance	4,600
Bin Repair	11,200
Household Hazardous Waste	5,600
Sub-total	34,458
<i>Proposed Building Area</i>	
Office	5,392
Transfer Station 1	75,800
Transfer Station 2	68,400
Secondary Recycling	30,500
Sub-total	180,092
<i>Demolished Building Area</i>	
Partial Transfer	(-) 4,800
Mini-MRF	(-) 900
Maintenance Building	(-) 11,800
Sub-total	(-) 17,500
Total Square Feet of all Structures at Buildout	<u>311,707</u> 329,207

Sources: Master Site Plan, prepared by J. R. Miller & Associates, Inc., July 9, 2008; Preliminary Rainbow Disposal Environmental Assessment Form, prepared by Chip Clements, March 21, 2007

¹ The project includes enclosing this existing canopy.

Page 4 – Operating Hours

Operating hours would be consistent with existing operations (Monday through Sunday):

- Material Acceptance (commercial): 6:00 a.m. to 6:00 p.m.,
- General Public: ~~7:00 a.m. to 4:00 p.m.~~ **6:00 a.m. to 6:00 p.m.**, and
- Material Processing, Loading, and Maintenance: 24 hours a day.

Page 4 – Employees

The number of employees is expected to decrease with buildout of the proposed project, as shown below. This is due to planned modifications to operations and equipment, including the automation of functions now performed largely by hand. The proposed automation upgrades would provide efficiencies in labor while maximizing the recovery of recyclable material. Therefore, the facility will be able to process a greater amount of waste, with fewer employees.

Table 2. Projected Number of Employees

	Total	1st Shift	2nd Shift
Existing	392	290	102
Projected	<u>342</u> 313	265	<u>77</u> 48

Page 9 – Land Use and Planning (Section I(a))

The project involves modernizing and improving the existing transfer station and material recovery facility, which would continue to offer essential solid waste services to the City. The new buildings would allow recycling and waste-handling activities that currently take place outdoors to be located in enclosed buildings. The buildings would include new dust and odor control systems and innovative stormwater treatment systems. The total buildout would be 311,707 square feet (with several structures dispersed over the 17-acre site). The Design Overlay permits underlying land uses in accordance with special design standards (City of Huntington Beach 1996). Rainbow was granted Conditional Exception (variance) No. 91-41 (1991), which authorized a reduction in required landscaping to 3.8% of the net site area and a greater building height of 55 feet for a portion of the MRF. The IG zoning development standards include a landscaping requirement of 8%, while the project now proposes 5.3% which exceeds the requirement of 3.8% under the existing 1991 variance. In addition, the IG zoning designation permits a maximum height for structures of 40 feet to top of highest roof, while the project proposes some structures of up to 42 feet ~~6 1/4 inches to top of highest roof (44 feet to the top of the parapet)~~ **47 feet to top of parapet**. The project is otherwise consistent with the IG zoning requirements. The existing 1991 variance still applies to the project landscaping, but does not apply to the proposed increase in building height for the new structures. Therefore, Rainbow will apply for another variance regarding the proposed increase in building height. Refer to Figure 3, Project Site Plan, for the Zoning Conformance Matrix.

Page 23 – Transportation/Traffic (Section VI(a))

Operations

Rainbow generates ~~3,597~~ **3,023** average daily trips under existing conditions as measured in passenger car equivalents (PCEs). Based on information in the Highway Capacity Manual, PCEs for flat terrain were assigned as follows:

<u>Passenger cars and light trucks</u>	<u>PCE= 1.0</u>
<u>Front-loaders, roll-off and rent-a-bin trucks (35 feet long)</u>	<u>PCE=2.0</u>
<u>Transfer trucks (70 feet long)</u>	<u>PCE=3.0</u>

Therefore, the actual number of daily vehicle trips currently generated by Rainbow (baseline conditions) is 2,076.

Operation of the proposed project is expected to result in the generation of an additional 574 average daily trips (based on PCEs), or 201 actual vehicle trips. Approximately 18% of these PCE trips (106) are expected to occur during the AM peak hour; 6% of the PCE daily trips (35) are expected to occur during the PM peak hour. The project is also expected to generate 86 PCE daily trips to the CNG fuel island, 30 of which are expected to occur during the AM peak hour. Please refer to the Traffic Impact Analysis included as Attachment 3 for further discussion of trip generation calculations. The increase in traffic due to the project is considered a potential impact; however, the increase would not cause traffic operations to exceed the City’s adopted operating standards (see discussion under section VI(b)). Thus, the operational impact is considered less than significant.

Page 30 – Hazards and Hazardous Materials (Section IX(a))

The metals with the exception of arsenic were below the preliminary remediation goals (PRGs) for industrial and residential land use promulgated by EPA Region 9. Arsenic concentrations were below the Total Threshold Limit Concentration (TTLC) and are consistent with background levels of arsenic at the site. Natural background concentrations of arsenic in California are often well above the health-based, direct-exposure goals in soil of 0.07 mg/kg for residential land use and 0.24 mg/kg for commercial and industrial land use. The data collected in the soil and ground water show concentration levels that are well below the action levels in the City of Huntington Beach Specification No. 431-92 (Environ 2007a). See Attachment 8 of this document, Arsenic Remediation Protocol agreed upon by Rainbow Disposal and the Fire Department.

Health risks are typically associated with long-term exposure to toxins (multiple years) and are not expected with even an acute short-term exposure. However, because the on-site soils contain arsenic, Hbfd requested that a Health Risk Characterization (HRC) be prepared for Components 1A, 1B, and 1C. The HRC for the cumulative 6-month excavation period indicates that the Incremental Lifetime Cancer Risk (ILCR) for construction workers and downwind residents (children and adults) was de minimus (of no concern). See Attachment 9 of this document, Arsenic Health Risk Assessment

Supplement, for substantiation that the cumulative exposure to arsenic would not impact sensitive receptors in the area. Therefore, the impact would be less than significant.

Page 49 – Summary of Impacts and Mitigation Measures

In response to AQMD the comment letter, the following measures have been added to the MND:

AQ-1: For each phase of the project, the project will not disturb more than 1-acre per day.

AQ-2: Fleet Modernization for Construction Equipment. The following types of measures are required on construction equipment (including on-road trucks):

- 1. Use diesel oxidation catalyts and catalyzed diesel particulate traps.**
- 2. Maintain equipment according to manufacturers' specifications.**
- 3. Restrict idling of construction equipment to a maximum of 5 minutes when not in use.**
- 4. Install high-pressure fuel injectors on construction equipment vehicles.**
- 5. Equipment Tier Specifications:**

All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

AQ-3: Fugitive Dust Controls. The calculation of fugitive dust (PM₁₀) from unmitigated proposed project earth-moving activities assumes a 75% reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure proposed project compliance with SCAQMD Rule 403.

The following measures, at minimum, must be part of the contractor Rule 403 dust control plan:

- Active grading sites shall be watered one additional time per day beyond that required by Rule 403;
- Contractors shall apply approved nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas;
- Construction contractors shall provide temporary wind fencing around sites being graded or cleared;
- Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code;
- Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off tires of vehicles and any equipment leaving the construction site;
- The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed; and
- Trucks hauling materials such as debris or fill shall be fully covered while operating off the proposed project property.

Page 51 of the MND – References/Earlier Analysis

4. Rainbow Disposal. 2006 ~~2008~~. *Project Narrative Prepared for the Rainbow Disposal Transfer Station and Material Recovery Facility.* July ~~December~~. City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor, 2000 Main St., Huntington Beach, CA 92648

ATTACHMENT 1

Comment Letters

DEPARTMENT OF TRANSPORTATION

District 12
3337 Michelson Drive, Suite 380
Irvine, CA 92612-8894
Tel: (949) 724-2267
Fax: (949) 724-2592

Huntington Beach
DEC 18 2008



*Flex your power!
Be energy efficient!*

FAX & MAIL

December 16, 2008

Mr. Ricky Ramos
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

File: IGR/CEQA
SCH #: 2008111073
Log #: 2162
SR-39

Subject: Rainbow Disposal Transfer Station and Material Recovery Facility Improvement Project

Dear Mr. Ramos:

Thank you for the opportunity to review and comment on the **Draft Mitigated Negative Declaration (MND) No. 06-006 for the Rainbow Disposal Transfer Station and Material Recovery Facility Improvement Project**. The proposed project involves the expansion of the the capacity of the existing transfer station and material recovery facility from the current 2,800 tons per day (TPD) to 4,000 TPD in a manner that would allow ongoing operations during construction and buildout. The project site is located at 17121 Nichols Street in City of Huntington Beach.

The California Department of Transportation (Department), District 12 is a commenting agency on this project, and we have the following comments:

- 1. The Department's Traffic Operations Branch requests all applicants to use the method outlined in the latest version of the Highway Capacity Manual (HCM) when analyzing traffic impacts on State Transportation Facilities. The use of HCM is preferred by the Department because it is an operational analysis as opposed to the Intersection Capacity Utilization (ICU) method, which is a planning analysis. In the case of projects that have direct impacts on State Facilities, the Department recommends that the traffic impact analysis be based on HCM method. Should the project require an encroachment permit, Traffic Operations may find the Traffic Impact Study based on ICU methodology inadequate resulting in possible delay or denial of a permit by the Department. All input sheets, assumptions and volumes on State Facilities including ramps and intersection analysis should be submitted to the Department for review and approval. A-1
- 2. Please provide trip generation rate to show how the addition of 1,200 TPD can be translated into 574 additional Passenger Car Equivalents. A-2
- 3. Trip distribution in percentage format should be included in the traffic study. A-3

"Caltrans improves mobility across California"

ATTACHMENT NO. 6-24

4. Please clarify the reason why there will be no new traffic generated from south and east of project site using Beach Boulevard.

A-4

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Zhongping (John) Xu at (949) 724-2338.

Sincerely,



MARYAM MOLAVI
Acting Branch Chief, Local Development/Intergovernmental Review

cc: Terry Roberts, Office of Planning and Research



COUNTY OF ORANGE
HEALTH CARE AGENCY

PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH

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Letter B

JULIETTE A. POULSON, RN, MN
DIRECTOR

DAVID M. SOULELES, MPH
DEPUTY AGENCY DIRECTOR

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E-MAIL: ehealth@ochca.com

December 18, 2008

Ricky Ramos, Senior Planner
Department of Community Development
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Subject: Initial Study/Draft Mitigated Negative Declaration No. 06-006 (SCH # 2008111073), Rainbow Disposal Station, SWIS No. 30-AB-0099

Dear Mr. Ramos:

The Orange County Solid Waste Local Enforcement Agency (LEA) has reviewed the Initial Study (IS) and Intent to Adopt Draft Mitigated Negative Declaration (MND) No. 06-006 (SCH # 2008111073) for the proposed design and operational changes at Rainbow Disposal Transfer Station and Materials Recovery Facility (Site). After reviewing the IS and MND, the LEA has the following comments:

1. Project Description:/Operations (page 4): The IS and MND state incoming daily waste tonnage will increase from 2,800 tpd to 4,000 tpd. Since the proposed change in tonnage is considerable (almost 43% increase), the LEA is requesting submittal of a detailed study report (Study) prepared by professional environmental consultant focusing on Site's design capacity and operational practices. The Study will determine if: a) the Site can accept and process, while complying with State Minimum Standards, 4,000 tons/day of municipal solid waste (MSW) in addition to tonnage carried over from the previous operating day through proposed Transfer Station Nos. 1 and 2, and proposed secondary recycling buildings, b) additional CEQA mitigation measures are needed, and c) additional conditions should be included when the Site's Solid Waste Facility Permit is revised. The Study should include, among other design and operational aspects, calculations and analysis of:
 - Tipping area volume capacity based on space occupied by pile(s) of unloaded commingled MSW and source-separated waste; space required for incoming vehicles maneuvering; space required for loading and maneuvering of outgoing transfer trailers; space required for recovered materials' storage; any physical and/or operational constraints at the Site.
 - Maximum daily incoming waste tonnage capacity based on number of scales; average weigh-in, unloading and exiting times for each type of incoming vehicles;

B-1

average load tonnage for each type of incoming vehicles; maximum number of incoming vehicles per operating day; any physical and/or operational limitations to vehicles' ingress, egress and maneuvering at the Site.

B-1
cont.

- Maximum daily tonnage of both commingled MSW and source-separated waste that can be processed at the Site based on average mass of commingled MSW entering the MRF lines and incoming source-separated waste; number of MRF lines at the Site; processing capacity of each MRF line; Site's daily processing time period; average material recovery rate (expressed as % of incoming commingled MSW).
 - Daily residual MSW transfer capacity based on average time to load, weigh-out, cover, and exit of a transfer trailer; average mass of residual MSW in a loaded transfer trailer; total time period for transfer operations; any physical and/or operational limitations to transfer operations (such as landfills' operating hours).
 - Maximum tonnage of incoming commingled MSW, source-separated waste, recovered materials, and residual waste that can accumulate/carried over from previous operating day(s) at the Site based on waste processing capacity; maximum daily incoming tonnage of commingled MSW and source-separated waste; amount of recovered recyclables and source-separated waste already stored on-site; average amount of all materials typically carried over to the next operating day under normal operational conditions.
2. Issues: V. Air Quality (c) Compliance with Facility Transfer Processing Report (TPR), Section No. 6.0, and Appendices T, W and Y: Discussion: The LEA has documented in inspection reports (from January 2008 through October 2008), one off-site odor complaint call in May 2008. Additionally the LEA received a dust complaint from nearby businesses on Warner Avenue on June 27, 2007. The LEA is concerned about the lack of mitigations listed in SCH # 2008111073 for dust and odor controls for Transfer Station 2 during operation as a three-sided structure. Additionally the LEA is concerned about odor and dust controls during daily operations with the proposed increase of daily tonnage MSW.

B-2

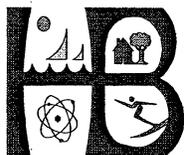
Should you have any questions regarding LEA comments, please call Dean Clarke at (714) 433-6272.

Sincerely,



Dean Clarke
Hazardous Waste Specialist
Solid Waste Local Enforcement Agency
Environmental Health Division

cc: Raymond Seamans, CIWMB
Dixie Lass, SA-RWQCB
David Jones, SCAQMD



CITY OF HUNTINGTON BEACH

City of Huntington Beach

ENVIRONMENTAL BOARD

DEC 29 2008

December 29, 2008

City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, California 92648

Attention: Mr. Ricky Ramos

Subject: Environmental Assessment #06-006 for Rainbow Disposal.

Dear Ricky:

At the December 4, 2008 Environmental Board meeting, the members reviewed the subject Draft Mitigated Negative Declaration on the aforementioned project. The Board is pleased to see the owner's attention to energy and water conservation issues and recognizes the vital role the applicant plays in the City's Strategic Sustainable Program. We offer the following comments and recommendations for your consideration.

- A) Hazards - The Mitigated Negative Declaration [Section IX, c)] should include a detailed discussion of the emergency procedures for Oak View School and their other neighbors should a hazardous material/waste discharge occur. | C-1
- B) Green Building - Consideration should be given to incorporation of Green Building (LEED) measures in the project with respect to proposed new construction. | C-2
- C) Traffic - Level of Service (LOS) D at Warner and Beach is an area of concern. An investigation should be included to see if there any measures available to improve traffic flow in light of the project's additional 574 average daily trips. | C-3
- D) Other - The Board is interested in obtaining information from Rainbow Disposal on reasons and rationale for the increase in per capita waste generation rates it uses in this document. We believe an analysis should be included with discusses potential measures the City and Rainbow could take to reduce that rate. | C-4

We appreciate the opportunity of reviewing this project. Please feel free to contact us with any questions.

Very truly yours,
HB Environmental Board

David Guido
Chair

Cc: Huntington Beach City Council