Additional Submittal from Commentor 0004, Bill Powers

Understanding Air Pollution and Health in the Binational Airshed of the Imperial and Mexicali Valleys

Comprensión de la Contaminación del Aire y la Salud en la Cuenca Binacional Atmosférica de los Valles de Imperial y de Mexicali

Revised – Versión actualizada

Document 0005

Russell, Ellen

From: Bernchrisp@aol.com
Sent: Saturday, July 31, 2004 12:01 PM
To: Russell, Ellen
Cc: fan@wafs.com
Subject: Comment on Sempra Energy and Intergen

Ellen Russell
NEPA Document Manager
Office of Fossil Energy (FE-27)
U.S. Department of Energy
1000 Independence Avenue, SW.
Washington, DC 20585-0350

Dear Ellen Russell,

I learned about U.S. power plant developers tattempting to take advantage of less stringent environmental standards in Mexico during the NEPA process. It is very important the full NEPA process not be averted, shortened or avoided. That is your responsibility as a government worker and a US citizen. 0005-1

The current NEPA regulation requires that Sempra Energy and Intergen mitigate the impacts of their power plants before being granted presidential permits, and that DOE condition any permits on mitigation. That process must take into account the emission offsets for nitrogen oxide (NOx) and particulate emissions from Intergen's La Rosita Power Complex and Sempra's Termoelectrica de Mexicali. 0005-2

The draft Environmental Impact Statement (EIS) prepared by the DOE for these two power plants clearly identifies significant air and water impacts, while at the same time concludes that these problems do not reach a sufficient level of significance to require mitigation. 0005-3

I will be looking for your decision on this matter and your response.

Sincerely

Christine Powell

PO Box 1583

El Granada, California 94018

8/16/2004

Document 0006

PLANNING/BUILDING DEPARTMENT
IMPERIAL COUNTY

PLANNING / BUILDING INSPECTION / PLANNING COMMISSION / A.L.U.C.

JURG HEUBERGER, AICP, CEP
PLANNING/BUILDING DIRECTOR

June 10, 2004

Ellen Russell
NEPA Document Manager
Office of Fossil Energy, FE-27
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

SUBJECT: Draft Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines (Department of Energy/EIS-0365)

Dear Ms. Russell:

The County of Imperial, Planning/Building Department, received the May 5, 2004, Draft Environmental Impact Statement on May 13, 2004, for review and comment. There are two public hearings that the Department of Energy will convene that are scheduled to be held in Imperial County, in July 2004, in the cities of El Centro and Calexico.

The U.S. Department of Energy's (DOE) Federal action is to issue Presidential permits to either Sempra Energy Resources (Sempra) or Baja California Power, Inc. (Intergen), or to both, for the construction, operation, maintenance, and connection of two double-circuit, 230,000-volt (230-kV) electric transmission lines crossing the U.S. international border and connect to separate natural gas-fired power plants that have been constructed in Mexico.

The submitted Draft EIS by the DOE and the Department of Interior, Bureau of Land Management (BLM) has been prepared under the National Environmental Policy Act (NEPA) "...as if the transmission lines had never been built..."

939 MAIN STREET, SUITE B-1, EL CENTRO, CA 92243-2856 (760) 482-4236 FAX (760) 353-8338
E-MAIL planning@imperialcounty.net plan98@imperialcounty.net (AN EQUAL OPPORTUNITY EMPLOYER)

Background:

The initial meeting of federal, state, proponents, consultants and County staff was held on June 5, 2000, to discuss the construction of a natural gas pipeline through Imperial County. From the very beginning of the proposed natural gas pipeline project by the North Baja Pipeline, LLC, commencing in 2000, the County was informed that the federal government, Federal Energy Regulatory Commission (FERC) was going to be the NEPA "Lead Agency" and that the California Environmental Quality Act (CEQA) "Lead Agency" was going to be the State Lands Commission.

From the initial meetings on the proposed natural gas pipeline, the County viewed the proposed pipeline, power plant construction, and transmission lines into the United States as an attempt to circumvent the need for an EPA-based environmental analysis.

The County's immediate response to the notice of the proposed natural gas pipeline through the County into Mexico and the preparation of an environmental document was to inform David P. Boergers, Secretary of the FERC, on February 7, 2001, by Certified Mail that "...As the local land use and environmental agency having permitting and oversight for environmental projects in Imperial County, it is imperative that any federal and state environmental document that is prepared (i.e. a joint Environmental Impact Statement/Report (EIS/EIR) be coordinated through the Planning/Building Department of Imperial County..."

Also, the above 2001 letter stated that "...The proposed project is initially designed to carry 500 million cubic feet per day of natural gas. As designed, the new pipeline system will be available to serve existing and planned power plants in Baja California that will in turn serve the electric power demand in the northern Baja. Since air emissions from Baja California and Mexicali currently adversely impact Imperial County, any new power plant emissions should be comprehensively addressed and mitigation measures proposed in the joint EIS/EIR..." As was pointed out above, the likelihood of substantial and irreparable environmental harm was pointed out to the proponents of the natural gas pipeline from the beginning.

Thus, from 2001 and the initial stages of the development of the **(1)** natural gas pipeline, **(2)** the natural gas-fired power plants, and **(3)** the 230-kV transmission lines from Mexico to the Imperial Valley Substation, the County has consistently and comprehensively in numerous written comments on the NEPA documents addressed the potential for air quality, water quality and human health impacts of these projects. The above three actions are considered by the County as inter-linked and as three links within a causal chain of events. 0006-1

In December 2001, the DOE and BLM after preparing a "Environmental Assessment (EA)", each agency issued a "Finding of No Significant Impact (FONSI)" for the

Presidential Permits and the BLM rights-of-way for the 230-kV electric transmission lines.

However, since 2001, the subsequent federal documents prepared did not tie the above three federal actions together and thus "piece-mealed" the project into three separate individual segments or parts.

Once again, the current Draft EIS being prepared attempts to short circuit the environmental impact review process in only reviewing the two existing natural gas plants. For example, in both the Draft EIS "Summary" and also in Appendix H, "Health Risk Assessment for Air Toxics", the Draft EIS document only addresses "…**all plants operating**…" (See page S-43, second paragraph).

The natural gas pipeline that was planned and constructed was to supply natural gas to not only the identified power plants in the Draft EIS, but also cumulatively to supply "…future numerous identified power plants, expansion of farming west of Mexicali, new economic development projects, and new businesses that would be generated from these new sources of electrical energy…" (please reference the County's previous correspondence in November 2003 and the attachments thereto).

Questions: ***What about the other natural gas power plants that were slated to be constructed in Mexicali? Why is the Court-required EIS only reviewing impacts based on "plants" currently in operation when in fact the lines intend to and can accommodate more?*** 0006-1 (cont.)

To Summarize:

Suffice it to say that the Draft EIS to be prepared for only the above two natural gas-fired power plants, i.e. Intergen and SEMPRA, is contrary to the "**public interest**" and, as stated in previous correspondence, the "Presidential Permit" should not have been granted without the appropriate mitigation measures needing to be imposed on "plants operating" as well as on future upgraded or new power plants in Mexicali, industrial/economic development projects, and the agricultural expansions west of Mexicali.

Since 2000, the County has consistently informed the federal government agencies, the State Lands Commission, and its environmental contractors that the project and its environmental impacts should be reviewed in its "entirety" and should be addressed upfront outlining all of the potential air quality, water quality impacts to the Salton Sea, and the human health impacts and the appropriate mitigation measures **prior to** the construction of the natural gas pipeline through Imperial County.

It is the County's position that "**but for**" the construction of the natural gas pipeline through Imperial County into Mexico, there may not have been natural-gas powered plants, upgraded power plants, future industrial/economic development projects and no need for the 230-kV transmission lines crossing the international border into the Imperial Valley Substation. 0006-1 (cont.)

As you may be aware, the County of Imperial is classified as a nonattainment area for federal PM 10, and the City of Calexico classified as a nonattainment area for PM 10, ozone, and CO at this time. In the future, Imperial County may also be designated as nonattainment for PM 2.5. The U.S. Environmental Protection Agency (EPA) reviewed an air quality study prepared by the Imperial County Air Pollution Control District (APCD) stating essentially that the County would have attained a "moderate" PM 10 classification were it not for the harmful air pollution emissions from Mexicali. 0006-2

After review, the County also feels that the Draft EIS and Health Risk Assessment submitted by the U.S. DOE and BLM on the 230-kV transmission lines do not provide the necessary mitigation to resolve the existing/future air impacts on local residents, the water impacts on the Salton Sea and human health impacts and is inadequate due to the continued lack of appropriate environmental mitigation. 0006-3

It is unfortunate that the original natural gas pipeline environmental review and subsequent federal NEPA documents did not have the same point of reference, i.e. "…as if the natural gas pipeline had never been built…"

As stated in the November 20, 2003, public hearing on the proposed projects, "…in Imperial County we have a large geothermal resource that currently produces quite a few kilowatts and has a capacity of producing in excess of 2000 megawatts of power. So we question why we continue to support fossil fuel plants that pollute the atmosphere when, in fact, we have a renewable energy source that is quite capable of producing a lot of power. I think this should be taken into consideration when you consider these types of projects…"

Thank you for the opportunity to review the Draft EIS prepared by DOE and BLM. There are identified proposals for mitigation of air emissions in Imperial County and Mexico on pages 4-58 and 4-59. However, there is no "program" provided in the Draft EIS document as to who will pay and maintain the proposed mitigation measures. 0006-4

There is no identification of when such mitigation activities would occur and who would be the responsible agency that would implement these mitigation measures. Without specificity in the Final EIS, the proposals put forth are merely possibilities and not actual, verifiable and enforceable mitigation measures.

Ellen Russell
Draft EIS Response
Page 5 of 5

We look forward to reviewing the Final EIS and if it does not provide the necessary mitigation measures that comprehensively mitigates all of the identified risks, the County reserves the right to review other options necessary to insure that the above adverse environmental and health care concerns are resolved. 0006-4 (cont.)

If you have any questions, please contact me at (760) 482-4236, extension 4310.

Sincerely,

JURG HEUBERGER, AICP, CEP
Planning Director

cc: Board of Supervisors
Robertta Burns, County Executive Officer
Ralph Cordova, County Counsel
Joanne L. Yeager, Asst. County Counsel
Stephen L. Birdsall, Ag. Commissioner/APCO
Tim Jones, Public Works Director
Mark Johnston, Environmental Health Services
Fred Nippins, Interim Fire/OES Chief
Jesse Silva, Manager, Imperial Irrigation District
Greg Thomsen, BLM/El Centro Field Office
DOE Correspondence File
10.105

JH/DG/RC/JM/GA/ca/G:PlanningClerical/DEISNaturalGasPlants&Transmission Lines

Document 0007

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July 1, 2004

Ms. Ellen Russell
U.S. Department of Energy
Office of Fossil Energy (FE-27)
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0301

RE: Draft Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines (DOE/EIS-0365).

Dear Ms. Russell:

The Imperial County Air Pollution Control District (ICAPCD) received a copy of the May 5, 2004, Draft Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines (Department of Energy/EIS-0365) on May 13, 2004. It is the ICAPCD's understanding that an extension of the original commenting deadline has been granted at the request of Border Power and that the two public hearings scheduled to be held in Imperial County on June 17, 2004, will now take place on July 14, 2004.

According to the DEIS, The U.S. Department of Energy (DOE) and Bureau of Land Management (BLM) are proposing the action of granting the Presidential permits and Right of Ways (ROW) to both Sempra Energy Resources (Sempra) and Baja California Power, Inc. (Intergen) as their projects are presently designed.

The ICAPCD favors a modified #4 alternative that was analyzed - "Mitigation Measures: Grant one or both permits and corresponding ROWs to authorize transmission lines whose developers would employ off-site mitigation measures to minimize environmental impacts in the United States"(pg. S-9). The ICAPCD feels that there should be mitigation measures implemented to offset the increased emissions and that these measures should be memorialized in the Presidential permits, however, the ICAPCD believes one step further should be taken to ensure the *off-site* mitigation 0007-1

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

measures take place in Imperial County. 0007-1 (cont.)

As you know since 2000, the ICAPCD along with EPA, CARB, and several concerned Imperial County cities and community representative groups have been assessing, reviewing, and commenting on the proposed presidential permits and the potential adverse impacts the two projects will have on the residents of Imperial County and Mexicali.

The ICAPCD still feels very strongly that the operation of the two power plants and their associated transmission lines will have an adverse impact on the air quality for the Imperial/Mexicali Valley region. The following are several concerns that we continue to have and believe should thoroughly be addressed in the Final EIS:

1) Section 3.3.2, Air Quality (page 3-49), presents a broad scenario of the air quality in Imperial County and Mexicali Valleys for the principal air pollutants that are monitored in both valleys: Carbon Monoxide, Nitrogen Dioxide, Ozone, Sulfur Dioxide and PM10. This document evaluation approach assesses the air quality in both valleys based on the annual arithmetical mean for each of these pollutant.

   ICAPCD believes that an evaluation of the regional air quality based on the annual arithmetical means as presented in this document, is clearly an attempt to diminish the magnitude of the air quality problem in the Imperial and Mexicali Valleys. The ICAPCD is adamant about the fact that the public should be presented with reliable and clear air monitoring data in order to make an accurate judgement of the magnitude of the existing air quality problem on the area in which these power plants are located, as well as the area of impact, in this case Imperial County. 0007-2

   The NAAQS establishes the concentration above which the pollutants is known to cause adverse health effects to sensitive groups within the population, such as children and the elderly. An evaluation of the status of the air quality on a region should include an analysis of compliance with the NAAQS for each pollutant that is being evaluated.

According to the air monitoring data for Imperial County, the 24-hr NAAQS for PM10 was violated 12 days in 1997, 12 days in 1998, 32 days in 1999, 38 days in 2000 and 18 days in 2001. In addition, the 1-hr ozone NAAQS was violated 10 days in 1997, 5 days in 1998, 24 days in 1999 and 5 days in 2000.

In comparison, the air monitoring data for Mexicali shows that the 24-hr NAAQS for PM10 was violated 162 days in 1997, 168 days in 1998, 222 days in 1999, 324 days in 2000, 264 days in 2001 and 228 days in 2002. The 1-hr ozone NAAQS for ozone was violated 16 days in 1997, 14 days in 1998, 19 days in 1999 and 7 days in 2000. In addition, the 1-hr NAAQS for CO was violated 5 days in 1997, 11 days in 1998, 4 days in 1999 and 3 days in 2000.

As you can clearly see by the number of standard exceedances mentioned above, the air quality in the Imperial County and Mexicali has been and continues to be deteriorated. The high levels of PM10 and CO in Mexicali has been categorized as critical by the Mexican authorities. Imperial County is a designated non-attainment area for PM10, Ozone, and CO for the City of Calexico, located on the border with Mexicali. Likewise, Mexicali is a non-attainment area for PM10, Ozone and CO. It should be pointed out that Mexicali is in violation of the U.S. ambient air quality standards and also the Mexican air quality standards which are similar to the U.S.. 0007-2 (cont.)

The ICAPCD suggests that the final document include a comprehensive evaluation of the air quality in Imperial County and Mexicali Valleys addressing all air monitoring data used to evaluate the compliance status of both areas with the NAAQS.

2) Section 4.3.4.4.2, Ozone Formation (page 4-50), Due to the fact background data on VOC levels is needed to model Ozone (O_3) formation, DOE developed an alternative approach to help characterize ozone formation in this region. DOE analyzed 5 years of O3 and NO2 monitoring data and concluded that high O_3 levels mainly occurred at lower NO_2 levels and that in fact, these plots indicate a condition in which introducing more NO_2 reduces O_3 formation. These conclusions characterized the Imperial County-Mexicali area to be VOC-limited, in which by introducing more NO2 there would be no increase in O3; when in fact, the reverse could hold true. 0007-3

The ICAPCD is dumbfounded with these conclusions and can only hope that you do not mean that by ***not*** installing SCR to control nitrogen oxides at the turbines, it could in fact resolve the O_3 problem in the Mexicali and Imperial Valley area.

The 2003 emission inventory for Imperial County shows emissions of 12,940 tons per year of nitrogen oxides and 52,720 tons/year of VOC. As for Mexicali, the 1996 emission inventory shows emissions of 20,302 tons of nitrogen oxides and 56,552 tons/year of VOC. This data shows that the level of emissions for VOC is approximately three times higher than the level of emissions for nitrogen oxides. These figures show that the mechanism of O_3 formation in the Imperial County-Mexicali area can not be characterized to be VOC-limited. ICAPCD suggests that section 4.3.4.4.2, Ozone Formation, should be modified accordingly. 0007-3 (cont.)

3) Section 4.3.4.4.2, Impacts Compared to EPA Significant Levels (page 4-52), evaluates the impact in Imperial County for the NO2, SO2, CO, and PM10 emissions produced by the power plants based on the EPA Significant Levels (SLs) of 40 CFR 51.165(b)(2). This document concluded that the maximum increase in ambient concentration of air pollutants in Imperial County associated with emissions from the power plants are below the SLs established by the EPA; therefore, the impact on air quality from the generating facilities in Mexicali would be minimal.

By using 40 CFR 51.165(b)(2) to determine impact of the power plant, DOE assumed that Mexicali is a hypothetical attainment area. ICAPCD wants to stress with emphasis that the EPA Significant Levels of 40 CFR 51.165(b)(2) is not applicable to new sources in a non-attainment area (Mexicali) that are impacting an adjacent non-attainment area (Imperial County). The next paragraph of 40 CFR 51.165(b)(4) states: "*The requirements of paragraph 51.165 (b) of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in an area designated as non-attainment pursuant to section 107 of the Act.*" 0007-4

As presented above, monitoring data has shown that concentrations of PM10, CO, and Ozone have exceeded the U.S. and Mexican Ambient Air Quality Standards many times in Mexicali and the surrounding area. Therefore, the application of the Significant Levels of 40 CFR 51.165(b)(2) is totally inappropriate because it does not accurately reflect the reality of the air quality in Mexicali and Imperial County, which is already very deteriorated. The ICAPCD feels that due to the proximity of these projects to the international border and the populated cities in Imperial County and Mexicali, the additional emissions associated with the two projects will adversely impact the region's air quality, exacerbate exceedances of emission standards in both the U.S. and Mexico, and will impact the health of the population in the region.

Due to the fact that Mexicali power plants are located in a non-attainment area (Mexicali) and that their emissions will impact an adjacent non-attainment area (Imperial County), the ICAPCD feels that the correct approach for evaluating the emission impacts should be through the Clean Air Act (CAA) Section 173. This section identifies the requirements for new and modified sources located in non-attainment areas. Section 173 (c)(1) requires that any new or modified source of emissions located in a non-attainment area to offset their emissions for which that area is non-attainment. 0007-4 (cont.)

The ICAPCD would like to stress again that we believe that there should be mitigation measures implemented to offset the increased emissions and that these measures should be memorialized in the Presidential permits, however, the ICAPCD would like DOE/BLM to ensure the *off-site* mitigation measures take place in Imperial County.

4) Given the fact that DOE has chosen to apply CAA requirements to evaluate the impacts from the Mexicali plants on Imperial County, the DOE must rigorously follow the requirements in the CAA and not simply choose requirements that they feel will achieve the end result that DOE is apparently looking for - No Significant Impact.

The air quality data summary for Mexicali's Ozone, PM10, and CO exceedances provided in this comment letter (item 1) gives a much more comprehensive understanding of the high rate of NAAQS exceedances in Mexicali. The NAAQS are health based standards. The ICAPCD feels that use of the 0007-5

international border as a shield to avoid implementing mitigation measures, specifically offsets, that would adequately protect U.S. and Mexican citizens being exposed to air emissions from the power plants is contrary to what the NEPA process was established to accomplish. By failing to include offset measures for the emissions from the power plants will exacerbate the poor air quality in the region and cause additional adverse health impacts to the residents of Imperial / Mexicali Valleys.

As noted in the July 3, 2003 Court Order (Draft EIS, pg. A-70), "...as a matter of common sense, it is clear that discharges of pollutants that actually, if not legally, cause violations of the NAAQS, or make existing violations worse, have the potential for adversely affecting health." This observation is in response to the fact that even a 3ug/m3 increase in the 24-hour PM10 concentration would have caused two particulate monitoring stations in Calexico to exceed the 150 PM10 NAAQS eight times between 1994 and 2002 (Draft EIS, pg. A-69). 0007-5 (cont.)

5) Section 4.3.4.4.2, Impacts Compared to EPA Significant Levels (page 4-53), DOE states: "The finding that the impact levels at the U.S. receptor points would be small and below SLs is consistent with the influence of general surface winds". However, the ICAPCD believes this is totally inaccurate.

The California Air Resources Board (CARB), the authority on air issues in California, evaluated the impact of transport of ozone within the different air basins in California. CARB publishes triennial reports entitled: "Assessment of the Impacts of Transported Pollutants on Ozone Concentrations in California." In these reports, CARB has classified transport of ozone from Mexicali to Salton Sea Air Basin, which Imperial County is located in, as overwhelming. CARB's report illustrates that transport of ozone from Mexicali caused violations of the state ozone standard (0.09 ppm) all the way to the north side of the Salton Sea Air Basin, in Palm Springs and Indio. This report shows, for the episodes analyzed, that none of the violations of the state standard in Imperial County were caused entirely by local emissions without regard to transport from Mexicali. 0007-6

In July 2001, the ICAPCD submitted a PM10 attainment demonstration plan to CARB and EPA that clearly shows that Imperial County's PM10 exceedances would not have occurred "but-for" contributions from Mexicali. On August 10,

2001, EPA found under Clean Air Act (CAA) Section 179B that the PM10 attainment demonstration submitted by the ICAPCD adequately established that PM10 exceedances would not have occurred but for emissions from Mexico. On October 19, 2001, EPA issued its final rule finding that the record adequately demonstrated that, but for emissions from Mexico, Imperial County would have timely attained the PM10 NAAQS (Federal Register: Volume 66, Number 203, Pages 53106-53112).

The information discussed and cited above clearly indicates that Imperial County is impacted by transport of emissions from Mexicali. The ICAPCD suggests that DOE include a comprehensive analysis of Ozone and PM10 transport from Mexicali to Imperial County based on existing validated reports from authorities in this subject, such as the California Air Resources Board and U.S. EPA. 0007-6 (cont.)

6) Section 6.4, Air Quality (page 6-2), states that the Mexico power plants' stack emissions would include NOX, CO, CO2, NH3, and PM10. While it is likely that O3 would be secondarily produced due to the operation of the two power plants, the amount expected to reach the maximum U.S. receptor point is so small it would be indistinguishable from ambient background levels. PM10 and other criteria pollutants are expected to be below EPA significant levels in the United States.

ICAPCD totally disagrees with these statements. It is estimated that the La Rosita Power Complex and Sempra Energy Resources turbines (six total) will produce 2,328 tons per year of nitrogen oxide, 3,089 tons of carbon monoxide, and 1,210 tons per year PM10. According to the estimates presented in the DEIS, the nitrogen dioxide emissions will be reduced to 608 tons per year (for all six units) in March 2005 when selective catalytic reduction technology would be utilized for all the La Rosita Complex turbines. Each air shed has a limited capacity for absorbing pollutants before the air quality degrades to unacceptable levels. The air emissions from the Mexicali power plants is way above the limits that non-attainment areas such as Mexicali and Imperial County could absorb. 0007-7

Imperial County is a non-attainment area for PM10 and ozone, of which nitrogen oxide is a precursor pollutant, and concentrations of PM10 and Ozone in Mexicali have exceeded the U.S. and Mexican standards many times. Contrary to all the statements in this DEIS, the ICAPCD feels that these emissions would

have a significant adverse impact on the air quality for the Imperial County/Mexicali air shed, if unmitigated, due to the fact that these emissions will exacerbate the non-attainment ozone and PM10 status of the Imperial County/Mexicali border region. Additionally, due to the proximity of these power plants to the border, the carbon monoxide (CO) emissions from these power plants will have an adverse impact on the non-attainment status for Calexico if these emissions are not mitigated. The District requests to incorporate into this document measures for full mitigation of **all** emissions. 0007-7 (cont.)

In Conclusion, the ICAPCD is eager to review a Final EIS that will fully address all of our concerns as discussed above. For the health of the residents of Imperial/Mexicali Valleys and for the continued efforts to improve air quality in Imperial County, the ICAPCD continues to insist that full mitigation of the impacts of these projects be fully mitigated. The ICAPCD also feels it is necessary to include in the Presidential Permits provisions for monitoring, record keeping, and enforcement provisions based on our experience with Intergen's failure to install SCR on one of the two turbines and the fact that Mexicali authorities were apparently unaware that Intergen even had an obligation to install and operate SCR on the unit. The permit condition must clearly state that monitoring data must be routinely provided to the ICAPCD . Once again, for issuance of the Presidential permits, the ICAPCD urges the DOE/BLM to implement a version of Alternative #4 that would require full mitigation of emissions and offset of emissions that have already occurred. The ICAPCD insists that these mitigation measures be taken in Imperial County to ensure that the reductions are real, enforceable, and quantifiable. 0007-8

If you have any questions, please contact me at (760) 482-4606.

Sincerely,

Stephen L. Birdsall
Air Pollution Control Officer

cc: Congressman Bob Filner
Congressman Duncan Hunter
Senator Dianne Feinstein
Senator Barbara Boxer

Imperial County Board of Supervisors
Robertta Burns, CEO, Imperial County
Ralph Cordova, County Counsel
Jurg Heuberger, Planning Director
Deborah Jordan, Air Director, Region IX EPA
Catherine Witherspoon, Executive Director, CARB