----------The Ventana Chapter----------
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March 21, 2012

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Submitted by electronic mail to EIRcomments@svswa.org

Subject: Comment on the Initial Study prepared by Environmental Sciences Associates (ESA) as required by the CA Environmental Quality Act addressing the proposed Plasco Salinas Valley Initial Study of the "Plasco Conversion System".

The Ventana Chapter of the Sierra Club submits these comments to the Salinas Valley Solid Waste Authority (SVSWA). SVSWA is the lead agency for this project and the funder of the Initial Study prepared by ESA for this "Plasco Conversion System" municipal solid waste receiving and sorting building, plasma arc and gasification process, "syngas" burning electric energy generators, ash, waste water and slag disposal and utilities connection development project.

The Sierra Club is concerned about the health, safety and quality of life for the residents of Gonzales and surrounding areas, the agricultural productivity of the Salinas Valley and the viability of the region's wildlife. This project has the potential to generate soil, water, noise, and air pollution. Plasma Arc gas conversion and burning of municipal solid waste is a new and still experimental technology with a questionable record of success internationally. The EIR produced must address the questions raised in public and agency scoping meetings and the issues raised here in our review of the Initial Study. It is our intent to comment on the Initial Study to ensure that all potential environmental impacts are noted and addressed in the EIR that follows.

A large percentage of Gonzales residents are Spanish speaking and there is contention surrounding the public notice provided for the two scoping meetings announced to the public. The Sierra Club has a major interest in issues of environmental justice and we will not accept discrimination for the non-English speaking segments of the population who may also be unfamiliar with the complex process of public comment necessary to protect their interests in the face of this proposed and unconventional technology project. Both the Initial Study and the EIR must be translated into Spanish. Scoping for the coming EIR is now deeply flawed because a Spanish translation of the Initial Study was not provided during the comment period.

We are also aware that the SVSWA held a private "Agency Scoping Meeting" from which members of the public were excluded. CEQA is fundamentally a public process law. It is thoroughly improper for a public lead agency, such as the SVSWA, to create a two-track review process that disadvantages the public and gives the impression of favoring the contractor preparing the Initial Study and the Environmental Impact Report (EIR) as well as Plasco, the client. This demonstrates likely bias in favor of Plasco and Environmental Science Associates on the part of the SVSWA. SVSWA is paying for the costs of the Initial Study and the EIR. In our view Plasco should be responsible for these expenses and this creates a further impression of bias in favor of this project before any environmental assessments have been conducted. This potential bias will taint the public's right to impartiality in the CEQA environmental analysis process and this issue must now be addressed in the EIR itself.

Comments on the Scope and Recommendations of the Initial Study and its Basic Adequacy

1) The omission of Agriculture from the checklist of "Environmental Factors Potentially Affected" is remarkable and a major error. This Plasco facility is virtually certain to emit some levels of air and water pollution. Even government agency permitted levels of discharge could still impact agriculture and area soils depending on the specific pollutants. This pollution may significantly affect the closely adjacent and the regional high quality agricultural lands of the Salinas Valley. There are nearby cattle, row crop , and soil mixing businesses. Even the perception of pollution could harm the economic viability of nearby farms. On the 20 to 30 year lifespan (assertion in the Initial Study) of this proposed plant, even low-level chronic emissions could be harmful to agriculture. The EIR must address impacts to agriculture. On this point the Initial Study is clearly deficient.

2) The ESA produced document presents a rosy picture of a supposedly proven technology. However Plasco does not operate a plant anywhere in the United States and its track record in Canada is brief.

The Initial Study makes "up to" projections about levels of energy production. Most of this energy will be routed back through the plant to support is large electric energy demand. There is no projection about how much power could be sold, perhaps to PG&E. It is our understanding that Plasco and other plasma arc waste processing technologies have, as yet, failed to produce significant saleable amounts of electricity globally. It is thus misleading to call this a "conversion technology".

3) This proposed plant in Gonzales would be 3 times the scale of the Plasco demonstration facility in Ottawa, Canada. This demonstration facility has one complete plasma gasification module. Gonzales would have three. In our opinion the Gonzales plant is really the full-scale test site for this new technology. The EIR must address the issue of the experimental nature of this facility.

4) Quoting from the Initial Study: "SVSWA maintains a goal of 75 percent diversion of solid waste from its landfills for waste materials generated within its service area." Goals are

one thing, the actual working percentages of solid waste diversion (from the landfill) are another. What is the actual percentage of waste diversion to recycling? The question needs to be answered. The Initial Study fails to report the actual tonnage of Municipal Solid Waste MSW that is recycled, or the percentage of the total volume of MSW that SVSWA is able to reliably recycle. The chart in the Initial Study shows the percentages of disposal waste intended for the incoming waste stream of the Plasco facility. These include: paper 32.9%, organics 26.6%, construction and demo 16% and plastic 14%. The EIR needs to address whether or not the SVSWA's rate of waste diversion to recycling is as high as it should be before this excess material is diverted into the high tech incinerator. The EIR needs to address this question.

5) Biological Resources (checklist)

The Initial Study notes the presence of several special status and endangered species that are known to occur on the landfill property and in the immediate and regional vicinity. These plants and animals will be adversely impacted by this project. Just the noise levels alone will drive away any raptors, including burrowing owls. The EIR must address specific mitigations to prevent harm. Incidental take permits are not mitigation. Local extirpation of rare wildlife needs to be prevented. In certain cases these animals must be physically moved to other high quality habitats in the region by qualified biologists.

6) Air Quality (checklist)

Quoting from the document: "The primary source of air pollutant emissions would be from the gas engine generator exhausts. The site would also have a flare system for start up, shut down and emergency flaring of syngas." The Initial Study does not include any projections about the total cu. ft. per day of "syngas" that Plasco expects to burn when running at full capacity. The EIR needs to answer this question. No realistic projections of air pollutants are possible unless the volume of burned fuel is assessed.

The Initial Study indicates that the Plasma Arc process produces only water and "syngas". We find this to be implausible. There must be other gaseous products from the plasma arc chambers besides the hydrogen chloride and hydrogen sulfide. What are these gases? What are their various concentrations? These are crucial questions to be addressed in the EIR. We find the absence of credible references to non-combustible gasses and heavy metals to be alarming.

In regard to the need for permitting from the Monterrey Bay Air Pollution Control District; how is this agency going to permit an air pollution discharge that it cannot measure and that is not available to test for pollution until the plant is up and running? This is unreasonable. This state agency cannot simply accept numbers provided by Plasco from its Ottawa test facility in order to permit, in advance, a future pollution discharge in the Salinas Valley. The EIR needs to address this conundrum or the residents of Gonzales can expect to be the test subject of an industrial scale experiment.

7) Water, Water Infrastructure, and Hydrology and Water Quality, three items of the "checklist".

This same dilemma of an untestable future pollution discharge exists for water resources and water quality. This plant will include several scrubber and filter technologies that are complex and highly sensitive. The Initial Study document states that the plant will generate a maximum of 28,000 gallons of wastewater daily. This is 72 gallons of water for every ton of MSW processed.

> "This water would be treated to meet reclaimed water quality standards as determined by the State Water Resources Control Board, and stored in holding tanks until confirmation is received that it meets Regional Water Quality Control Board land discharge standards. Once confirmation is received, the water would then be discharged to a percolation pond. This treated water would most likely be used on site for irrigation and dust control at the facility and the landfill."

This statement in the Initial Study demonstrates a very confident position regarding water pollution from such a complex technology that will inevitably generate measurable concentrations of dioxins, furans, heavy metals and countless other dangerous compounds. Plasco is planning to discharge this water into a percolation pond and use it for irrigation and dust control.

> ***Water Infrastructure***
> "Water reclaimed through the process (approximately 53 gallons per ton of MSW processed) would be discharged to a percolation pond and would be used onsite to the maximum extent possible for irrigation of landscape and for dust control at the landfill. A storm water management system would be utilized to preserve drainage characteristics to the maximum extent possible to protect the groundwater as required by the County of Monterey, and the Central Coast Regional Water Quality Control Board. The system would use ditches, swales, and an underground storm water treatment detention basin at the lowest point of the plant to capture and treat storm water. The drainage system would be coordinated with the existing system at the landfill. The facility would likely be required to capture and treat all runoff in excess of existing conditions to meet current storm water regulations."

The EIR must address how Plasco is going to deal with 28,000 gallons of discharge water a day that it may not be able to filter to a standard adequate for surface discharge into the groundwater basin of the Salinas Valley, or spray on the plant site, or release into ephemeral streams. The Central Coast Regional Water Quality Control Board will have to consider this discharge for a Waste Discharge Requirement (WDR) permit. This is legally inescapable. If this produced water is too polluted to release, then what? The EIR must address how this potential water pollution issue will be addressed if Plasco cannot meet water quality standards for release.

8) Hazardous Materials (checklist)

The plant will produce a waste slag from its plasma arc chambers and from its combustion

discharge, it's air filters and water filtration systems. To read the Initial Study one would think Plasco was processing (plasma arc ionizing and oxygen combustion) a controllable clean material, rather than an unpredictable and contaminated stream of MSW. They seem to think they will sell this slag as a road construction material rather than what we think more likely, which is that it will have to be shipped at considerable expense, to a hazardous waste facility. ESA in the Initial Study states that 275 pounds of aggregate slag would be produced per ton of processed MSW. This is about 100,000 pounds of this waste per day. There is no information about the toxic contents of this slag other than a claim that it "is not toxic and does not leach". This is implausible and no explanation of such a remarkable expectation of success is offered. Reasonable questions about the actual toxic content of this plasma arc slag and filtration waste must be addressed in the EIR. What will the toxic contents and their concentrations in the combined slag actually be? What are the likely concentrations per ton or in parts per million? We find this omission to be astonishing. Again, is the public really expected to accept Plasco and EAS's assertions as fact, when they are so deficient in useful information?

Summary,

The town of Gonzales with its schools and homes is about two miles from this proposed Plasma Arc incinerator. Pinnacles National Monument is also very close to this proposed plant. Many people, landscapes, wildlife and private and public lands are going to be subjected to this experiment. The SVSWA has a major obligation to oversee the production of a thorough and penetrating EIR. Early indications are not promising in this regard. The Sierra Club intends to follow this issue and do what we can to protect the interests of the people and the lands affected by this proposal.

Regards,

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Chapter Conservation Committee Member

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