



May 6, 2003

Roger Van Hoy
Assistant General Manager, Electric Resources
Modesto Irrigation District
1231 Eleventh Street
Modesto, CA 95352

Dear Mr. Van Hoy,

**MODESTO IRRIGATION DISTRICT ELECTRIC GENERATING STATION - RIPON
1st ROUND DATA REQUESTS**

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff requests the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

This set of data requests (#1-93) is being made in the areas of air quality, biological resources, cultural resources, geology, hazardous materials management, land use, noise, public health, socioeconomics, soil and water resources, traffic and transportation, transmission systems engineering, visual resources, and waste management. Written responses to the enclosed data requests are due to the Energy Commission staff on or before June 5, 2003, or at such later date as may be mutually agreed.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, you must send a written notice to both Commissioner James Boyd, Presiding Committee Member for the Modesto Irrigation District Electric Generating Station - Ripon, and to me, within 10 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time and the grounds for any objections (see Title 20, California Code of Regulations section 1716 (f)).

If you have any questions, please call me at (916) 653-1245, or E-mail me at jreede@energy.state.ca.us.

Sincerely,

James W. Reede, Jr., Ed.D.
Energy Facility Siting Project Manager

Enclosure
cc: POS

**Modesto Irrigation District Electric Generating Station
Data Requests
(03-SPPE-01)**

Technical Area: Air Quality

Author: William Walters and Lisa Blewitt

BACKGROUND

In the SPPE Application (SPPEA), linear projects for the Modesto Irrigation District Electric Generation Station (MEGS) project include a 0.25-mile subtransmission line and fiber optic cable, 0.25-mile natural gas pipeline, and water supply and wastewater tap lines extending no more than 30 feet from the project site (SPPEA pages 1-1 and 1-2). The construction phase impacts analysis (SPPEA Section 8.1F.2), however, is based on a 0.25-mile transmission line, 0.4-mile natural gas pipeline, and a water pipeline. Staff feels the basis for calculating the natural gas pipeline impacts should be consistent with the proposed project description.

DATA REQUEST

1. Please confirm the natural gas pipeline construction length and route. Please revise the natural gas pipeline construction period and/ or maximum daily natural gas pipeline construction emissions provided in Appendix 8.1F as necessary.

Construction Emission Calculations

BACKGROUND

Staff is concerned that construction emission impacts could adversely affect residents adjacent to the proposed projects. The construction equipment calculation basis is the same as that used for the San Joaquin Energy Center (SJVEC), the Inland Empire Energy Center (IEEC), and the Turlock Irrigation District Walnut Energy Center (WEC); however the size and construction schedule for this project isn't comparable to those projects. Prior to the MEGS project, staff had previously asked questions about these one-size-fits-all construction emission estimates; however, the answers did not provide a complete or logical justification for this approach. Staff doesn't consider it logical to assume that two projects of very different sizes will require identical horsepower to complete construction. Additionally, it was indicated in the SJVEC case that these emission assumptions were based on actual project experience; however, no background information illustrating this experience that would justify the equipment selection, notably the small size of each type of equipment selected, and other equipment assumptions were never provided. Additionally, certain construction assumptions do not appear to be consistent with the project description. Staff needs additional information to justify the otherwise questionable construction emissions estimate approach.

DATA REQUEST

2. Please justify, using real data (such as fuel use records or time and motion studies) obtained from the "actual experience in constructing projects in

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California” mentioned during previous cases, the construction equipment type and size selection, equipment daily use factor, equipment hourly fuel use factors, and show how that data was used to provide the daily and annual emission calculation assumptions used for this project.

3. The construction equipment emissions estimate for this project is identical to the average annual construction emission estimates for the SJVEC, IEEC, and WEC projects multiplied by 200/250 days of construction that represents a 10 month schedule. Please indicate, considering that the other three projects have a construction schedule of 22 months, how this assumption can be numerically justified as a reasonable worst-case assumption.
4. In the fugitive dust emission calculations (shown on the third table of Attachment 8.1F-1) the Applicant has assumed that the active construction area is approximately 16.5 acres (720,000 square feet). The project site is noted to be 12.25 acres (Section 2, page 2-1). Please address this discrepancy and adjust the emission calculations, if necessary.

Construction Emission Factor Assumptions

BACKGROUND

Staff is concerned that the construction emission assumptions used by the applicant in Appendix 8.1F do not match the construction mitigation measures proposed by the applicant. In staff's opinion this has caused the potential underestimation of construction emissions and impacts, particularly the equipment exhaust emissions. Staff believes that the applicant's use of the term "if available" renders their proposed federal emission standard construction emission mitigation measure to be unenforceable and useless for the determination of appropriate worst-case engine emission factors. Additionally, the emission factors used often do not match the references provided. Staff requires additional information to understand how the construction emission assumptions were made considering the proposed mitigation measures and the emission factor references.

DATA REQUEST

5. For heavy diesel construction equipment the emissions factors are noted in Appendix 8.1F to be based on "equipment meeting EPA 1996 off-road diesel standards; however, only a few of the equipment types assumed are regulated under the EPA 1996 off-road diesel standards; and this assumption cannot be guaranteed by the proposed mitigation measure of the "Use of low emitting Diesel engines meeting federal emission standards for construction equipment if available". In fact, all of the equipment rated at less than 175 horsepower do not have associated EPA 1996 off-road emission standards, but are regulated under later Tier 1 standards. Additionally, many of the emission factors used are

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substantially lower than the EPA 1996, or broader Tier 1, off-road diesel standards. The following are the specific emission factor issues.

- a) The NO_x emission factors assume the use of EPA Tier I compliant equipment for all heavy diesel construction equipment, not just equipment with 1996 Tier I standards. Please indicate how Tier 1 compliant equipment will be guaranteed in practice; and if the guarantee cannot be made please revise the emission factors, emission calculations, and construction impact modeling based on the uncontrolled emission factors provided in the EPA's "Non-road Engine and Vehicle Emission Study Report".
- b) The CO emission factor (39.13 lbs/1000 gallons, which converts to approximately 1 gram/bhp) used by the applicant for non-road diesel equipment emissions estimation is considerably lower than the EPA Tier 1 emission standard (8.5 grams/bhp, which for CO only applies to equipment rated at or above 175 hp), and is lower than the uncontrolled emissions found in EPA's "Non-road Engine and Vehicle Emission Study Report" (2.6 to 3.7 grams/bhp for the assumed construction equipment types). Please provide a reference for the CO emission factor assumption and a guarantee on how this emission factor will be achieved in practice, or revise the emission factors, emission calculations, and construction impact modeling to use the uncontrolled emission factors provided in the EPA's "Non-road Engine and Vehicle Emission Study Report".
- c) The VOC emission factor (15.65 lbs/1000 gallons, which converts to approximately 0.4 gram/bhp) used by the applicant for non-road diesel equipment emissions estimation is considerably lower than the EPA 1996 Tier 1 emission standard (1.0 grams/bhp, which for VOC only applies to equipment rated at or above 175 hp), and is considerably lower for most equipment than the uncontrolled emissions found in EPA's "Non-road Engine and Vehicle Emission Study Report" for almost assumed construction equipment types (0.3 to 1.57 grams/bhp). Please provide a reference for the VOC emission factor assumption and a guarantee on how this emission limit will be achieved in practice, or revise the emission factors and emission calculations to use the uncontrolled emission factors provided in the EPA's "Non-road Engine and Vehicle Emission Study Report".
- d) The PM₁₀ emission factor (11.74 lbs/1000 gallons, which converts to approximately 0.3 gram/bhp) used by the applicant for non-road diesel equipment emissions estimation is lower than the EPA 1996 Tier 1 emission standard (0.4 grams/bhp which for PM₁₀ only applies to equipment rate at or above 175 hp), and is considerably lower for most

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equipment than the uncontrolled emissions found in EPA's "Non-road Engine and Vehicle Emission Study Report" (0.78 to 1.44 grams/bhp for the assumed construction equipment types). Please provide a guarantee on how this emission limit will be achieved in practice, or revise the emission factors and emission calculations, and construction impact modeling (including diesel risk modeling) to either conform with additional proposed mitigation measures or use the uncontrolled emission factors provided in the EPA's "Non-road Engine and Vehicle Emission Study Report".

6. The diesel equipment SO₂ emission calculations assume the use of ultra-low sulfur content diesel fuel (15 ppm sulfur by weight). However, the proposed mitigation provided under 8.1F.3 indicates the "Use of low sulfur and low aromatic fuel meeting California standards for motor vehicle Diesel fuel", which would indicate a 500 ppm sulfur content fuel would be used, rather than a 15 ppm sulfur content fuel. Please confirm that the diesel fuel sulfur mitigation proposed is in fact the use of CARB "ultra-low sulfur fuel, or revise the emission factors and emission calculations, and construction impact modeling accordingly.

Construction Modeling

BACKGROUND

Table 8.1F-1 of the SPPEA shows maximum daily emissions during onsite construction based on the first month of construction. The onsite fugitive dust (PM₁₀) is shown as 15.7 pounds per day (lbs/day); however, the detailed calculations for daily fugitive dust emissions (Month 1) show total PM₁₀ emissions of 14.32 lbs/day (12.43 lbs/day from construction equipment and 1.89 lbs/day from windblown dust). Additionally, in reviewing the modeling files for construction impacts (RIP99_03.DAT/OUT), there appears to be a discrepancy between the emissions rates used for PM₁₀ from construction activities (PAREA01) and PM₁₀ from windblown dust (PAREA03). The emissions rates provided in the modeling files for PAREA01 and PAREA03, are estimated to be equal to 13.26 and 2.24 lb/day, respectively (assume 9 hr/day for construction, 24 hr/day for wind, and ~12.8 acre area sources).

DATA REQUEST

7. Please provide detailed calculations showing the conversion from the (lb/day) equipment fugitive dust and windblown dust emission estimates shown in Table 8.1F-1 to the modeling emission (g/s-m²) file input values provided in RIP99_03.DAT.
8. Please provide electronic copies of any new or revised construction modeling, and update tables, as necessary.

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Construction Schedule

BACKGROUND

The applicant's construction modeling files indicate that the onsite construction is assumed to occur daily between the hours of 7 a.m. and 4 p.m. Additionally, it is assumed for the construction emission calculations in Appendix 8.1F that construction activities will occur during 200 days of the 10 month construction schedule, approximately an average of 4.6 days per week; while the modeling analysis assumes 7 days per week of construction. Staff could not find a discussion of the expected daily and hourly construction schedule elsewhere in the SPPE Application. The expected construction schedule needs to be identified in order for staff to complete its analysis of the project.

DATA REQUEST

9. Please discuss the construction schedule in terms of the expected number of days per week and hours per day that construction will occur. If the anticipated construction schedule is different than that assumed for the air quality modeling analysis, please provide updated construction emissions modeling and tables as necessary.

Turbine Commissioning

BACKGROUND

Table 8.1B-6, which presents the initial commissioning emission estimate in Appendix 8.1B, has seven footnotes shown within the table but no footnotes are given below the table or elsewhere to provide the necessary explanation. Staff would like to review the additional information that would be provided in these missing footnotes and has additional questions regarding initial commissioning.

DATA REQUEST

10. Please provide the footnote information that is missing from Table 8.1B-6. If these footnotes do not provide the source of the initial commissioning emission factors, please separately identify the source of the initial commissioning emission factors.
11. Please confirm that the initial commissioning for the two turbines will be, or may be, performed in parallel.

Operation NO_x Emission Calculations/Offset Requirements

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BACKGROUND

The maximum annual emissions for NO_x, provided in Table 8.1-20 and Table 8.1B-3 of the SPPEA, equal 45.3 tons per year (tpy) or 90,659 pounds per year (lbs/yr). The basis for maximum annual emissions for NO_x assumes that each turbine operates in startup or shutdown mode for 365 hours per year (hrs/yr) and at full load for 8,395 hrs/yr. However, for the quarterly emission offset calculations provided in Table 8.1B-8, the total annual emissions for NO_x is shown to equal 84,031 pounds per year or 42.0 tpy (Table 8.1-31 also indicates an annual NO_x emissions of 42.0 tpy). The basis for annual NO_x emissions shows that each turbine operates 365 hrs/yr in startup mode (20 lb/hr), 730 hrs/yr in shutdown mode (0 lb/hr), and 7,665 hrs/yr at baseload (4.53 lbs/hr). Staff needs additional information to confirm the basis for NO_x emissions and to determine if a sufficient number of ERCs have been provided to offset NO_x emissions from the MEGS project, as shown in Table 8.1B-10. Additionally, it appears the calculation for NO_x ERCs in Table 8.1B-10 based on a 1.5:1 ratio is incorrect. Specifically, the values of the ERCs in the row labeled "ERCs Evenly Distributed" were copied two rows down; however, those values should be the project NO_x times the offset ratio of 1.5; and the second number should be subtracted from the first, instead the project NO_x values (which do not incorporate the offset ratio) is subtracted from the "ERCs Evenly Distributed" values. Based on the numbers listed in the table, not accounting for possible changes due to the emission calculation reconciliation issue, staff calculates the total "Balance (to be refunded)" to be equal to 7,751 lbs rather than the 39,769 lbs shown in the table.

12. Please reconcile the calculation basis and maximum annual NO_x emissions shown in Tables 8.1-20 and 8.1B-8, and update any other affected tables as necessary. If necessary, please provide information on any additional NO_x ERCs certificates necessary to cover any shortfalls found after completing the emissions basis reconciliation.
13. After reconciling the annual NO_x emissions calculation basis, please correct the NO_x ERC calculations shown in Table 8.1B-10.

ERC Information

BACKGROUND

In reviewing the Emission Reduction Credit (ERC) information provided in the application and reviewing copies of the Certificates provided in the SPPEA (Attachment 8.1B-1), the date of emission reductions are not provided for any Certificates and the location of reduction for ERC C-27-5 is given as "<unknown>".

DATA REQUEST

14. Please provide the dates of emission reduction for the proposed ERCs.

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15. Please provide the location of emission reduction for ERC C-27-5.

BACKGROUND

The SPPE Application notes that a small amount of VOC offsets are still required (Page 8.1-46). It is suggested that additional VOC offsets will be purchased, or excess NO_x offsets currently owned by the Applicant would be converted to VOC offsets in accordance with Rule 2201, Section 4.13.3.4. The applicant needs to provide the final offset proposal for staff to complete the project review.

DATA REQUEST

16. Please provide a list of the additional ERCs needed to complete the VOC offset package. This should include a copy of new ERC certificates and the date of emission reduction for each.
17. If the applicant decides to pursue a NO_x for VOC interpollutant trade, please provide an analysis that justifies the appropriate NO_x:VOC interpollutant trading ratio that the applicant is proposing. In light of the importance and significance of establishing such an interpollutant trading ratio for ozone precursors, staff intends to request USEPA approval of any ozone precursor interpollutant trading ratio.

BACKGROUND

Emission Reduction Credit Certificate (ERC) N-224-5 from Modesto Energy Limited Partner, provided in the SPPE Application Appendix 8.1B, shows SO_x reductions in the amount of: Q1 = 14,291 lbs, Q2 = 9,417 lbs, Q3 = 17,141 lbs, and Q4 = 15,372 lbs. However, the MID MEGS emission offset inter-quarter distribution provided in Table 8.1B-10 shows the following amounts for ERC N-224-5: Q1 = 3,000 lbs, Q2 = none, Q3 = 3,000 lbs, and Q4 = 4,000 lbs. Staff requires additional information to verify the amount of offsets available from ERC N-224-5.

18. Please indicate whether the applicant is purchasing the entire ERC N-224-5 certificate, or if the applicant is only purchasing a part of the ERCs from the Certificate and if so, indicate if the amount being purchased is equal to the amount of ERCs listed in Table 8.1B-10.

Turbine Startup/Shutdown

BACKGROUND

Maximum emission rates expected during turbine startup or shutdown are provided for NO_x, but not for CO, and VOC. Experience with the Henrietta Peaker Project leads staff to believe that there is the potential for elevated CO and VOC emissions during startup

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and shutdown. Also, based upon experience with the Henrietta Peaker Project, there appears to be the potential for multiple startup/shutdown events to occur in a single hour for LM6000 turbines operating in simple cycle (10 minute startup time, 20 minute shutdown time). Staff needs additional information and clarification to complete the review of the air quality impact analysis.

DATA REQUEST

19. Please confirm that the expected maximum CO and VOC emissions during startup and shutdown events are not higher than those expected under non-startup/shutdown mode.
20. Please identify the maximum number of startup and shutdown events that theoretically could occur in one hour; and please identify an acceptable limitation on the maximum number of startup and shutdown events that may occur in one hour per turbine. Please update the per event and maximum hourly startup/shutdown emissions and modeling information, if necessary.
21. On p. 8.1-35, under "Turbine Startup", there is the statement that emission rates "were based on an engineering analysis of available data provided for a similar facility." Please identify the "similar facility" and that engineering analysis.

Fumigation Modeling

BACKGROUND

Table 8.1D-7 of the SPPEA provides the SCREEN 3 fumigation modeling results. The maximum 1-hour unit impacts (micrograms/cubic meter) from the model are then adjusted for longer averaging periods (3-hour, 8-hour, and 24-hour). Based on a preliminary assessment, it appears the longer averaging periods were determined as percentages of the 1-hour unit impacts. The 3-hour unit impacts were adjusted by approximately 85%, 8-hour unit impacts by approximately 76%, and 24-hour unit impacts by approximately 72%. However, staff does not have enough information to determine the methodology of how these averaging period adjustments were calculated. The basis for these assumptions may be included in the fumigation analysis summary spreadsheet (FUMIGATION.123). However, staff cannot open this Lotus file.

DATA REQUEST

22. Please provide an explanation as to the basis for the 3-hour, 8-hour, and 24-hour unit impacts from fumigation provided in SPPEA Table 8.1D-7.
23. Please provide the fumigation.123 and Toxics_modeling_output.123 files in Excel format.

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(03-SPPE-01)**

Best Available Control Technology

BACKGROUND

The Applicant has indicated that the project meets all Best Available Control Technology Requirements; however, the Applicant (SPPEA pg. 2-15) is proposing a higher ammonia slip concentration (10 ppm @ 15% O₂, 1-hour average) than is recommended in the CARB Guidelines for Power Plants (5 ppm @ 15% O₂, 3-hour average).

DATA REQUEST

24. Please explain why this project cannot meet an ammonia slip level of 5 ppm (@15% O₂).

Operations Impacts Analysis

BACKGROUND

In the SPPEA, there appears to be no reference to fuel fired emergency equipment as part of the MID MEGS project. However, Section 2.1, page 2-10 mentions that there will be a "fire pump". Staff requires confirmation that no stationary fuel fired equipment (i.e. firewater pumps or emergency generators) other than the two LM6000 turbines are proposed for the project.

DATA REQUEST

25. Please confirm that, other than the two LM6000 turbines, no stationary fuel fired equipment is proposed for use, or provide a description of the proposed fuel fired equipment, emission factor assumptions, and updated tables including the air quality modeling results.

Cumulative Impacts Analysis

BACKGROUND

In the SPPEA (page 8.1-48) the Applicant states that a cumulative impacts analysis will be conducted in accordance with the protocol provided in Appendix 8.1H. Appendix 8.1H states that the Applicant requested a list of projects within the area for which air pollution permits to construct have not yet been issued, but that are reasonably foreseeable, from SJVAPCD. It appears that the District has not yet provided the listing. Therefore, the Applicant has not conducted a cumulative analysis.

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DATA REQUEST

26. Please provide a listing of cumulative projects meeting the criteria outlined in Appendix 8.1H, and provide an analysis of the cumulative impacts that may result from the project and other reasonably foreseeable projects.

PM₁₀, VOC and SO₂ Offsets

BACKGROUND

The project does not provide a minimum offset ratio of 1:1 for all non-attainment pollutants and their precursors. The applicant has proposed that the emissions and emission reduction credits for the combined MEGS and Woodland Generating Station 2 (WGS2) projects when taken together provide a 1:1 offset basis. Staff cannot accept this proposal for a number of reasons, including: 1) these two facilities are not co-located and have not been permitted and licensed as a single project (if they had been linked in this way for licensing they would not qualify as SPPE projects); 2) the precedence cited on page 8.1-49 of the SPPE Application is not, as suggested by the applicant, analogous to the MEGS/WGS2 situation, in the case of the three cited Sacramento projects, as each were fully offset on a 1:1 basis for annual emissions; 3) the 1:1 NO_x for VOC and 1:1 NO_x for SO₂ adjustments used in Table 8.1-33 have not been technically justified and are not acceptable; 4) the SO₂ emission reduction credits stated for the WGS project in Table 8.1-33 are the amount of ERCs purchased, which exceed the quantity necessary for the offset proposal for that project, and most likely do not represent the final amount of SO₂ ERCs that will be surrendered to the District for the WGS2 project; 5) Table 8.1-33 takes credit for 1.6 tons of VOC mitigation that has not been proposed; 6) there are apparent errors in the NO_x emissions basis for the MEGS project data provided in Table 8.1-33; and 7) amendments to the offset package for either project would invalidate this argument. Therefore, staff considers the current offset proposal for the MEGS project to be short by 11.1 tons of VOC ERCs, 14.6 tons of PM₁₀ ERCs, and 4.4 tons of SO₂ ERCs. Staff agrees that the applicant appears to hold more SO₂ credits than it needs to offset the WGS2 project, but those ERCs would need to be directly identified and used at the appropriate offset ratios to be considered part of the MEGS offset proposal.

27. Please provide the Certificate numbers for the ERCs, dedicated to the MEGS project, that will be used provide a minimum 1:1 offset ratio for the project's PM₁₀, VOC and SO₂ emissions.

**Modesto Irrigation District Electric Generating Station
Data Requests
(03-SPPE-01)**

Technical Area: Biological Resources

Author: Rick York

BACKGROUND

Spring 2003 botanical survey information is lacking for the proposed project site and along project-related linear facilities. On page 8.2-5, the application indicates that botanical surveys “would be conducted during the appropriate blooming season”. Commission staff needs this information to complete its Biological Resources analysis. Staff can help with the botanical survey if surveys are scheduled when staff is available.

DATA REQUESTS

28. Please provide spring 2003 botanical survey information for the proposed project site and any project-related linear facilities. Survey information should include: 1. the name(s) of the botanist(s) that completed the botanical survey(s) and their qualifications, 2. the botanical survey date(s), 3. a complete list of sensitive plants that are known from the project region and those plants observed during the field survey(s), 4. a map showing the project site, the location(s) of any sensitive plants known from the project region and the location(s) of any sensitive plants observed during field surveys, 5. a copy of each Natural Diversity Data Base (NDDDB) Field Survey Form(s) completed and filed with NDDDB if sensitive plants are found, and 6. a discussion of the whether future botanical surveys are necessary.

BACKGROUND

The SPPE application indicates on page 8.2-1 that the project is located in the area covered by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Commission staff needs additional information regarding the anticipated future events that may occur as part of the SJMSCP process and the schedule of these events.

DATA REQUESTS

29. Please provide all information regarding the anticipated SJMSCP approval process and schedule of events that are likely to occur for the proposed MEGS project. Anticipated SJMSCP events and schedule information needs to include all information provided by the San Joaquin County Council of Governments which administers the SJMSCP.

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(03-SPPE-01)**

Technical Area: Cultural Resources

Author: Dorothy Torres

BACKGROUND

The applicant sent letters describing the project to Native Americans on December 31, 2002.

DATA REQUEST

30. Please provide a copy of the letter and any attachments that were sent to Native Americans.
31. Please provide copies of any responses from Native Americans received in writing and summaries of any telephone calls.

BACKGROUND

Page 8.3-16 says that a records search included the Area of Potential Effects (APE) and areas within 0.5 mile of the APE.

DATA REQUEST

32. Please provide a definition of the APE for this project.
33. Please clarify whether a 0.5 mile circumference around the project area, including linears was considered to identify previously recorded cultural resources. On a map similar to Figure 1.4, please identify the area of the records search, the survey area, and add the location of any cultural resources identified in either the records search or the cultural resources surveys. Include the location of the former Murphy's Ferry.
34. Page 8.3-16 to 17, discusses sites identified outside the 0.5-mile radius. Please also add any cultural resources identified outside the 0.5-mile radius to the map requested in data request 3.

BACKGROUND

At times local historical or archaeological societies may have knowledge of cultural resources that have not been recorded.

DATA REQUEST

35. Please contact local historic and archaeological associations or societies and request information regarding any cultural resources in the vicinity of the project and provide copies or summaries of information obtained from these sources.

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BACKGROUND

New transmission line poles will be required for the proposed transmission line.

DATA REQUEST

36. Please add the proposed location of the poles to the map requested in Data Request #3.

BACKGROUND

Page 8.3-17 identifies a historic Government Land Office map for T2S/R8E, Sheet #44-113 (1852-1854) that shows a swamp, a slough and the Stanislaus River in the project vicinity.

DATA REQUEST

37. Please provide a copy of the historic Government Land Office map.

BACKGROUND

Page 8.3-11 references several articles or books including Theodoratus et al. (1980). There was no title included in the citation and this citation does not appear in the references.

DATA REQUEST

38. Please provide the title and publisher of the book or article written by Theodoratus et al. (1980).

BACKGROUND

Page 8.15-5 states that "Further paleontological assessment will be done in conjunction with pre-construction geotechnical surveys conducted to better define the subsurface geological features of the power plant site."

DATA REQUEST

39. Please have an archaeologist examine soils excavated as a result of geotechnical surveys or boring for evidence of human occupation. Provide a report that discusses the findings of the examination, and if necessary, provide recommendations for mitigation.

BACKGROUND

The discussion regarding the archaeological survey does not provide the boundaries of the survey at the project site. There is also no indication that a survey was conducted for the transmission route which will include seven new poles.

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DATA REQUEST

40. Please provide the boundary of the area surveyed at the project site. Include information regarding the number of feet surveyed outside the project boundary.
41. Please survey the transmission line route (100 feet from proposed center line and 100 feet circumference around proposed pole locations) and provide the results.

BACKGROUND

A copy of a DPR 523 and associated forms was provided for a house at 920 Palm Avenue. The evaluation asserted that the residence constructed in 1919 during agricultural growth was not eligible for inclusion to the National Register under Criteria B because it does not appear to be associated with any individuals who made significant contributions to local, state, or national history.

DATA REQUEST

42. Please provide a discussion of the research methods and information used to reach the conclusion that the residence was not associated with any individuals who made significant contributions to local, state, or national history.
43. Please do not use state forms without reproducing them exactly. Please add form numbers to the bottom of all DPR pages and provide copies.

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(03-SPPE-01)**

Technical Area: Geology and Paleontology

Author: Patrick A. Pilling, Ph.D., P.E.

BACKGROUND

A site-specific geotechnical report is referenced in Section 8.14.3.5 of the SPPE Application that contains seismic information, liquefaction analyses, and a discussion of the expansion and corrosion potential of the site soils.

DATA REQUEST

44. Please provide a copy of the site-specific geotechnical report that includes seismic information.

BACKGROUND

A reference is made to a publication or report by Kleinfelder (2003) in Section 8.14.4.2 of the SPPE Application; however, this reference is not listed in Section 8.14.16 - References.

DATA REQUEST

45. Please provide a complete reference citation for Kleinfelder (2003).

BACKGROUND

The SPPE Application does not adequately address geologic hazards related to seismic ground shaking, ground rupture, subsidence, tsunamis and seiches, dynamic compaction (seismically and machine vibration induced), hydrocompaction, and expansive soils.

DATA REQUEST

46. Please provide a comprehensive discussion of geologic hazards, specifically including those listed above.

BACKGROUND

Figure 8.14-2 of the SPPE Application shows faults in the vicinity of the MEGS; however, the Holocene (active) Central Valley/Coast Ranges Thrust Fault System is not shown.

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DATA REQUEST

47. Please provide the distance to the Central Valley/Coast Ranges Thrust Fault System and show the location on a revised Figure 8.14-2.

Note: There are no data requests for paleontological resources or surface water hydrology at this time.

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(03-SPPE-01)**

Technical Area: Hazardous Materials Management

Author: Geoff Lesh and Rick Tyler

BACKGROUND

The SPPE includes the proposed onsite above-ground storage of 10,000 gallons of 30% aqueous ammonia. The SPPE states that there will be no significant increase in risk to the public or the environment, although no modeling results are provided in support of this position.

DATA REQUEST

48. Please provide off-site consequence modeling results for a worst-case and an alternative-case loss-of-containment incident for aqueous ammonia. These should include exposure assessment for the worst-case upset condition that shows expected maximum downwind distance to LD50, IDLH, AND ERPG2 points under F-class stability conditions. Results should include details of the planned mitigations (e.g., secondary containment catchment basin, double-walled tank, etc.) for the storage tank, ammonia delivery-truck unloading pad, and the ammonia-transfer pumping package that are assumed in the modeling.

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Technical Area: Land Use

Author: David Flores

BACKGROUND

The SPPE (Sec. 8.4.2.1) indicates that the 12-acre project site has not been farmed within the last five years. The Phase 1 Site Assessment dated December 3, 2002 indicated that approximately three acres of the project site had produced a crop of beans. Given the inconsistencies between the documents, staff is requesting clarification as to the prior agricultural use of the site. This clarification will enable staff to make a CEQA assessment of the agricultural resource significance, if any, of the site.

DATA REQUEST

49. Please provide the following information regarding the site's agricultural history :
- a) A timeline showing when the 12-acre parcel was in agricultural use.
 - b) A summary of the types of crops grown on the site.
 - c) Detail on which of the four parcels were used for agricultural crops.

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Technical Area: Noise

Author: Steve Baker

BACKGROUND

In order to evaluate the significance of project noise impacts on nearby residences, staff must understand how many residences are within range of the project's noise, and the zoning of the land on which those residences are located.

DATA REQUEST

50. Residences have been roughly identified, in Figure 8.5-1 of the Application, at locations A and R. Please describe the number of residences and other sensitive noise receptors (hospitals, elder care facilities, schools, libraries, places of worship) near these locations.

51. Please describe the zoning of the land on which the residences and other receptors identified above are located.

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Technical Area: Public Health

Author: Ramesh Sundareswaran

BACKGROUND:

The SPPE application does not identify whether diesel fire pumps would be used. If diesel fire pumps are proposed, the diesel emissions from testing the engines need to be included in the Health Risk Assessment (HRA).

DATA REQUEST:

52. Revise the HRA cancer risk factor accordingly in the event diesel pumps are intended for use.

BACKGROUND:

The proposed project is located in an industrial area. Adjacent neighbors include a cogeneration plant, a food refrigeration plant and a paper mill. With multiple sources emitting toxic air contaminants, the resulting cumulative effects could potentially lead to health impacts. The cumulative impacts are currently unknown.

DATA REQUEST:

53. Please conduct and report a cumulative health risk impacts analysis by using factors such as magnitude of emissions and area of maximum impact from toxic hot spots reports of the adjacent facilities if available.

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Technical Area: Socioeconomics

Author: Amanda Stennick

BACKGROUND

To determine the potential impacts of the proposed project on the local school districts' enrollments, please provide the following.

DATA REQUEST

54. Please provide data on the Ripon school district enrollments and capacities for the 2003-04 school year, or the most current school year available.

BACKGROUND

To determine the potential impacts of the proposed project on the availability of local construction trades, please provide the following.

DATA REQUEST

55. Please provide data on the numbers of available construction trades for San Joaquin and Stanislaus Counties.

BACKGROUND

To better understand the economic benefits of the project, please provide the following.

DATA REQUEST

56. Please estimate the secondary (indirect and induced) income and employment economic impacts for construction and operation of the project; show the income and employment multipliers (e.g. Type I, Type II or Type III) and how they are calculated; delineate and explain the rationale for the region used in the economic impact estimates.

**Modesto Irrigation District Electric Generating Station
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Technical Area: Soil and Water Resources

Author: Mike Krolak

BACKGROUND

Page 2-7, under Section 2.6.1, Process Wastewater, states that “Oily-water waste from the equipment areas will be processed in a CPI-type oil/water separator with the treated water discharged to the City of Ripon’s sanitary wastewater system.”

DATA REQUEST

57. Would oily-water waste from the parking areas be routed to the oil/water separator? If not, please describe where those flows would be routed.

BACKGROUND

The MEGS application states that the City of Ripon is currently constructing a stormwater discharge pipeline, sewer discharge, potable water, and non-potable water pipelines along South Stockton Avenue. The non-potable supply is fed from “municipal water wells that no longer meet drinking water standards.” This supply comes from shallower groundwater wells in the area; the potable supply comes from a deeper aquifer.

DATA REQUESTS

58. When will these upgrades be complete? Please provide anticipated startup dates for these facilities. If construction will not be completed prior to operation of the MEGS, please discuss interim supply and discharge measures.
59. What drinking water standards does the non-potable supply exceed? Please list the constituent(s), the allowable drinking water level, and then level of that constituent(s) in the non-potable water supply.
60. Please describe in more detail, the groundwater aquifers in use by the City. Please provide the depths at which the non-potable supply is extracted, and the depths at which the potable supply is extracted. Please also provide the locations of the aquifers relative to the project site. Please provide water quality information for both water supplies.
61. Please provide the capacity of the City’s non-potable water supply, and the amount of non-potable water that is currently delivered by the City.
62. Please provide a copy of the Industrial Wastewater Discharge Permit that is required to discharge waste to the City’s systems. Please also provide the discharge requirements and standards for discharge to the City’s stormwater and industrial treatment systems.

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BACKGROUND

The MEGS project proposes to discharge site stormwater to the City of Ripon stormwater sewer that is currently under construction. Page 8.13-5 notes this fact, then goes on to state that “the stormwater drain for this area will empty into the industrial sewage lines.” The stormwater system is considered to be adequate for “severe storms.”

DATA REQUESTS

63. Please provide clarification on stormwater discharges. Would stormwater at the site in effect be discharged into the industrial treatment system, the same system that would receive the project’s process waste?
64. What is the capacity of the City’s stormwater system? Please also provide the amount of that capacity that is used in both an average year/month and a peak year/month.
65. What is the capacity of the City’s industrial treatment system? Please also provide the amount of that capacity that is used in both an average year/month and a peak year/month.

BACKGROUND

Construction and operation of the MEGS project may induce water and wind erosion at the power plant site and along the associated linear facilities. Stormwater runoff may also contribute to erosion and sedimentation as well as transport pollutants off-site. To avoid these impacts, a plan must be developed to minimize the area disturbed, to protect disturbed and sensitive areas, to retain sediment on-site, and to minimize off-site effects of stormwater runoff.

DATA REQUEST

66. Please provide a draft erosion control and stormwater management plan that identifies all measures that would be implemented at various locations of the project during construction and operation of the proposed MEGS project. The draft erosion control plan shall identify all permanent and temporary measures in written form and depicted on construction drawing(s) of appropriate scale. The elements of the plan shall include any revegetation efforts and specific best management measures to be employed to control stormwater runoff during construction and operation at identified locations. This plan should also include measures to address spill prevention countermeasures and controls. Revegetation efforts should address both erosion control and habitat restoration. The plan should also identify maintenance and monitoring efforts for all erosion and revegetation measures, including measures to rectify unsuccessful revegetation efforts.

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67. Please provide cut and fill volumes expected during construction of the MEGS project.

BACKGROUND

The Waste Management Section of the SPPE notes that DDT has historically been used on orchard crops in the County, possibly including the proposed project site. However, no sampling has been completed and the Phase I Environmental Assessment (EA) did not recommend further investigation in the form of a Phase II EA. The Applicant states that the standard Waste Management condition requires a geologist or registered professional engineer to identify contamination via sight and smell. However, DDT is an odorless chemical and may be extremely difficult to identify visually because DDT residues lack distinct visual characteristics.

DDT is a persistent compound that can pose a serious threat to water quality and related biological habitat. As it binds strongly to soil and uses soil detachment as a primary pathway into ecological systems, Staff believes that it is important to determine whether it is present in the soils at the site. Therefore, Staff recommends that a sampling plan be submitted that would determine the magnitude and extent of DDT soil and groundwater contamination at the site, if any. Staff would require analytical results of such testing prior to issuing a the Draft Initial Study.

DATA REQUEST

68. Please submit a sampling plan that would adequately determine the extent and magnitude of any potential DDT contamination of on-site soils and shallow groundwater. Staff recommends that this plan include discrete soil sampling at depths of one-, two-, and three-foot depths over a minimum of three locations on the proposed project site. Include a discussion of quality assurances and controls. This sampling plan and the results will make it possible for Staff to determine any potential impacts and, if necessary, mitigation to avoid such impacts.

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Technical Area: Traffic and Transportation

Author: James Adams

BACKGROUND

There is a potential for visibility impairment due to vapor plumes produced by the project reaching ground level on adjacent roadways. This may affect traffic safety on the local roadways in the vicinity of the project site.

DATA REQUEST

69. Please provide an analysis of the traffic safety impacts resulting from the expected plumes from the project on adjacent roadways.

BACKGROUND

The pipeline construction activities and associated lane closures will impact local traffic flow during construction.

DATA REQUEST

70. Please identify the mitigation measures such as signage, detours, and flagman if required, etc. that will be taken to minimize the impact of construction.
71. Please identify the impact that pipeline construction may have on local business and on street parking and mitigation measures planned to minimize the impact.

BACKGROUND

During construction of the project, truck deliveries of material and equipment will be required. The SPPE indicates that during the sixth month these deliveries will peak at 10 deliveries per day.

DATA REQUEST

72. Please indicate the timing of the deliveries during the day and the current truck to car ratio for the truck routes.

BACKGROUND

The SPPE does not discuss the location of schools and school bus routes near the proposed project. In recent projects, the potential impact of construction traffic on school children being picked up or dropped off on local roads near a proposed power plant has caused concern in the community.

DATA REQUEST

73. Please provide a list of schools, school bus routes, and stops in the area around the proposed project. In particular, this should include schools on Second Street

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and South Stockton Avenue, and other roads that would be utilized by construction workers.

BACKGROUND

The Federal Aviation Administration has standards for determining obstructions in navigable airspace and sets forth requirements for notification to the FAA of proposed construction. Notification is also required if the structure or obstruction is more than a specified height and falls within any restricted airspace in the approach to airports. The SPPE does not discuss the presence of airports in the local area.

DATA REQUEST

74. Please identify any airports within five miles of the project site.

BACKGROUND

Construction traffic can increase congestion and inhibit the access of emergency vehicles to and near the project site. The SPPE does not discuss potential impacts on emergency access.

DATA REQUEST

75. Please discuss the potential impact of project construction traffic on existing emergency services.

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Technical Area: Transmission System Engineering

Author: Laiping Ng

BACKGROUND

Staff needs a complete Interconnection Study Report to analyze the system reliability impacts due to interconnection of the project, and to identify the interconnection facilities including downstream facilities necessary to support interconnection of the project. Project interconnection must comply with North American Electric Reliability Council (NERC) Planning Standards and Western Electricity Coordinating Council (WECC) Reliability Criteria. The MID Electric Generation Station (MEGS) System Impact Study did not include important assumptions, a contingency list and the power flow diagrams need to be provided in MW/% loading.

DATA REQUEST

Please provide the following information.

76. Since the MID 69 kV interconnected system is parallel to the bulk 230 kV and 500 kV surrounding systems, it is important to assess the impacts under normal and outage conditions within the MID and in the surrounding bulk power network. The MEGS project is expected to be on line by the first quarter of 2005, staff needs more complete information in order to assess the transmission impacts.
77. Please verify if the studies were done for the 2005 or 2006 study assumptions and verify if the studies were heavy summer. If an off peak case was not studied, provide the rationale for not doing so.
78. Please verify that the assumptions used in the cases were coordinated with the neighboring transmission owners such as, but not limited to, Western and TID.
79. There is no information about the major assumptions made in the 2005 or 2006 cases. Please provide the major assumptions made in 2005 and 2006 cases including the proposed queue generation that is operational and new transmission upgrade projects, the imports to the study area, other major flows, and loading in study area before the online date of the new MEGS project. Please note that all generation anticipated to be online by 2005 and all transmission line upgrades or new facilities must be incorporated in the cases. Please provide an electronic copy (*.sav) of the 2005 and 2006 base cases and contingency file for GE PSLF program.
80. Please provide a list of the contingencies analyzed, the pre project loading, post project loading and the mitigation measures selected for the criteria violations.
81. The MID Woodland and MEGS projects are not modeled at their respective buses and the MEGS project is modeled at 90 MW. Please provide power flow

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diagrams (in MW/% loading) with the projects shown at their respective buses and redo the study at their full output.

82. Please clarify the information provided in Appendix 5-1. List the full bus name(s) rather than shortened version name.

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Technical Area: Visual Resources

Author: Kenneth Peterson

BACKGROUND

Section 8.11.3.6, "Key Observation Points", p. 8.11-11, states that the residents near the Vera Avenue/Sixth Street intersection (KOP 1) can see the project site when they are in their front yards facing east, but concludes that this visual impact is not significant. Additionally, Section 8.11.4.2, "Discussion of Impacts", p. 8.11-13, states that the parcels to the west of the project site between the project site and KOP 1 are planned for industrial and residential development, but at this time formal applications for the development of these parcels have not been submitted to the City. Staff considers any project-induced visual impact extending beyond five years after completion of project construction to be a long-term visual impact.

DATA REQUEST

83. Please submit a conceptual landscape plan that would mitigate the potentially significant visual impact at KOP 1 within 5 years of completion of project construction. For example, the plan may utilize a row of trees along the western edge of the parcel zoned for industrial use to the west of the project site. The landscape plan should describe the type and number of plants to be installed and their sizes at the time of planting. The plan should also describe the growth rate and times to maturity of the plant species selected, as well as their height at 5 years and at maturity. Please also provide an electronic file copy of the landscape plan.
84. Please provide two additional visual simulations of the project landscaping as viewed from KOP 1. One simulation should show the landscaping at five years of growth. A second simulation should show the landscaping at maturity if greater than five years. Please provide high quality 11" x 17" color photocopies of the visual simulations. The images need to be presented at "life-size" scale, when held at a standard reading/viewing distance of 18 inches. Please also provide high resolution electronic copies of these images.

BACKGROUND

Section 8.11.4.2, "Discussion of Impacts", p. 8.11-13 states that the project will include 60-foot-high subtransmission line poles, whereas Figure 5-1 indicates the size of these poles as 65 feet.

DATA REQUEST

85. Please provide the correct size of the subtransmission line poles.

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BACKGROUND

Figures 2.3a and 2.3b, "Plant Elevations", do not denote the dimensions of the plant facilities.

DATA REQUEST

86. Please submit amended versions of Figures 2.3a and 2.3b showing the dimensions of the plant facilities.

BACKGROUND

Two key observation points (KOPs) were established in order to evaluate both the existing visual setting and the potential for project-induced visual impacts. Existing setting photographs were obtained at each KOP and presented along with visual simulations of the proposed project. However, the images presented (setting photographs as well as simulations) are substantially less than life-size scale when viewed at a standard reading/viewing distance of 18 inches. The presentation of images at such a reduced scale does not accurately represent the views that would be experienced at the KOPs and other points of interest because the images substantially understate the prominence of visible landscape features as well as potential visual impacts.

DATA REQUEST

87. Please re-scale the setting and simulation images for KOPs 1 and 2 to achieve life-size scale, when viewed at a standard reading/viewing distance of 18 inches. If re-scaling results in substantial degradation of the image, please provide new setting and simulation images at life-size scale. After obtaining appropriately scaled images, please provide photocopies of high quality "11x17" color images of the existing views and simulations. Please also provide high resolution electronic copies of these images.

BACKGROUND

Section 8.11.4.2, "Discussion of Impacts", p. 8.11-14 discusses lighting control measures for project operation but does not describe the extent to which lighting would be visible from the KOPs nor is lighting during project construction discussed.

DATA REQUEST

88. Please describe existing visible night lighting at the project site and in the immediate project vicinity.
89. Please describe the extent to which nighttime lighting during project operation would be visible from each KOP.

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90. Please describe night lighting to be used during project construction and lighting control measures to be employed.

BACKGROUND

Section 8.11.4.3 *Cumulative Impacts* (p. 8.11-14) states that the proposed project "...would not result in a significant contribution to cumulative impacts on the landscape character of the Project vicinity." But this section does not adequately identify projects that are either under construction or approved for construction that would potentially be visible in the same field of view as the proposed project.

DATA REQUEST

91. Please provide a list of all projects either under construction or approved for construction that would potentially be visible in the same field of view as the proposed project. Also, please provide a map that shows the location of these projects

BACKGROUND

Staff would like to review the applicant's proposed color(s) for the project to allow selection of color(s) during the Commission's SPPE review process.

DATA REQUEST

92. Please specify the color(s) proposed for all project facilities, using Pantone color designations (letter and number)..

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Technical Area: Waste Management

Author: Ramesh Sundareswaran

BACKGROUND:

The Phase 1 Environmental Site Assessment (ESA) dated December 3, 2002 for the proposed site recognizes and recommends sampling and testing of site soils for pesticides prior to any site disturbance. This is based on the historical use of the site as an orchard and the high probability of sustained pesticide use at the site. DDT has been identified as a highly likely insecticide that was applied at the site.

MID's counter proposal to address this concern is that incorporation of the standard condition of exemption mandating the presence of a registered geologist or engineer with hazardous waste experience to evaluate contaminated soils during any excavation or earthmoving would suffice.

It's CEC's position that an effective delineation of the extent of the horizontal and vertical suspected pesticide contamination at the proposed site prior to any earthmoving activities is warranted. MID's proposal is unacceptable given that:

- a. The site's use as an orchard is extensive, from as early as the 1940's up to the 1980's.
- b. DDT is reportedly non-volatile, odorless and colorless and was banned in 1972.
- c. Other pesticides, in addition to DDT, are potentially ubiquitous in the site's soils. Pesticides typically include insecticides, fungicides, herbicides, acaricides, nematocides and rodenticides.
- d. Most pesticide wastes are complex mixtures of chemicals and not pure pesticides.
- e. Any soil disturbance, as a minimum, could potentially lead to soil ingestion, contact of soil with exposed skin and inhalation of dust resulting in health risks to construction workers, future site users and the public.
- f. There will be a need for various site activities such as land surveying and possible relocation of burrowing owls prior to site disturbance; thereby leading to exposure to potentially contaminated soil.
- g. CEC's standard condition requiring a registered geologist or engineer is generally intended for instances where unexpected contaminated soil could be encountered or where contamination is minimal and localized and the contamination can be detected through odor, visual means or field instruments.

DATA REQUEST

93. Please provide a protocol for sampling and analysis of pesticides which may remain in site soils and a proposed schedule for such testing. The protocol is subject to approval of CEC staff and the Department of Toxic Substances Control prior to testing.