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Department of Toxic Substances Control

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Edmund G. Brown Jr.
Governor

June 3, 2011

Mr. Ian Fisher, Environmental Project Manager
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE SOUTHERN CALIFORNIA EDISON'S LOCKHART SUBSTATION PROJECT, (SCH#2011051041), SAN BERNARDINO COUNTY

Dear Mr. Fisher:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Initial Study (IS) and a draft Mitigated Negative Declaration (MND) for the above-mentioned project. The following project description is stated in your document: "Southern California Edison (SCE), in its California Public Commission (CPUC) application (A.11-05-006), filed on May 5, 2011, request a Permit to Construct (PTC) a new 220 kilovolt (kV) substation (Lockhart Substation) and associated transmission lines, generation-tie lines (gen-tie) distribution facilities, and fiber optic telecommunications links to various substations in San Bernardino County. The Lockhart Substation Project (herein called the Project) would allow the Abengoa Mojave Solar Project (AMSP) proposed by Mojave Solar, LLC (Mojave Solar) to connect and deliver solar generation to the power grid. The proposed Lockhart Substation and interconnection to the adjacent SCE power lines would be located on the 1,765-acre AMSP site (near Harper Lake) and the land adjacent and south, where it connects to the existing east-west power lines. Portions of the fiber optic routes pass through the cities of Adelanto, Victorville and Barstow and cross Bureau of Land Management (BLM)-administered lands. New right-of way would be required to construct, operate or maintain the Project. Portions of the Project would be located within or adjacent to land designated as open space, agriculture, or rural residential. The Lockhart Substation site was previously used for agricultural operations and cattle ranching. The existing land uses along the Lockhart to Kramer Substation fiber-optic line include mostly open space with limited agriculture and scattered rural residential uses".

Based on the review of the submitted document DTSC has the following comments:

- 1) The MND should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

- 2) The MND should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please note that soil contamination has been found on the Abengoa Mojave Solar Project (AMSP) site. DTSC recommends that the project proponent coordinate with AMSP officials regarding soil contamination.

- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the MND.
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous

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materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

- 9) DTSC can provide cleanup oversight through a Voluntary Cleanup Agreement (VCA). For additional information on the VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,



Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
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