CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

PUBLIC SCOPING MEETING

FOR THE PG&E TOPOCK COMPRESSOR STATION

NOTICE OF PREPARATION

FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

Thursday, June 5, 20008
5:00-7:00 p.m.

Big River Development Enterprises
150313 Rio Vista Drive
Big River, CA 92242

Transcribed by
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On Behalf of
EDAW

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INDEX **PAGE**

P R O C E E D I N G S

MS. MATSUMOTO: Welcome. Thank you for being here and thank you to the (inaudible) for letting us use this room. That's very nice. Thank you. My name is Jeanne Matsumoto and I'm a Public Participation Specialist with the State of California Department of Toxic Substances Control. The Department of Toxic Substances Control is a department under the California Environmental Protection Agency and it is the lead regulatory agency for the environmental investigation and clean-up of the Topock Compressor Station. Today, we will be taking comments and if you don't feel like making a verbal comment, we understand. We have forms outside. I, myself, usually don't stand up in a meeting and speak unless they make me. So, I understand. You're welcome to leave a written comment or submit a written comment to the contact information that will be at the end of this presentation. We won't be responding to comments today. What we'd like to do is take the comment, officially close the comment portion of the meeting and then be here for any questions you may have. We'll stay as long as you like. The purpose of this meeting is to gather input for the Environmental Impact Report. So, it is our intention to gather

input from agencies, tribal governments and representatives and members, stakeholders, and the public. We're looking for information about environmental issues to be analyzed and possible solutions or remedies, mitigation measures. If this had been a large crowd, I would have passed out cards and then had you fill them out with your name and then we could call them, but since this is a nice, small, intimate group, we won't do the paper. Instead, if you have a comment, please stand and give your name for conversational purposes. Your name won't be recorded or be part of the administrative record. We are recording today. We have two ways of recording. One is a small digital recorder and the other is written. We will be writing down your comments as you make then, a graphic recording. You should all have a copy of the agenda. You should also have a copy of this slide presentation, and there is a green meeting evaluation form, that's for me. If you can think of some way to improve the meeting or if you think the meeting was fabulous and you want to let us know, then fill the green form out and leave it on the table. There are also copies of fact sheets. We'll start the agenda with introductions, then a project background. We'll have an explanation of the EIR process,

comments, we'll close the comments and then we'll be here as long as you'd like for questions and answers. The DTSC Project Team includes the four people listed up there. There's Watson, Karen, Aaron, and myself. The office of planning and environmental analysis includes Kathie and Bill, who are not here, but Susan is here in the back row. And EDAW, EDAW is an independent contractor that's tasked with developing the EIR or helping to prepare it. We have Bobbette, Nancy, back there hiding, Leaha, Stev, Jamie, and Leslie's around the corner. And at this time, I'd like to turn the meeting over to Aaron who will talk about the project.

MR. YUE: Thank you, Jeanne. I'm just going to stand on this side so I won't cross the projector, not too many of you don't know, but my name is Aaron Yue. I am the Project Manager for this particular project. I would like to thank all of you for being here. I respect the time this evening to be here. What I'm going to do for my portion of the presentation is just to give you a quick overview of what's been happening at the site and the site project background and a little overview of what the investigation's been like and also the clean-up process. So, let's start with project background. PG&E, Pacific Gas and Electric

Company’s Topock Compressor Station is located about 15 miles southeast of Needles, California. The site is considered and has cultural and spiritual significance to the Native people, that's why you guys are actually here. The station is also surrounded by federal land that are wither owned by the Bureau of Land Management or owned by the Bureau of Reclamation and managed by the Havasu National Wildlife Refuge. And this is a diagram or a map of where the Compressor Station is. It’s right about here, Topock is right there, of course Needles. It’s kind of hard to see exactly what the site is like but we do have an aerial photo for people to take a look at and understand where the Compressor Station is in relation to the river and the bridge and the freeway. Operational history, PG&E has owned and operated the Topock Compressor Station since 1951 and as part of their normal operation, all that they do at the Compressor Station is to compresses the natural gas that's coming in from the Southwest states and push it to their clients or users in Northern California and Central California. The natural gas that they compress is the gas that you use at home for heating, for cooking. It’s not a special gas. This is an older aerial photo of the PG&E Compressor Station. Again, the gas

essentially comes in this direction, goes through the compressor engines and pressure is added to the lines and it gets moved along to Northern California and Central California. These are the two cooling towers, basically, that PG&E had operated. We'll discuss a little bit about cooling towers. This is a picture of the newer and replaced cooling towers. And what had happened in the past is PG&E used hexavalent chromium as an anticorrosive agent, anti-saline agent between 1951 and 1985. If you can imagine the situation, it's almost like car engine where as you compress gas, the pipeline gets heated up and in order for it to be safely transmitted and also to protect the equipment, the pipeline and gas needs to be cool. And that's what the cooling towers actually do. It actually cools down the gas lines. So, Cr6, what happened? Why did it get in the groundwater? Between 1951 and approximately 1965, PG&E had discharged the spent cooling water directly into a dry wash called the Bat Cave Wash, which is right next to the Compressor Station, and as part of that discharged, eventually the water seeped through the ground and got into the groundwater. So, currently there is a hexavalent chromium plume that is extending from the Compressor Station towards the Colorado River. And here is a

diagram of what the plume boundary looks like, the plume as we know it. This is the Bat Cave Wash that discharged, here's the Compressor Station. The water is discharged into this wash and this is the full wash. And here is the location of the hexavalent chromium plume. This is really a vertical projection of the plume, and what I mean by that is that the plume isn't uniform all the way from the top to the bottom. What we've learned from having the wells and monitoring the site is that on the upper portion of the plume floodplain area, which is the sandy portion of the plume, there is no detectable hexavalent chromium, it's all non-detectable. But then, there is a lower portion of the plume that extends under the Colorado River. So, on this particular diagram, it seems like the plume is actually in the river. What we've found clearly is that the plume is about 80 feet from bottom of the river itself. So, at this point we've evaluated the situation in the river and the hexavalent chromium has not impacted the river. Okay. So, what's been happening in the clean-up process itself? Under the Department of Toxic Substances Control, we are the lead agency to investigate and clean up the groundwater plume at the Topock site. And we can breakdown the investigation of the clean-up

process into three major steps. First step is, how bad is the site, what is happening there. The second step is how should we clean up the problem. And then, obviously, the third step is to clean-up. Under the Department of Toxic Substances Control, we are investigating cleaning up the PG&E site under the Resource Conservation and Recovery Act. As part of that, each one of those steps are captured in a major document. For step one, how bad is it, all of that information is captured under the RCRA facility investigation report. The second step, how we should it up, that's evaluated in an upcoming document called the Corrective Measure Study Report or, under (inaudible), they call it Feasibility Study. And then finally, the third step is obviously clean it up or implementation. So, let's go over what we've found up to now. The investigation for soil and groundwater really they're designed to determine the type and the extent of contamination of the site. And at this particular juncture, because the close proximity of the plume to the river, the Department has places most of our focus on the groundwater itself, in order to protect the river and also the groundwater resources. Up to know, since 1996, when PG&E had actually signed a consent agreement, PG&E had installed and monitored

over 150 groundwater monitoring wells and those are wells were installed at multiple depths at the site, the shallow, mid-zone, as well as the deep-zone, so that we can get a good three dimensional picture of what the plume is like. So far, as I've mentioned, we have a pretty good understanding of the plume. And also, the Colorado River itself is also sampled and monitored at nine different locations. I know there are some concerns about (inaudible) other locations and we will address that in some time. So, that have we found? The groundwater investigation is almost complete. I think we have installed enough wells to know what the plume is doing out there. We know the extent of the Cr6 contamination and what did find also was that the river water has not been impacted. In 2004 though, as you may have seen at the site, there is a treatment plant out at the site. The treatment plant was put in 2004 when PG&E installed a new well and they've detected hexavalent chromium approximately 60 or 70 feet away from the edge river. The Department, at that time, required PG&E to immediately begin extracting some of the contaminations to protect the river itself. As a result, PG&E had installed a treatment system and they've been extracting the contaminated ground water and the contaminated

groundwater is treated in the treatment plan and clean water, which actually meets and/or exceeds the current groundwater condition, is re-injected back into the ground. About 95 percent of the water is re-injected, so we're not losing a whole lot of water, a natural resource of the area. Up to now, since 2004, PG&E has extracted approximately 200 million gallons of contaminated groundwater and recovered over 4,700 pounds of chromium. So, up to now, I've talked a lot about the groundwater, but what about soils. We know that PG&E had operated sites (inaudible). PG&E had actively identified 29 areas that they need to investigate for potential surface or subsurface contamination due to the (inaudible). And PG&E has actually submitted a couple of work plans to do those investigations. Those work plans are currently being evaluated and pending approval by the agencies. Going back to the groundwater, the final groundwater and soil clean-up technologies will be evaluated, as I mentioned earlier, in the Corrective Measure Study Report and the technology itself will be evaluated (inaudible). At the same time, the impact from those technologies will also be evaluated under the Environmental Impact Report, which is why we're here. We want to get some of feedback from you guys about

what should go into the Environmental Impact Report. Finally, the third step is once we have completed our investigation, once we've evaluated technology, the Department will choose a final remedy for both the soil and groundwater. But we will chose that remedy only after we've gong through a public input process which is hearing, considering all the comments received during that time. After the remedy is selected, then the Department will (inaudible) that remedy. So that, in a nutshell, is what the clean-up process moving forward is like and what has been done at the site up to now. At this particular point, I'm going to turn the presentation over Bobbette. She's going to talk a little bit about the CEQA process.

MS. BIDDULPH: Thank you, Aaron. Thank you all for coming. Before I get into the presentation very deeply, one of the things that I'd like to emphasize today is that although PG&E and DTSC have been looking at the site and the contamination for quite sometime, we're really just at the beginning of the environmental review process under the California Environmental Quality Act. So, this is really the first of many opportunities to provide input to that process and to ask questions as we move forward and get into more detail in our analysis. But we're really just

beginning. Now, an Environmental Impact Report, or also referred to as an EIR, is required for the clean-up project of both the groundwater and the soils contamination. And that's because as a state agency, DTSC is required to prepare such a document under the California Environmental Quality Act for any project that might have a potential to significantly affect the environment, that is significantly change any of the environmental resources in the area. The EIR, as Aaron talked about, both the groundwater and soils issues at the property, the EIR will address both of those items, the clean-up of the groundwater contamination, as well as the cleanup of the soils at the site. And also Aaron mentioned, basically the Environmental Impact Report will be an analysis of the alternative approaches to that clean-up, which are going to be described in the Corrective Measures Study, also known as a Feasibility Study. Now, there's been a lot more focus on the groundwater issues because clearly there's more an immediacy to the groundwater contamination. So, DTSC and PG&E are going to know a lot more about how to address the groundwater contamination. So, the environmental analysis is going to look at those approaches in a very detailed manner in the EIR. For the soils

contamination, we might not know quite as much at the time that the EIR is published. We're going to do our best and because we might take a broader approach to the clean-up of the soils contamination, this environmental analysis in that regard is known as a Program EIR, and what that means is that there's a broader approach taken and that further analysis might be necessary to actually do the specific clean-up for the soils and what will happen is future environmental analysis for that soils clean-up will tier off of this Environmental Impact Report that we're preparing, but that's just for the soils contamination. For the groundwater contamination, we're expecting to have all of the details necessary. This is just really laundry listing of some broad environmental topics that will be addressed in the Environmental Impact Report. This is what we call a Full Scope Environmental Impact Report, that means that we're planning on addressing every environmental topic that we can think of and that might be potentially be affected by the clean-up activities. What we're interested in hearing today is whether we've missed anything in this laundry list or whether there are specific questions or specific issues under come of these categories. As well, the state law, CEQA, requires that several other items be

addressed in the EIR. The first on this listing is alternatives to the project, and that's basically different approaches that might be taken that might avoid significant impacts to the environment that might actually reduce potential impacts to the environment. So, in this case, there could be several, and will be several, different clean-up options that are going to be evaluated and compared in the EIR and that's one of the things that we're interested in getting some feedback on. I know we've gotten some good feedback at some of the other meetings about have you thought of this approach to cleaning up that groundwater and getting that input really helps us make sure, and DTSC and PG&E, that we thought about all the possible alternatives to cleaning up this groundwater plume. And then, in the environmental document, we'll look at the pros and cons and weigh those different alternatives and which ones might cause fewer environmental issues, which ones cause the most, are there other feasibility issues associated with those alternatives. As well, the document will summarize and look at impacts that we have found to not be of issue or to not be significant, but it's just not going to be a dismissal of impacts. Anytime we make that conclusion, we will

backup that conclusion and provide the analysis that shows why we've come to that conclusion. If there are any significant and unavoidable adverse affects, that means that in order to clean-up the groundwater or the soils, we need to do some things that we just can't think of a way to mitigate or to avoid that environmental impact, we will disclose that and talk about that in this analysis. As well, what's very similar is significant irreversible changes, where if you were to implement the project, something that would change that we can't remedy. Another requirement in the state law is growth-inducing affects, that's usually thought of when we have development projects. I'm guessing that it probably won't be an issue for this particular project but we will think about that. We haven't yet done the analysis so we will think about whether or not this project would cause growth in either housing or population. And the final one, which is a really important on is what's known as a cumulative impact. And what a cumulative impact is, is thinking about other projects that either have occurred or are going to occur potentially at the same time as the proposed clean-up and thinking of those projects in combination with the proposed clean-up activities and thinking

about whether or not if you combine the affects of all of those multiple project whether or not you might have an impact that you wouldn’t have had if you were just thinking about your project in isolation. Now, as I mentioned, we’re kind of at the beginning of this process. We’re scoping, trying to get input on all of the issues and the level of detail that we need to think about in our analysis. And we’re clearly going to be using a lot of sources to conduct that analysis and to think about those potential affects. Obviously we’re going to use published information and reports to the extent that we can. PG&E and DTSC have done quite a bit out of the site, not only for the hazardous materials and monitoring of the groundwater, but there is also sustained information on biological resources and some on cultural resources. We’re going to be looking throughout the process for input from agencies that govern some of those different resources. And we also, throughout the analysis process, are going to be looking to get input from tribal members and to really gather information about the resources that are and could be affected by these clean-up activities. In addition, I think it probably goes without saying, but where those other materials don't do it all, we’ll also be doing additional site

specific analysis and research. For instance, there might be a need to do some additional biological survey work to make sure we have all the information. Now, this chart is a very simplified chart of where we are in the process and this column with the orange squares here showing where we're going to publishing fact sheets. There's one out at the table. The blue diamonds in that row, that shows where we're going to have public meetings, and the bottom row is when we're going to be positing additional information in several of our information repositories, which Jeanne's going to talk about a little later one. But I just mostly wanted to point out that we're kind of at the beginning of the process in terms of getting input. We'll be doing that analysis, gathering input from the tribes as we're analyzing the potential for impacts. And then, in the Winter of 2010, we're anticipating to be complete with a draft environmental analysis, the draft Environmental Impact Report. And at that time, we'll have another opportunity for public meetings. As well, comments can be made on that draft document. It's not a final document. Comments can be made on the adequacy, whether there are questions about the analysis that we've prepared and there'd be a 60 day comment period of that draft document. Once we get

those comments in on that draft document, then our job will be to prepare the final document. The final document includes not only copies of the written comments that we've received, but we're required to also respond to those comments in writing and if there are potential changes or refinements to the draft analysis, then we would also make those in this final document and that's known as the Final Environmental Impact Report. So, there will also be a public process when that final document is prepared. Now, this is kind of a repeat, but I just wanted to talk a little again about the purpose of the meeting and why we're here. We're looking to get that initial input on what the scope of the analysis is for the Environmental Impact Report, so what are the things that we need to be considering, what are the things that we need to look at in that analysis. We realize that we haven't provided a lot of detail on the actual approach to be used for the clean-up of the groundwater and that's because we're still studying that and there's acknowledgment that we really are at the beginning of the process and different alternatives are being evaluated. And in fact, unlike some environmental documents, those different alternatives are actually going to be evaluated at an

equal level in the environmental analysis. But you might have ideas for mitigation measures or for approaches that are preferable that might avoid affects to cultural resources or other environmental resources and as well, if you just have questions for us on the project and on the different clean-up technologies or clean-up approaches that might be used, those types of questions, while we might not be able to fully answer them today, it will help us to know what we need to answer in the Environmental Impact Report. You probably can't read this very well, but this basically just a summary of the different scoping meetings that we have had. We're actually at the last of five scoping meetings. We've had also one in Palm Desert, Yuma, Needles, and Lake Havasu City. And as Jeanne said, there's several ways that you can provide comments to us. You can provide them today or tonight just by speaking them. You can provide them in writing and that can be handwritten or you can go home and type up a letter on your computer, send an email, really, any way that you can get those comments to us. But the hope is that you can have at least those initial comments to us in response to this initial scoping effort to us by July 1st. With that, I'll turn it back over to Jeanne.

MS. MATSUMOTO: Thank you. For more information about this project, you can contact Aaron, he would be the first one, or myself. We also have a Public Information Officer for media contacts, her name is Jeanne Garcia. And we wanted to be sure this information was in your packet that you received today. This site is unique because of its relationship with the Colorado River. So, we have several repositories, and what the repositories are, they are files of documents that are important for this project and you can find these files in the following repositories. There's one at the Needles Public Library, the Chemehuevi Indian Reservation, the Golden Shores-Topock Library, Lake Havasu City Library, Colorado River Indian Tribes Public Library, and then Parker Public Library. Also the complete administrative record is at the Cypress Department of Toxic Substances Control office. In addition to that, there is a website. And this website is kept up-to-date. It has a lot of information on it. It has a complete library of project documents, also a nice sidebar on the main page to mention what's new and what's going on. So, I recommend going to the website and that will be in your packet because if I saw it up on the slides, I would forget. At this time, we would like to take

comments. And again, if you have a comment, you don't have to stand up, you can stay in your chair. This is such a nice small group, but we would appreciate your name just for conversational purposes. And let's see. Yes, sir?

MALE: My name is (inaudible) and I'm with the (inaudible) Attorney's Office. And I just simply wanted to thank DTSC for allowing an additional 30 days review and also for the preparation of comments. I know that's very helpful (inaudible) my office (inaudible). We will be submitting formal comments (inaudible).

MS. MATSUMOTO: We look forward to your comments. And are there any other comments? Written is good. You know I would put mine in writing. Yes? You don't have to stand up.

FEMALE: I will.

MS. MATSUMOTO: Okay.

FEMALE: My name is -- with the Fort Mojave Indian Tribe and I just want to enter into the record the statement of the Fort Mojave Indian Tribe concerning this meeting and it's a short one, so I'll read it so you have something to record on your recorder. It says, "I'm here to today to express deep concern for the area in which you intend to evaluate the environmental impacts of this project as part of the approval

process to select a final clean-up remedy. First of all, the Fort Mojave Indian Tribe has been a part of this area since time and memorial. We are the Aha Macav, the people on the river. We are a living culture and caretaker of this land given by the creator, Mutavilya. For many generations, these oral traditions were handed down and passed on to the leadership of the different clans that make up the Aha Macav. During the early years before the white man came, we were an intrical part of this region, extending from north, south, east, and west. This was our territory and traditional homeland. Today, most of that tribal area has been reduced to what we have today, 48,000 acres of land located in three states, California, Arizona, and Nevada. We have many areas of cultural and spiritual connections, all up and down this valley. Much of the land is now owned or managed by federal agencies, state and individual land owners. Many historic and prehistoric places exist within the area you are talking about for this particular clean-up to be occurring. Our beliefs define who we are and how we continue to exist as a people. Our affiliation with the land, air, and most importantly the water, know to the many as the mighty Colorado River, is the lifeline to millions who depend on this water to

exist. We are here today to state that the protection of the river is first, the number one concern to our tribe and many tribes downstream of the area mentioned in the clean-up of Topock. Second, the area is sacred to the Mohave people and other tribes and cabinet and infinite and content connection to this sacred area also. We must ensure that this EIR includes a thorough cultural ethnographic study; this will further protect the area from desecration. If you were to look on a map, you would see the areas of cultural and sacred sites significant to our people. This area is critical to our beliefs, especially when we pass from this world to the afterlife. This area should be treated with respect and acknowledged for what it is, sacred in its entirety, not picked apart as most archeologists see things when an area has been experienced by some fire disturbances. The Fort Mojave Tribe has been a participant in this process since first contacted in July of 2004 by the Bureau of Land Management. We were informed of actions which were never previously brought to our attention, in light of the fact that DTSC and DOI were under an order, known as a Notice of Exemption, which was an emergency action. Since that first notification and meeting with the affected tribal governments, we

attempted understate federal law to consult with the regulatory agencies to find out what was going on out there and to get up to speed with this complex process. We were never brought in or advised of the actions taking place. We were viewed more as a hindrance instead of tribal governments with equal responsibility to be consulted with on a government to government relational basis. The federal agencies who are involved, Bureau of Land Management, U.S. Fish and Wildlife, Bureau of Indian Affairs, Bureau of Reclamation, and the Environmental Protection Agency are equally responsible to our tribal governments based on their obligations as our trustee to uphold and protect the tribal interest. To date, this Notice of Exemption justified a water treatment facility that was constructed directly in an area of cultural and sacred sites. The federal governments trust responsibility to see that the concern and interests of the tribes involved are protected and are managed with proper consultation, are still in our estimation nonexistent and a reminder of injustices of the past. If this clean-up is to take place, this tribe and other tribes along the Colorado River have to have a seat at the table, one of respect and comity and of true consultation based on our concerns and guiding

principles. To reiterate our position, we are not just special interest groups. We are a tribal government who has equal footing in this matter of clean-up and a final remedy determination with our interests protected and acknowledged by the regulatory agencies who are responsible under federal law and settlement agreements to consult with our tribal governing body to protect our cultural and sacred sites within this area of clean-up. For the purposes of providing comments for this forum, this is a summary of comments on behalf of the Fort Mojave Tribe and further defined detailed written comments will be forthcoming for the record. We wish to inform you that we are hosting a forum for tribal member participation on our reservation. We would like those comments incorporated into this record for defining the scope of the EIR and the interests of the Fort Mojave Tribe." Thank you.

MS. MATSUMOTO: Are there other comments? Okay. At this time, we will close the comment portion of the meeting and we are here for questions.

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- MEETING ADJOURNED -

TRANSCRIBER'S CERTIFICATION

This is to certify that I, Kelli Wells, transcribed the digitally-recorded public meeting of the California Environmental Protection Agency, Department of Toxic Substances Control, dated June 5, 2008; that the pages numbered 1 through 27 constitute said transcript; that the same is a complete and accurate transcription of the aforesaid to the best of my ability.

Dated July 2, 2008.

Kelli Wells, Transcriber
Statewide Transcription Services