

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



Incident Date:	June 25-26, July 7 and 10, 2020	Report No.:	NCR-005
Date Submitted:		Location:	Project entrance on Market Place and Potrero Grande Road
Level:	Level 1 Non-Compliance	Relevant Plan/Measure:	MM HY-1; APM-AIR-01
Current Land Use:	Mesa substation	Sensitive Resources:	Public storm drain system; public roads

Description of Incident: On July 10, 2020, SCE received a Notice to Comply from South Coast Air Quality Management District (SCAQMD) regarding muddy trackout on Market Place Drive and Potrero Grande Road. Construction activities had circumvented several erosion control best management practice (BMP) installations and eroded on-site soils, resulting in off-site sediment transport onto public roads at two locations. The incidents pertain to erosion control and Stormwater Pollution Prevention Plan (SWPPP) measures that were not met. The incidents and locations are described below.

1) Project entry/exit gate onto Market Place Drive, and Potrero Grande Road:

Muddy trackout was seen on Market Place Drive and Potrero Grade Road on July 10, 2020. SCAQMD issued a Notice to Comply on July 10, 2020 and requested additional information from SCE. Requested items included: evidence and copies of street sweeping logs from 6/1/2020-7/10/2020; contact information for the company performing active cleaning for the site from 6/1/2020-7/10/2020; scope of work or approved sweeping schedule for the site; and Rule 403 (fugitive dust) Class Training certificates, if available, for all SCE, Power Grade and ULM staff.

Weekly stormwater inspection reports from SCE show that there were early issues with BMPs on site, specifically at the project entrance/exit. Reports dating April 9, April 13, April 20, April 27, May 5, May 12, May 19, June 11, June 17 and June 23, 2020 all note that BMP and sediment controls require maintenance and cleaning. These reports note that there has been consistent trackout on Markland Drive as well as Market Place Drive and note that street sweeping is required. Additionally, the reports recommend removing sediment from behind fiber rolls, removal of built up sediment in rumble plates, and upgrades of TC-1 stabilized construction entrance/exit. The reports advise for maintenance, street sweeping, and the recommendation to increase street sweeping frequency after storm events caused additional asphalt staining in May 2020.

Previously, CPUC Compliance Monitor, Vince Semonsen, noted BMP issues at the eastern entrance to the work site on June 12, 2020. He observed a significant amount of mud tracked out onto Market Place Drive. The dirt on Potrero Grande Road appeared to be spread out and packed down, thus making it unlikely that a street sweeper would be able to pick it up. Both Matt Daniele and Lori Rangel from SCE were notified.

Another site inspection report from July 21, 2020 noted that a street sweeper was cleaning the roadway while a substantial amount of muddy track out was present in the road. The new northern entrance to the substation was open and the entry/exit BMPs were installed. Additional rock and another set of rumble plates were installed at the bottom of the slope.

Lori Rangel supplied E&E with non-compliance incident progress updates on July 21, 2020. Lori noted that the project runs a street sweeper all day; one contractor responsible for 7am-12noon, and the second contractor responsible for 12noon-5pm. The project updated the construction entrance at Market Place Drive by thoroughly cleaning the rumble plates and redistributing the rock at the rumble plates. Additionally, the project received permission from the City of Monterey Park to temporarily close Market Place Drive at night on July 20, 2020 in order to thoroughly clean the staining on the street.

Power Grade conducted nighttime power washing of Market Place Drive on July 20, 2020. Traffic Control crews closed Market

Place Drive from Potrero Grande Road to the top of the hill near Costco to power wash the road. Three trucks were utilized to wash the street from curb to curb and hose down sidewalks. On July 20, 2020 power washing was complete on Market Place Drive and equipment was cleared.

AQMD sent SCE Notices of Violation (NOV) for trackout incidents from June 25, June 26, and July 7, 2020 on September 25, 2020. By this time, it had been previously acknowledged by AQMD that SCE and the project were in compliance with respect to road conditions (lack of trackout) at the site.

Based on the description above, the CPUC has determined that these incidents combined warrants a Level 1 Non-Compliance. Photographs documenting the incident are provided in Attachment 1.

Pertinent Plans/Permits/Mitigation Measures:

The Mitigation, Monitoring, Compliance, and Reporting Program (MMCRP) was created based on the Final Environmental Impact Report and serves as a working guide for maintaining environmental compliance for the Mesa Substation Project. The mitigation measures (MMs) and applicant proposed measures within the MMCRP are required to be followed by SCE, including the following, which are relevant to this non-compliance incident. Relevant portions of MMs and the Construction General Permit are provided below (with underlines) for reference.

MM HY-1: Stormwater Pollution Prevention Plan. The applicant will obtain coverage for the project under the Construction General Permit (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ). The applicant will prepare a SWPPP to reduce the potential for water pollution and sedimentation from construction. BMPs to be included in the SWPPP that must be submitted to the SWRCB shall include, but are not limited to, the following:

- Runoff, sedimentation, and erosion would be minimized using BMPs such as water bars, silt fences, staked straw bales, wattles, and mulching and seeding of all disturbed areas. These measures will be designed to minimize ponding, eliminate flood hazards, and avoid erosion and siltation into any creeks, streams, rivers, or bodies of water, and to preserve roadways and adjacent properties. BMPs would be included for areas where helicopters would be landed, fueled, and serviced or used for construction activities.
- Implement measures such as silt screens, cleanup of spills of hazardous materials, cleanup of sediment, secondary containment for hazardous materials, and avoidance of activities that disturb sediment or have a high potential for hazardous materials spills immediately before or during rain to prevent polluted (with sediment or hazardous materials) runoff from staging areas from draining into water ways such as washes, drainages, and ditches and from entering municipal storm drain systems.

Section 4.1, BMP Inspection and Maintenance, of the SWPPP notes that inspections for this Project shall be performed utilizing SCE's Mobile Field Inspection application and shall be conducted weekly (baseline), quarterly for non-storm water discharges, during rain events and for stored or contained storm water discharge. The SWPPP states: "The purpose of these inspections is to determine if implemented BMPs need maintenance, have failed, or could fail to operate as intended (also see Section 7.2.1). If deficiencies are identified during BMP inspections, repairs or design changes shall be initiated within 72 hours of identification. Exceptions to site inspections include safety factors and outside of scheduled construction hours."

Section 4.1.5, Maintenance and Repair, of the SWPPP states that "the QSP and/or delegated personnel shall begin implementing repairs or design changes to BMPs within 72 hours of identification of BMPs that: need maintenance to operate effectively; have failed; or, could fail to operate as intended."

Verification of Construction General Permit coverage approval and the approved SWPPP(s) will be provided to the California Public Utilities Commission (CPUC) at least 30 days prior to start of construction. Updated SWPPPs will be provided to the

CPUC on request during construction.

APM-AIR-01: Fugitive Dust. During construction, surfaces disturbed by construction activities would be covered or treated with a dust suppressant until completion of activities at each site of disturbance. On-site unpaved roads and off-site unpaved access roads utilized during construction within the proposed project area would be effectively stabilized to control dust emissions (e.g., using water or chemical stabilizer/suppressant). On-road vehicle speeds on unpaved roadways would be restricted to 15 miles per hour

Relevant Sections of the Construction General Permit Order No. 2009-0009-DWQ, as Amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ

- Construction General Permit, page 13, Section F, Effluent Standards for All Types of Discharges: Permits for storm water discharges associated with construction activity must meet all applicable provisions of Sections 301 and 402 of the CWA. These provisions require controls of pollutant discharges that utilize best available technology economically achievable (BAT) for toxic pollutants and non-conventional pollutants and best conventional pollutant control technology (BCT) for conventional pollutants. Additionally, these provisions require controls of pollutant discharges to reduce pollutants and any more stringent controls necessary to meet water quality standards.
- Construction General Permit, page 48, Section M, Storm Water Pollution Prevention Plans: The SWPPP must always be implemented at the appropriate level to protect water quality throughout the life of the project. A SWPPP must be appropriate for the type and complexity of a project and will be developed and implemented to address project specific conditions.

Proposed Resolution:

SCE provided the requested information to AQMD on Tuesday, July 14, 2020. Power Grade closed down and washed Market Place Drive to Potrero Grade Road at night on Sunday, July 20, 2020 as approved by the City of Monterey Park. SCE updated the construction entrance at Market Place Drive by thoroughly cleaning the rumble plates and redistributing the rocks inside the plates on July 23, 2020.

To correct the issue at East Markland Drive the CPUC recommended repairing or installing adequate BMPs to ensure that mud and soil from the construction site is not tracked onto Market Place Drive and Potrero Grande Road.

SCE took measures back in July 2020 to address track out concerns, including engaging an outside air quality consultant to assist with measures to address trackout. SCE also changed the schedule and frequency of street sweeping so that the project has a street sweeper running all day.

The Notices of Violation for the trackout incidents from June 25, June 26, and July 7, 2020 were not sent to SCE until September 25, 2020. It should be noted that although these NOVs were issued for dates some months ago, in phone conversations between SCE and the SCAQMD inspector in late September 2020, it was acknowledged that SCE and the project were in compliance with respect to road conditions (lack of trackout) at the site currently. At this point, there are no further actions required of SCE by the SCAQMD.

Recommended Timeline for Follow-up:

Approvals	Date	Name (print)	Signature	Comments
CPUC Compliance Manager	10/29/2020	Silvia Yanez		
CPUC Compliance Monitor (if applicable)				
CPUC Project Manager (if applicable)	10/29/2020	Connie Chen	<u>Connie Chen</u>	
SCE Environmental Project Manager (if applicable)				

Prepared by: Silvia Yanez Date: 10/29/2020

Non-compliance Level	Example
<p>A Level 1 non-compliance incident is an action that deviates from project requirements or results in the partial implementation of the mitigation measures, but has not caused, nor has the potential to cause impacts on environmental resources.</p>	<ul style="list-style-type: none"> i. Failure to implement adequate dust control measures resulting in no impact on resources; ii. Improperly installed, repaired, or maintained erosion or sediment control devices (with no resultant harm to sensitive resources or release of sediment to waters); iii. Inadvertent minor incursion into exclusion area resulting in no harm to sensitive biological or cultural resources; iv. Work outside the approved work limits where the incident is within a previously disturbed area, such as a gravel lot
<p>A Level 2 non-compliance incident is an action that deviates from project requirements or mitigation measures and has caused, or has the potential to cause minor impacts on environmental resources.</p>	<ul style="list-style-type: none"> i. Work without appropriate permit(s) or approval; ii. Failure to properly maintain an erosion or sediment control structure, but the structure remains functional, and results in minor impacts on resources (e.g. water courses); iii. Working outside of approved hours; iv. Repeated documentation of Level 1 incidents
<p>A Level 3 non-compliance incident is an action that deviates from project requirements and has caused, or has the potential to cause major impacts on environmental resources. These actions are not in compliance with the APMs, mitigation measures, permit conditions, approval requirements (e.g. minor project changes, notice to proceed), and/or violates local, state, or federal law.</p>	<ul style="list-style-type: none"> i. Construction activities occurring in an exclusion zone with direct impacts to sensitive or endangered species, cultural resources, human remains, or an archaeological site; ii. Eminent danger or documented impact to a sensitive or T&E species; iii. Repeated deviations from required mitigation measures/requirements that have been documented as Level 2 (Minor Incidents); iv. Improper installation of erosion or sediment control structures resulting in substantial sedimentation or impacts to water quality or putting sensitive resources at risk

Attachment 1

Field Reporting Environmental Database (FRED) Incident Report

Created By: Lori Rangel (Southern California Edison)
Created Date: 10/28/2020
Report #: 000190



Mesa Substation - Incident Reporting Form

Incident ID: 000190
Monitor: Lori Rangel (Southern California Edison)
Work Package: 1
Project Component: Mesa Substation
Lead Monitor / SME: Lori Rangel (Southern California Edison)
Restoration Site ID: N/A
Time: 15:00
Date: 07/10/2020
MMCRP Category: Air Quality
Regulatory Category: APM-AIR-01
Compliance Level: 1

Description:

On September 25, South Coast Air Quality Management District retroactively issued a Notice of Violation for "track out exceeding 25 feet or more in cumulative length from point of origin from an active operation".

UTM (meters): 11N 397463 mE 3766959 mN
Location Name: Mesa Substation - Market Place Drive

Comments/Action:

The streets around the substation have been cleaned, and street sweeping frequency increased.

Persons Notified:

EPM Lori Iles-Rangel, PM Don Dow

Time Notified:

Upon receipt of email from SCAQMD with NOVs

Incident Category: Site Maint-AE Screening; Dust; Track Out; Road Signs; Speeding; Gates; Irrigation (AR)

Resource Owner: Other
Contractor:
Status: Open (X) Resolved Closed per Management Disposition
Resolution Comments: Incident Removed

Contractor Response: No

Uploaded Files		
File Name	Size(Bytes)	Uploaded By
<u>7-10-2020_AQMD_NOV_to_SCE.jpg</u>	<u>1.02 MB</u>	<u>Lori Rangel</u>

Uploaded Images	Size(Bytes)	Uploaded By	Description
File Name			

Document link

Submitted By: Lori Rangel **Date:** 10/28/2020

Attachment 2

NCR-007 Incident Photographs



Photo 1: Rock portion of the exit/entry BMP at the eastern entrance to the project site on April 7, 2020. Photo facing north.



Photo 2: Muddy track out at the western project entrance on April 7, 2020. Photo facing west.



Photo 3: BMP rock spread out on lower portion of the Market Place Drive exit/entry roadway, June 24, 2020. Photo facing east.



Photo 4: Market Place Drive being power washed from top (by Costco) down to Potrero Grande, July 20, 2020.

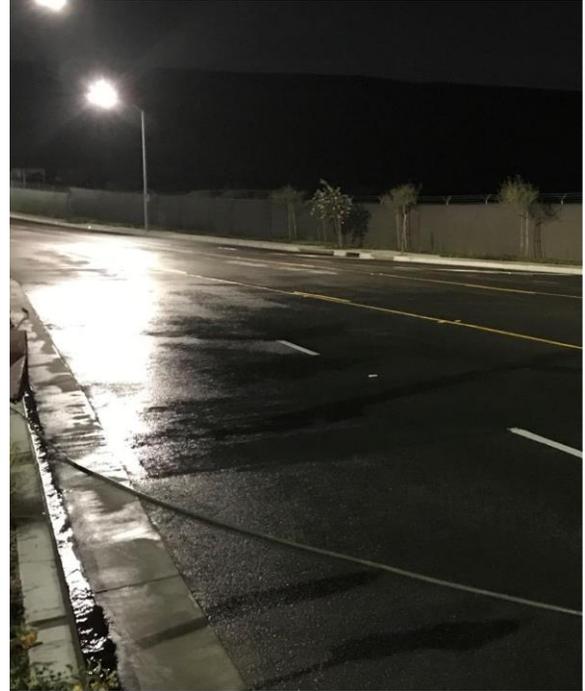


Photo 5: Market Place Drive - Looking uphill towards Costco, July 20, 2020.



Photo 6: Muddy track out on Potrero Grande Road on July 21, 2020. Photo facing west.



Photo 7: Northern entrance with exit/entry BMPs in place, July 21, 2020. Photo facing north.



Photo 8: Additional BMPs added to the eastern project entrance, July 21, 2020. Photo facing west.



Photo 9: Track out on Market Place Drive, July 21, 2020.



Photo 10: Track out on Market Place Drive, July 21, 2020.



Photo 11: Market Place Drive entrance after rock was redistributed and leveled with additional plate placed over top, July 23, 2020.