



c/o Pacific Ag
1000 South Highway 395, Ste A #506
Hermiston, OR 97838

October 8, 2023

Trevor Martin, AICP
Community and Economic Development Director
SEPA Responsible Official
Planning and Community Development
City of Sunnyside
818 East Edison Ave.
Sunnyside, WA 98944

Re: Supplement to SEPA Checklist, File No. 2022-0200 – Sunnyside RNG, LLC

Dear Mr. Martin,

Sunnyside RNG, LLC (“Sunnyside”) submits the following information and two (2) reports to supplement its SEPA Environmental Checklist, File No. 2022-0200, for the proposed development of an approximately 50-acre anaerobic digester within the Port of Sunnyside’s Midvale Industrial Park. Sunnyside prepared its SEPA Checklist on December 21, 2022 and submitted it to the City of Sunnyside (“City”), as lead agency. The City issued a Mitigated Determination of Non-Significance (“MDNS”) on June 22, 2023, File No. 2023-0200.

An applicant may supplement the record in support of an MDNS. Under the SEPA regulations (Chapter 197-11 WAC), the lead agency must determine whether the proposal, in light of the “checklist and any additional information provided by the applicant or agency, ... is likely to have a probable significant adverse impact on the environment.” WAC 197-11-330(1). “Additional information” includes additional studies prepared by the applicant on the subjects in the checklist (WAC 197-11-335(1)) and changes and clarifications to the proposed action prepared by the applicant (WAC 197-11-350(2), (4)).

Sunnyside provides this supplemental information—which clarifies and expounds on certain aspects of the proposed development—to be included in the City’s SEPA records.

SUPPLEMENT TO SEPA CHECKLIST



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Section (A)(8): List any environmental information you know about that has been prepared related to the proposal.

Sunnyside submits the two following reports, which were completed after preparation of the SEPA Checklist:

- *New Source Review Application and Supporting Information Report for Sunnyside RNG LLC, Proposed Renewable Natural Gas Facility*, dated February 16, 2023 prepared by Landau Associates. **Attached as Exhibit A.**
- *A Cultural Resources Survey for the Sunnyside RNG Project*, Yakima County, Washington, dated March 23, 2023, prepared by Transect Archaeology; Letter of Concurrence from the Washington Historic Register and Archeological, dated May 11, 2023; and Inadvertent Discovery Plan for the Sunnyside RNG project. **Attached as Exhibit B.**
- *Sunnyside RNG, Traffic Impact Analysis*, dated July 10, 2023, prepared by JUB Engineers Inc. **Attached as Exhibit B.**

Section (A)(10): List any government approvals or permits that will be needed for your proposal, if known:

In addition to the governmental approvals and permits listed in the SEPA Checklist, Sunnyside provides the following additional information, which adds permits and approvals to be issued by other government agencies and clarifies forthcoming technical review to be undertaken by specialized agencies (e.g., the Yakima Regional Clean Air Agency). This information is provided in part to enable the City to "consider whether local, state, or federal requirements and enforcement would mitigate an identified significant impact," as required under the law. See WAC 197-11-660(1)(e). The City is expressly authorized to rely on such requirements and any comments of other agencies with jurisdiction in exercising its substantive SEPA authority.

Note that subsequent agencies issuing permits on the same proposal may rely on existing environmental documents "in whole or in part," and SEPA encourages use of existing documents in order to reduce duplication and paperwork. RCW 43.21C.034; see also WAC 197-11-600(4) (providing for adopting an existing environmental document or incorporating it by reference). "An agency *may* use environmental documents that have been previously prepared in order to evaluate proposed actions, alternatives, or environmental impacts." WAC 197-11-600(2). For this reason, Sunnyside also provides additional materials and information through this supplement, even when such information falls within another agency's jurisdiction for review of subsequent permits and approvals.



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The following approvals are added to Section (A)(10):

- NPDES Construction Stormwater General Permit to regulate stormwater and facility discharges, issued by Washington State Department of Ecology.
- Stormwater Pollution Prevention Plan and any other required stormwater management plans as required by the City and/or in conjunction with the NPDES Construction Stormwater General Permit.
- Consultation with Washington State Department of Ecology and Yakima Health District on a Notice of Intent (NOI) to operate under terms and conditions for a solid waste permit exemption. Criteria for the NOI will include those listed in WAC 173-350-250(2) Table 250-A(3).

Section (B)(2) – AIR

Sunnyside supplements the Checklist with **Exhibit A**, *New Source Review Application and Supporting Information Report for Sunnyside RNG LLC, Proposed Renewable Natural Gas Facility*, dated February 16, 2023, prepared by Landau Associates.

In addition, Sunnyside emphasizes that the proposed project is required to obtain a Yakima Regional Clean Air Agency permit and comply with all applicable federal, state and local emission standards. The permitting agency must review and ensure that each emission unit will employ best available control technology (BACT) for criteria pollutants and toxic air pollutants (Tbact). Noncompliance of emissions standards by any industrial operation is subject to enforcement action.

Sunnyside provides this supplemental information as context for the City's records. The attached report shows that potential emissions from each proposed emission unit were calculated using the findings from the BACT/Tbact analysis, vendor-provided emissions data, manufacturer guarantees, and emission factors developed by the U.S. Environmental Protection Agency and California's air toxics program (VCAPCD 2001). The facility will comply with all applicable federal, state and local clean air regulations and will employ BACT/Tbact to minimize criteria and toxic air pollution. BACT is an emission limitation based on the maximum degree of reduction that can be feasibly achieved for each air pollutant emitted from any new stationary source.

Air dispersion modeling was conducted for criteria air pollutants and toxic air pollutants. The results of modeling demonstrate that ambient criteria pollutant concentrations attributable to operations at the proposed project will not cause or contribute to a violation of the National Ambient Air Quality Standards. Additionally, the modeling results demonstrate that ambient



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toxic air pollutant concentration increases attributable to operations at the proposed project will be less than applicable Washington acceptable source impact levels.

Finally, while odors are not criteria air pollutants nor toxic air pollutants subject to regulation, the proposed project is designed to minimize odors through use of sealed tank trailers with loading and unloading areas designed to maintain cleanliness, and fully-covered anaerobic tanks. Indeed, by removing manure from open-air lagoons for anaerobic digestion, the proposed project decreases overall ambient odors in the vicinity.

Section (B)(7) – ENVIRONMENTAL HEALTH

Health and safety considerations are at the forefront of design and operations for Sunnyside RNG, LLC. Any operational and maintenance hazards will be managed to ensure the safety of workers and the surrounding environment, consistent with national, state, and local regulations.

In addition to the emergency and health/safety plans discussed in the checklist previously submitted, Sunnyside notes that special health and safety planning will be confirmed with emergency service providers and the Yakima County Health Department, as applicable, which are the agencies with specialized experience on health and safety issues. Further, design and installation must comply with all applicable rules and, standards, and codes of practice including the National Electric Code (NEC), Life Safety Code (NFPA-101-HB85), and International Fire Code (IFC). Standards include the American National Standards Association (ANSI), National Electrical Manufacturers Association (NEMA), Institute of Electrical and Electronics Engineers (IEEE), International Society of Automation (ISA), Insulated Cable Engineers Association (ICEA), Occupational Safety and Health Administration (OSHA), ASTM International (ASTM), Underwriters Laboratory (UL), other Nationally Recognized Testing Laboratory (NRTL), Illuminating Engineering Society (IES) and the National Fire Protection Association (NFPA).

These requirements are mandatory for operation of the facility, and compliance ensures that design and operation of the proposed project properly minimize health and safety risks. For example, facility fire protection is expected to include wet pipe systems compliant with NFPA 13 and Clean Agent systems. Additionally, alarm and detection systems will comply with Washington State Building Code and NFPA 820 (202).

Section (B)(13) – HISTORIC AND CULTURAL PRESERVATION



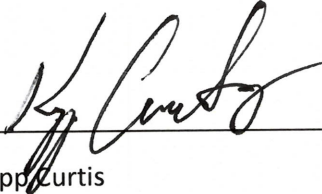
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Sunnyside supplements the Checklist with **Exhibit B**, which contains the following documents:

- *A Cultural Resources Survey for the Sunnyside RNG Project*, Yakima County, Washington, dated March 23, 2023, prepared by Transect Archaeology;
- Letter of Concurrence from the Washington Historic Register and Archeological, dated May 11, 2023; and
- Inadvertent Discovery Plan for the Sunnyside RNG project.

Section (B)(14) – TRANSPORTATION

Sunnyside supplements the Checklist with **Exhibit C**: *Sunnyside RNG, Traffic Impact Analysis*, dated July 10, 2023, prepared by JUB Engineers Inc.

 _____ Date: 11-8-23

Kipp Curtis

Project Manager

Sunnyside RNG, LLC