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Rose & Shore
Rite-Way . R.B.R. Meat **EST. 1821**

5151 Alcoa Ave. Vernon, CA 90058 **Ph. (323) 826-2155 / Fax (323) 826-2150**

November 27, 2006

Dr. James Reede
California Energy Commissioner
1516 Ninth Street
Sacramento, California 95814

John Yee
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765 – 4178

RE: Proposed New Power Plant in Vernon, Joint Public Meeting between California Energy Commission and South Coast Air Quality Management District

Dear Dr. Reede and Mr. Yee:

I own a food processing company (three companies operate out of the plant: Rite-Way Meat, RBR Meat, Rose and Shore) adjacent to the proposed Vernon Power Plant. Since we process raw meat as well as ready-to-eat meals I devoted a substantial amount of time and money in the construction of the plant to ensure that the facility is as food-safe as possible.

We moved in to the facility in May 2000. It has an elaborate air flow system to minimize the possibility of any air born pathogens entering the ready to eat areas. All the raw processing rooms have a negative airflow while the ready-to-eat rooms have a positive airflow. There are air intake vents on the roof that bring outside air into these rooms. While the vents do have filters they were designed for the ambient conditions not the added loads associated with the power plant construction and operation.

The City of Vernon's proposal to locate the power plant with fourteen cooling towers (using recycled water) near my intake vents causes me grave concern. I have two main concerns:

1) So far I see that much attention has been paid to the evaluation of airborne pollutants from the plant, but no consideration has been given to airborne pathogens. Pathogens such as Listeria, E-coli and Salmonela, have all of us, both in the food industry and in the community in general, concerned. In the recent past dust was found to be the cause of 16 deaths from a Listeriosis outbreak in a Sara Lee plant. Often those at the highest risk are children and the elderly. We produce ready-to-eat meals for retail markets, restaurants, and food service institutions; we also make between four to five million meals per year for California School Districts for the School Lunch Program. I am concerned about increased potentially contaminated water droplets as well as dust in the vicinity of my air intake vents and the potential to impact my plant operations.

2) Construction of the plant will result in substantial generation of diesel particulates, PM10 and PM2.5 in immediate proximity to my plant, potentially overwhelming the existing air intake filters in my plant. Also operation of the plant will result in increased traffic in the vicinity of my plant with associated long-term increases in these same pollutants, in concert with cumulative emissions.

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I have a moral responsibility to my customers to ensure them that the food they eat from my processing plant is safe. I respectfully request that the California Energy Commission (CEC) and the South Coast Air Quality Management District (SCAQMD) thoroughly investigate the potential for increased dust/soot and airborne pathogens in the vicinity of my plant to increase, and cause an impact on my facility.

I would like to see an extended testing program, covering at least one year (to include all seasons and conditions) in the vicinity of a similar plant be undertaken. All potential pathogens should be tested for. Even then I am concerned that these pathogens are ephemeral and transitory and may not be captured by short-term testing.

I also would like to see a comprehensive evaluation of potential mitigation measures, including consideration of the utility and effectiveness of ozone filtration and HEPA filters on the power plant itself and the viability of retrofitting sensitive receptors, such as my plant, with more robust and protective air filtration.

I have raised these issues previously with the City of Vernon, but have received no response from them as yet.

I request that the California Energy Commission and Air Quality Management District, coordinate with other agencies that may have expertise with the issue of pathogen transfer especially from recycled water (such as the Food and Drug Administration, and Centers for Disease Control) and prior to considering approving the new plant, provide me and our community with the necessary documentation and assurance that there is no possible way that airborne pathogens can travel from the proposed Vernon Power Plant Cooling Towers into my plant, causing a public health issue. In addition I request that the potential impact from added pollutants particularly particulates, including Diesel Particulate Matter (DPM), on my plant air intake filters be specifically evaluated.

My immediate concern is the health and safety issues associated with the operation of my plant, but I also have other concerns associated with the land use compatibility of the proposed power plant in this location; I will be monitoring and participating in the environmental review process to ensure that all the potential issues of concern to this community associated with the proposed plant are addressed.

Sincerely,

Irwin Miller

Irwin Miller
President
Rite Way Meat