

**DECLARATION OF
Rick Tyler**

I, **Rick A. Tyler**, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Office of the Energy Facilities Siting Division as a Senior Mechanical Engineer.
2. A copy of my professional qualifications and experience were included in the FSA, and is incorporated by reference herein.
3. I supervised the preparation of Staff Testimony on Hazardous Materials Management, Worker Safety / Fire Protection and Public Health for the Ivanpah Project based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the prepared testimony is valid and accurate with respect to the issue addressed therein.
5. I am personally familiar with the facts and conclusions related in the testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: October 26, 2009

Signed: _____

At: Sacramento, California

RESUME

RICK A. TYLER

Senior Mechanical Engineer
CALIFORNIA ENERGY COMMISSION

EXPERIENCE

Oct. 2001- Oct 2004
(Part Time)

Corporate President, Chairman, and CEO Professional Engineers in California Government (PECG) 2002, **Section Director** 2003-2004, 2008-2009
PECG Board of Directors

As President / CEO of the Professional Engineers in California Government, I served as the Chairman of the Board and Chief Executive Officer of this 13,000 member organization representing engineers employed by the State of California. In this capacity I was 1) the primary interface between the Corporate Board and the consultant organization that conducted most of the day to day business of the organization 2) the Chairman responsible for conducting quarterly board meetings and 3) responsible for ensuring that the member stake holders received good value for their investment. During my tenure on the corporate board we obtained the best contract negotiated in more than 20 years. This was achieved during a period of extreme economic constraints for, our employer, the State of California. I believe that this achievement was the direct result of my focus on the organization's primary mission and my success in keeping the organization on task.

As Section Director I represented the interests of the stakeholders in one of the 17 local sections represented on the PECG Board. This experience gave me a keen understanding of corporate board dynamics and how interactions between individual directors having conflicting priorities affects board function.

My experiences on the PECG Board of Directors provided me with a clear understanding of corporate board structure, function, and leadership as well as extensive knowledge of labor relations functions. It also provided me with a first hand understanding of the need for a clear vision and strong corporate governance which I provided during my tenure.

June 2000-
Present (Full Time)

California Energy Commission – **Senior Mechanical Engineer (energy facility permitting)** Systems Assessment and Facilities Siting Division

Responsible for planning, organizing and directing the work of the Facility Safety Unit within the Systems Assessment and Facilities Siting Division's, Engineering Office. This unit evaluates the adequacy of proposed and ongoing safety management practices associated with hazardous material handling, worker safety and fire protection at very large conventional and alternative/renewable energy power facilities certified by the California Energy Commission. Responsible for quality and timeliness of all work conducted by employees and contractors performing work for this unit, including engineering analysis, products such as expert witness testimonies, compliance verifications, and conducting accident evaluations and investigations.

Jan. 1998-
June 2000
(Full Time)

California Energy Commission - **Associate Mechanical Engineer (energy facility siting)** Energy Facility Siting and Environmental Protection Division

Responsible for review of Applications for Certification (applications for permits) for large power plants including the review of handling practices associated with the use of hazardous and acutely hazardous materials, loss prevention, safety management practices, design of engineered equipment and safety systems associated with equipment involving hazardous materials use, evaluation of the potential for impacts associated with accidental releases and preparation and presentation of expert witness testimony and conditions of certification. Review of compliance submittals regarding conditions of certifications for hazardous materials handling, including Risk Management Plans Process Safety Management.

April 1985-
Jan. 1998
(Full Time)

California Energy Commission - **Health and Safety Program Specialist (energy facility siting)** ; Energy Facility Siting and Environmental Protection Division.

Responsible for review of Public Health Risk Assessments, air quality, noise, industrial safety, and hazardous materials handling of Environmental Impact Reports on large power generating and waste to energy facilities, evaluation of health effects data related to toxic substances, development of recommendations regarding safe levels of exposure, effectiveness of measures to control criteria and non-criteria pollutants, emission factors, multimedia exposure models. Preparation of testimony providing Staff's position regarding public health, noise, industrial safety, hazardous materials handling, and air quality issues associated with proposed power plants. Advise Commissioners, Management, other Staff and the public regarding issues related to health risk assessment of hazardous materials handling. Present expert witness testimony at regulatory hearings.

Nov. 1977-
April 1985
(Full Time)

California Air Resources Board – **Mechanical Engineer (regulatory compliance)** last four years at Associate level

Responsible for testing to determine pollution emission levels at major industrial facilities; including planning, supervision of field personnel, report preparation and case development for litigation; evaluate, select and acceptance-test instruments prior to purchase; design of instrumentation systems and oversight of their repair and maintenance; conduct inspections of industrial facilities to determine compliance with applicable pollution control regulations; improved quality assurance measures; selected and programmed a computer system to automate data collection and reduction; developed regulatory procedures and the instrument system necessary to certify and audit independent testing companies; prepared regulatory proposals and other presentations to classes at professional symposia and directly to the Air Resources Board at public hearings. As a representative, of the State I coordinated efforts with federal, local, and industrial representatives.

EDUCATION

B.S., Mechanical Engineering, California State University, Sacramento.

KNOWLEDGE OF

Knowledge of; corporate governance, Roberts Rules of Order, corporate

organization, structure and bylaws, business plan development, management supervision, organizational failure, contract management, process safety management, CEQA, statistics, instrumentation, technical writing, toxicology, risk assessment, loss prevention, environmental chemistry, hazardous materials management, technical management of chemical process safety, noise measurement, regulations and framework of toxic substances control and workplace safety, and presentation expert witness testimony.

PUBLICATIONS, PROFESSIONAL PRESENTATIONS, AND ACCOMPLISHMENTS

Authored staff reports published by the California Air Resource Board and presented papers regarding continuous emission monitoring at symposiums

Authored a paper entitled "A Comprehensive Approach to Health Risk Assessment", presented at the New York Conference on Solid Waste Management and Materials Policy.

Authored a paper entitled "Risk Assessment A Tool For Decision Makers" at the Association of Environmental Professionals AEP Conference on Public Policy and Environmental Challenges.

Conducted a seminar at University of California, Los Angeles for the Doctoral programs in Environmental Science and Public Health on the subject of "Health Risk Assessment".

Authored a paper entitled "Uncertainty Analysis -An Essential Component of Health Risk Assessment and Risk Management" presented at the EPA/ORNL expert workshop on Risk Assessment for Municipal Waste Combustion: Deposition, Uncertainty, and Research Needs.

Presented a talk on off-site consequence analysis for extremely hazardous materials releases. Presented at the workshop for administering agencies conducted by the City of Los Angeles Fire Department.

Evaluated, provided analysis and testimony regarding public health and hazardous materials management issues associated with the permitting of more than 20 major power plants throughout California.

Developed Departmental policy, prepared policy documents, regulations, staff instruction, and other guidance documents and reference materials for use in evaluation of public health and hazardous materials management aspects of proposed power plants.

Project Manager, overseeing contract work totaling more than \$500,000.