

Memorandum

Date: December 31,
2002
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To: Robert Pernell, Presiding Member
William Keese, Associate Member

From: California Energy Commission - James W. Reede, Jr.
1516 Ninth Street Energy Commission Project Manager
Sacramento, CA 95814-5512

Subject: **El Segundo Power Redevelopment Project, 00-AFC-14,
Second Set of Agreed-to-Conditions of Certification**

Pursuant to the 1st Pre-Hearing Conference Order issued by the Committee on November 15th, staff has worked with the applicant, intervenors and other interested parties to resolve remaining issues. Staff issued a set of Agreed-to-Conditions on December 13, 2002, in compliance with the Committee's 1st PHC Order. Additionally, staff held a workshop on December 18, 2002, in El Segundo to address the issues of Aquatic Biology and Visual Resources. This second set of Agreed-to-Conditions of Certification is the result of that effort.

The Visual Resources Conditions of Certification were agreed to as a result of the workshop. The two Worker Safety Conditions are republished due to omissions in the December 13 filing. **LAND-6** wording changes were agreed to by the parties as a result of a suggestion by one of the intervenors.

There are 14 Conditions that remain to be resolved by the parties. Of these remaining Conditions, **LAND-4**, **LAND-11**, and **GEN-6** and **GEN-8** from the Facility Design section of the FSA have been agreed to in their base wording, though other parties want language added to those conditions. A table showing these unresolved Conditions is included at the end of this document.

VISUAL RESOURCES

VIS-1 Facility Visual Enhancement Plan. Before starting construction, the project owner shall complete a comprehensive visual enhancement plan that includes architectural screening, landscaping, painting, lighting, and other measures that result in an overall enhancement of views of the facility (i.e. the power plant site) from areas accessible to the public. The plan shall be made available for review and comment by the Executive Director of the Coastal Commission and for review and approval by CPM. The plan shall include:

Architectural screening: All industrial equipment below elevation 125' (i.e., below the elevation of the outlet dampers on the facility's exhaust stacks) and visible from the beach, coastal waters, Vista Del Mar Avenue, and other areas accessible by the public shall be screened using panels, wire mesh, louvers or other forms of architectural screening. The screening shall be opaque or semi-transparent and have a non-glare finish, and the color shall be harmonious with the facility's setting on a public beach. If the project owner proposes, and the Energy Commission concurs, that it is infeasible to shield portions of the facility using architectural screening, the project owner may instead propose other measures such as landscaping, berms, or fencing to provide the necessary screening. Any such proposal must be based on the definition of feasibility in California Coastal Act (Public Resources Code Section 30108) and is subject to review and comment by the Executive Director of the Coastal Commission, and review and approval by the Energy Commission.

Landscaping: Where used to screen the facility, vegetation chosen shall be selected or maintained to provide year-round screening (e.g., evergreen species). Preference shall be given to native species and/or species requiring little or no irrigation, or at a minimum, non-invasive species. Soils shall be tested, amended as needed or replaced to ensure plant survival.

Other structural screening: Where berms, fencing, or other structural elements are selected as the primary method to screen the facility, the structures shall harmonize with the facility's setting on a public beach. If berms are used, they shall be vegetated and maintained with evergreen, native, and/or species requiring little or no irrigation. If fencing is used, it shall include a non-glare finish and be painted in a neutral color.

The Facility Visual Enhancement Plan shall include photographs showing existing conditions and simulated post-construction conditions from Key Observation Points (KOPs) around the facility (these may be the same KOPs that were used to develop the Staff Assessment). The plan shall also include

anticipated costs for completing and maintaining the various visual enhancement measures and a detailed schedule for completing construction of these components.

Seawall Design Plan. Before starting construction, the project owner shall complete a plan of the seawall design for review and comment by the Executive Director of the Coastal Commission, and for Energy Commission review and approval. This plan shall include:

Final design: The seawall along the west side of the facility shall be textured and finished in a neutral color harmonious with its location adjacent to a public bike path and beach. If painted, graffiti-resistant paint shall be used.

Landscaping: Where used to enhance the seawall design, vegetation chosen shall be selected or maintained to provide year-round screening (e.g., evergreen species). Preference shall be given to native species and/or species requiring little or no irrigation.

This seawall design plan shall include photographs showing the existing conditions and simulated post-construction conditions from observation points along the bike path adjacent to the seawall, from the beach, and from other points where the seawall is highly visible. The plan shall also include anticipated costs for completing and maintaining the seawall and a schedule for construction.

Verification: At least 120 days prior to ground disturbance, the project owner shall submit the required Facility Visual Enhancement Plan and Seawall Design Plan to the Executive Director of the Coastal Commission and the Cities of Manhattan Beach and El Segundo for comment, and to the CPM for review and approval. If the CPM notifies the project owner that revisions of the submittal are needed before the CPM will approve the submittal, the project owner shall prepare and submit to the Coastal Commission staff, the Cities, and CPM a revised submittal.

VIS-2 Perimeter screening and on-site landscaping. The project owner shall prepare and implement an approved perimeter screening and on-site landscape plan.

Trees and landscaping along the eastern edge of the project site shall be designed to balance view corridors to the ocean with screening of the facility. The landscape plan shall be provided to the CPM for review and approval, and to the Executive Director of the California Coastal Commission, the City of El Segundo and the City of Manhattan Beach for review and comment. The CPM will consider timely comments from these parties, especially those regarding the balance struck in the landscape plan between view corridor preservation and screening of project components, in determining whether to approve the plan.

The screening shall, at a minimum, utilize landscape opportunities on all four boundaries of the project site. Landscape screening shall include: (a) continuous tree canopies on the eastern roadside perimeter to enhance visual unity of the Vista del Mar road corridor, compatibility of the ESPR project with its coastal setting, and at least partial long-term screening of upper portions of the HRSGs; (b) tree and shrub plantings along Vista del Mar to screen views of the structures, while preserving view corridors to the Bay; (c) plantings along 45th Street to provide long-term screening of the tank farm site; and (d) tree planting on the western site perimeter to screen upper portions of Units 3 and 4 from the bike path. Landscape screening shall also include planting on the path (west) side of all new concrete walls constructed along the existing bike path. The plan shall comply with City of El Segundo Zoning codes (Title 15, Chapter 2, Sec. 15-2-14) pertaining to on-site landscaping. The final landscape plan shall reflect the agreed upon removal of existing urea tanks on the west side of the project site.

Final plant selection shall be made in consultation with the Compliance Project Manager (CPM), Coastal Commission staff, and the Cities of Manhattan Beach and El Segundo. Suitable irrigation shall be installed to ensure survival and desired rate of growth. The landscape screening and irrigation system shall be monitored for a period of five years to ensure survival. During this period all dead plant material shall be replaced.

To achieve year-round screening, evergreen species shall be used. Spacing of trees shall be sufficiently dense to ensure substantial screening by the tree canopy at maturity.

Prior to start of construction, the project owner shall submit a landscape plan to the representatives of California Exotic Pest Plant Council, The Executive Director of the California Coastal Commission and the Cities of Manhattan Beach and El Segundo for review and comment, and to the CPM for review and approval. The plan shall include, but not be limited to:

- 1) A detailed landscape, grading, and irrigation plan, at a reasonable scale, which includes a list of proposed tree, plant, and shrub species and installation sizes, and a discussion of both the suitability of the plants for the site conditions and mitigation objectives, and conformance with the specific provisions of the Coastal Commission decision, including 1b and 2b specifying preference for native, non-invasive, and drought tolerant species. A list of potential plant species that would be both viable and non-invasive in this location shall be prepared by a qualified professional landscape architect familiar with local growing conditions, with the objective of providing the widest possible range of species from which to choose. The final planting plan shall include an all-inclusive list of plants to be used in order to ensure exclusion of potentially invasive species.

- 2) A demonstration of how the screening conditions shall be met, including:
 - a) evidence provided by a qualified landscape architect that the specified species are both viable and available;
 - b) graphic documentation on the plan of Bay view corridors which would exist from Vista del Mar after project construction; and
 - c) a description of tall and short shrub planting zones along Vista del Mar, such that screening of the existing and proposed power plants is maximized, while the aforementioned Bay view corridors are retained.
- 3) Elevation views or visual simulations of the landscape screening at maturity, in order to show the extent of screening that the landscaping is expected to achieve from the west side of the project, from 45th Street and from Vista del Mar.
- 4) A detailed schedule for completion of the installation.
- 5) Maintenance procedures for the entire project site, including any needed irrigation and a plan for routine and regular debris removal as needed to preserve a neat and well-maintained appearance, for the life of the project.
- 6) A procedure for monitoring and replacement of all unsuccessful plantings for the life of the project.
- 7) A chart and key plan showing conformance with City of El Segundo landscape regulations.
- 8) Soil tests shall be performed on both on-site and imported soil where landscaping is to take place. Soil shall be amended on the basis of those tests if needed to ensure long-term viability of plantings.

The property owner shall meet the City of El Segundo requirements for Vehicle Use Area (VUA) landscaping in the tank farm area by providing the required trees on the existing containment berm and other areas immediately adjacent to the portion of the tank farm area to be used for paved staging, not including the area to be striped for vehicle parking.

The Landscape Plan shall be consistent with the Landscape Concept Plan presented at Evidentiary Hearings, with modifications for VUA landscaping, revisions to depict the 45th Street landscape berm, and modifications to accord with item #2, above.

The project owner shall not implement the plan until the project owner receives written approval of the plan from the CPM.

Verification: At least 120 days prior to ground disturbance, the project owner shall submit the perimeter screening and onsite landscape plan to the Executive Director of the Coastal Commission and the Cities of Manhattan Beach and El Segundo for comment, and the CPM for review and approval. If the CPM notifies the project owner that revisions of the submittal are needed before the CPM will approve the submittal, the project owner shall prepare and submit to the Coastal Commission staff, the Cities, and the CPM a revised submittal.

The project owner shall implement the landscape plan prior to start of commercial operation. The project owner shall notify the CPM within seven days after completing installation of the landscape plan that the planting and irrigation system are ready for inspection.

The project owner shall report landscape maintenance activities, including replacement of dead vegetation, for the previous year of operation in the Annual Compliance Report.

VIS-3 Design treatment of seawall. The project owner shall construct the proposed seawall with architectural design treatment to reduce visual monotony, enhance design quality and interest, and discourage graffiti. Techniques may include pre-cast or cast-in-place texturing, split-faced concrete block, or other methods feasible to produce a textured surface.

Prior to the start of construction, the project owner shall submit a design plan for the seawall, consistent with the Landscape Concept Plan, to the Executive Director of the Coastal Commission and City of El Segundo for review and comment, and to the CPM for review and approval. The treatment plan shall include:

- 1) Specification, and 11" x 17" color elevations, of the treatment proposed for use on the seawall;
- 2) A detailed schedule for completion of construction; and,
- 3) A procedure to ensure proper maintenance, including graffiti removal, for the life of the project.

Seawall construction shall not commence until the design plan has been approved by the CPM.

Verification: At least 120 days prior to start of construction, the project owner shall submit the seawall design plan to the Executive Director of the Coastal Commission and City of El Segundo for review and comment and to the CPM for review and approval.

If the CPM notifies the project owner of any revisions that are needed before the CPM will approve the plan, the project owner shall submit a revised plan to the CPM.

Not less than 30 days prior to start of commercial operation, the project owner shall notify the CPM that the seawall is ready for inspection.

The project owner shall provide a status report regarding wall maintenance in the Annual Compliance Report.

VIS-4 Architectural screening of power plant. The project owner shall install architectural screening to cover the outer framework of the HRSG structures of the new proposed Units 5 through 7 and reduce visibility of mechanical equipment below 125 feet and above 10 feet elevation of the superstructures, except where infeasible due to excessive loading on support structures or where operation or safety requirements do not allow covering of a surface area. Such screening shall conform to the requirements of the Energy Commission's decision. Such screening shall use as a baseline the applicant's Visual Enhancement Proposals as of June 24, 2002, and preferably minimize or avoid gaps between banners.

Project owner shall have the burden to show infeasibility or incapability of screening by submittal of such information in the Architectural Screening Plan.

Prior to the start of construction, the project owner shall submit an architectural screening plan to the Executive Director of the California Coastal Commission (as a part of the facility Visual Enhancement Plan described in Condition **VIS-1**), and the Cities of El Segundo and Manhattan Beach for review and comment, and to the CPM for review and approval. The screening plan shall include:

- 1) Detailed plans and specifications sufficient to enable the CPM and Chief Building Official (CBO) to determine adequacy and performance of the proposed screening. Determination of adequacy includes confirmation of consistency with the terms of the Energy Commission's decision. Determination of adequacy also requires sufficient evidence that the screening can be installed to be stable, uniform, able to withstand anticipated wind loads, and attractively mounted, without sagging, tearing, unsightly discoloration, or adverse visual effects from the mounting system itself; and with sufficient durability to allow good performance between maintenance cycles. Required performance data shall include design information of sufficient detail and specificity to establish confidence in the design's ability to perform as desired, or to clearly establish limitations on the feasibility of particular measures.

- 2) Sufficient information to fully document and explain any areas where screening is infeasible or not possible. The information shall further include supporting engineering drawings analysis and calculations or specific safety or operational constraints or regulations.
- 3) 11" x 17" color simulations at life-size scale of the treatment proposed for use on project structures.
- 4) A detailed schedule for completion of the treatment.
- 5) A procedure to ensure proper treatment maintenance for the life of the project.

Verification: Not later than 120 days prior to start of construction, the project owner shall submit the final architectural screening plan and details to the Executive Director of the Coastal Commission and the Cities of El Segundo and Manhattan Beach for review and comment, and to the CPM for review and approval.

If the CPM notifies the project owner of any needed revisions before the CPM will approve the plan, the project owner shall submit a revised plan to the CPM.

Not less than thirty 30 days prior to the start of commercial operation, the project owner shall notify the CPM that the architectural screening is ready for inspection.

The project owner shall provide a status report regarding screening maintenance in the Annual Compliance Report.

VIS-5 Structure surface painting and treatment. Prior to the start of commercial operation, the project owner shall paint or treat portions of Units 5, 6 and 7 structures visible to the public, such that their colors minimize visual intrusion and contrast by blending with the landscape; their surfaces do not create glare; and they are consistent with local laws, ordinances, regulations, and standards.

The project owner shall consult with representatives of the Cities of El Segundo and Manhattan Beach to determine if specific treatment or painting options that may improve the aesthetic appearance of the project are desired, and shall provide a report to the CPM.

Prior to the start of construction, the project owner shall submit to the Executive Director of the Coastal Commission and the Cities of El Segundo and Manhattan Beach for review and comment, and to the CPM for review and approval, a specific treatment plan whose proper implementation will satisfy these requirements. The treatment plan shall include:

- a) Specification, and 11" x 17" color simulations at life size scale, of the treatment proposed for use on project structures, including structures treated during manufacture;

- b) A list of each major project structure, building, tank, transmission line tower and/or pole, and fencing/walls specifying the color(s) and finish proposed for each (colors must be identified by name and by vendor brand or a universal designation);
- c) Two sets of brochures and/or color chips for each proposed color;
- d) Samples of each proposed treatment and color on each material to which they would be applied that would be visible to the public;
- e) A detailed schedule for completion of the treatment; and
- f) A procedure to ensure proper treatment maintenance for the life of the project.

The project owner shall not specify to the vendors the treatment of any buildings or structures treated during manufacture, or perform the final treatment on any buildings or structures treated on site, until the project owner receives notification of approval of the treatment plan by the CPM.

Verification: The project owner shall submit its proposed treatment plan at least 90 days prior to ordering the first structures that are color treated during manufacture.

If revisions are required, the project owner shall provide the CPM with a revised plan within 30 days of receiving notification that revisions are needed.

Prior to commercial operation, the project owner shall notify the CPM that all buildings and structures are ready for inspection.

The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report.

VIS-6 Project lighting. Prior to the start of commercial operation, the project owner shall design and install new permanent lighting for Units 5, 6 and 7, such that light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination of the project, the vicinity, and the nighttime sky is minimized. To meet these requirements the project owner shall ensure that:

- a) Lighting shall be designed so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light source is shielded to prevent light trespass outside the project boundary;
- b) All lighting shall be of minimum necessary brightness consistent with worker safety;
- c) Wherever feasible and safe, lighting shall be kept off when not in use; and
- d) A lighting complaint resolution form (following the general format of that in Appendix VR-1) shall be used by plant operations to record all lighting complaints received and document the resolution of those

complaints. All records of lighting complaints shall be kept in the on-site compliance file.

Verification: At least 60 days prior to ordering any permanent exterior lighting, the project owner shall submit to the CPM for review and comment written documentation describing the lighting control measures and fixtures, hoods, shields proposed for use, and incorporate the CPM's comments in lighting equipment orders.

Prior to first turbine roll, the project owner shall notify the CPM that the lighting has been completed and is ready for inspection. If the CPM notifies the project owner that modifications to the lighting are needed to minimize impacts, within 30 days of receiving that notification the project owner shall implement the modifications and notify the CPM that the modifications have been completed.

The project owner shall report any lighting complaints and documentation of resolution in the Annual Compliance Report, accompanied by any lighting complaint resolution forms for that year.

VIS-7 Site lighting. Prior to demolition of existing storage tanks, the project owner shall modify Unit 3 and 4 permanent lighting, such that light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination of the project, the vicinity, and the nighttime sky is minimized. To meet these requirements the project owner shall ensure that:

- a) Lighting shall be designed so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light source is shielded to prevent light trespass outside the project boundary;
- b) All lighting shall be of minimum necessary brightness consistent with worker safety;
- c) Project owner shall implement where feasible and practical modifications of circuits in order to allow turning off specific lights when not in use; and
- d) A lighting complaint resolution form (following the general format of that in Appendix VR-1) shall be used by plant operations to record all lighting complaints received and document the resolution of those complaints. All records of lighting complaints shall be kept in the on-site compliance file.

Verification: At least 60 days prior to ordering of any new permanent exterior lighting for Units 3 and 4, the project owner shall submit to the CPM for review and comment written documentation describing the lighting control measures and fixtures, hoods, shields proposed for use, and incorporate the CPM's comments in lighting equipment orders.

Prior to demolition of the tanks, the project owner shall notify the CPM that the lighting modifications to Unit 3 and 4 have been completed and are ready for inspection. If the CPM notifies the project owner that modifications to the lighting are needed to minimize impacts, within 30 days of receiving that notification the project owner shall implement the modifications and notify the CPM that the modifications have been completed.

The project owner shall report any complaints about permanent lighting and provide documentation of resolution in the Annual Compliance Report, accompanied by any lighting complaint resolution forms for that year.

VIS-8 Construction Lighting. Prior to site mobilization, the project owner shall ensure that lighting for construction of the power plant is used in a manner that minimizes potential night lighting impacts, as follows:

- a) All lighting shall be of minimum necessary brightness consistent with worker safety.
- b) All fixed position lighting shall be shielded, hooded, and directed downward to minimize backscatter to the night sky and prevent light trespass (direct lighting extending outside the boundaries of the construction area).
- c) Wherever feasible and safe, lighting shall be kept off when not in use and motion detectors shall be employed.
- d) A lighting complaint resolution form (following the general format of that in Appendix VR-1) shall be maintained by plant construction management, to record all lighting complaints received and to document the resolution of that complaint.
- e) All construction-related lighting shall be completely shielded or screened so as not to be visible to residents of 45th Street in Manhattan Beach. Construction lighting in the tank farm area shall be limited to the hours of 7:30 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. Saturday, except as necessary for safety or security purposes.

Verification: Within seven days after the first use of construction lighting, the project owner shall notify the City of Manhattan Beach and the CPM that the lighting is ready for inspection.

If the CPM notifies the project owner that modifications to the lighting are needed to minimize impacts, within 15 days of receiving that notification the project owner shall implement the necessary modifications and notify the CPM that the modifications have been completed.

The project owner shall report any lighting complaints and documentation of resolution in the Monthly Compliance Report, accompanied by any lighting complaint resolution forms for that month.

VIS-9: Temporary landscaping and 45th Street Berm. Temporary landscaping shall be installed prior to the start of ground disturbing activities at the site in those opportunity areas that do not create a hindrance to construction activities. Soils shall be tested, amended as needed or replaced to ensure

plant survival. Temporary landscaping shall be maintained for the duration of construction, and shall be designed to the extent feasible to be retained permanently as part of the perimeter landscaping plan required in Condition of Certification **VIS-2**. Installation of the 45th Street berm shall be initiated concurrent with construction of the new tank farm access road.

Prior to start of ground disturbance, the project owner shall submit a temporary perimeter landscape plan and final berm plan to the Cities of Manhattan Beach and El Segundo and the Executive Director of the Coastal Commission for review and comment, and to the CPM for review and approval. The plans shall include, but not be limited to:

- a) A detailed landscape, grading and irrigation plan, at a reasonable scale, which includes an all-inclusive list of proposed tree, plant, and shrub species and installation sizes, and a discussion of the suitability of the plants for the site conditions and mitigation objectives. A list of potential plant species that would be viable and non-invasive in this location shall be prepared by a qualified professional landscape architect familiar with local growing conditions, with the objective of providing the widest possible range of species from which to choose. The plan shall demonstrate how the screening shall be met, including:
- b) Elevation views or visual simulations of the landscape screening at one year's growth in order to show the extent of screening that the landscaping is expected to achieve from the west side of the project, 45th Street and from Vista del Mar.
- c) A detailed schedule for completion of the installation.
- d) Maintenance procedures for the entire project site, including any needed irrigation and a plan for routine and regular debris removal as needed to preserve a neat and well-maintained appearance, for the life of the project; and
- e) A procedure for monitoring and replacement of unsuccessful plantings.

The project owner shall not implement the plan until the project owner receives written approval from the CPM.

Verification: At least 60 days prior to start of ground disturbance, the project owner shall submit the temporary perimeter landscape plan and final berm plan to representatives of California Exotic Pest Plant Council, the Executive Director of the Coastal Commission and Cities of Manhattan Beach and El Segundo for comment, and to the CPM for review and approval. If the CPM notifies the project owner that revisions of the submittal are needed before the CPM will approve the submittal, the project owner shall prepare and submit to the CPM a revised plan.

The project owner shall notify the CPM within seven days after completing installation of the 45th Street berm that the berm is ready for inspection. The project owner shall notify the CPM within seven days after completing installation of the temporary landscape screening that the planting and irrigation system are ready for inspection.

The project owner shall report landscape maintenance activities, including replacement of dead vegetation, for the previous month of construction in the Monthly Compliance Report.

WORKER SAFETY AND FIRE PROTECTION

WORKER SAFETY-1: The project owner shall submit to the Compliance Project Manager (CPM) for approval, a copy of the Project Demolition and Construction Safety and Health Program containing the following:

- A Demolition and Construction Safety Program;
- A Demolition and Construction Personal Protective Equipment Program;
- A Demolition and Construction Exposure Monitoring Program;
- A Demolition and Construction Emergency Action Plan; and
- A Demolition and Construction Fire Protection and Prevention Plan.

The Safety Program, the Personal Protective Equipment Program, and the Exposure Monitoring Program shall be submitted to the CPM for review and comment concerning compliance of the program with all applicable Safety Orders. The Demolition and Construction Fire Protection and Prevention Plan and Emergency Action Plan shall be submitted to the City of El Segundo Fire Department for review and comment prior to submittal to the CPM.

The Demolition and Construction Fire Protection and Prevention Plan and Emergency Action Plan shall include the following:

1. Methods to maintain fire access roadways and submittal of a fire access layout plan for review by the El Segundo Fire Department and approval by the CPM.
2. Provision of a suitable replacement for the existing fire suppression water reservoir prior to demolishing the existing reservoir.
3. Provision of fire flow calculations to verify that the available water supply proposed will be adequate for emergency operations.
4. A requirement that all temporary fire mains and hydrants shall be adequately braced and tied-down to anticipate the effects of water hammer and that protection from vehicular impact is provided as necessary.

Verification: At least 30 days prior to site mobilization, the project owner shall submit to the CPM for review and approval a copy of the Project Demolition and Construction Safety and Health Program. The project owner shall provide a letter from the City of El Segundo Fire Department stating that they have reviewed and commented on the Demolition and Construction Fire Protection and Prevention Plan and Emergency Action Plan.

WORKER SAFETY-2: The project owner shall submit to the CPM for approval a copy of the Project Operations and Maintenance Safety and Health Program containing the following:

- An Operation Injury and Illness Prevention Plan;
- An Emergency Action Plan;
- Hazardous Materials Management Program;
- Operations and Maintenance Safety Program;
- Fire Protection and Prevention Program (8 CCR § 3221); and;
- Personal Protective Equipment Program (8 CCR §§ 3401-3411).

The Operation Injury and Illness Prevention Plan, Emergency Action Plan, and Personal Protective Equipment Program shall be submitted to the Cal/OSHA Consultation Service, for review and comment concerning compliance of the program with all applicable Safety Orders. The Operation Fire Protection Plan and the Emergency Action Plan shall also be submitted to the City of El Segundo Fire Department for review and comment.

The Project Operations Fire Protection and Prevention Plan and Emergency Action Plan shall address:

1. Provision of remote annunciation for all fire alarm and automatic suppression devices and the placement of remote annunciation at the security station on Vista Del Mar.
2. Provision of a complete fire alarm system and automatic fire sprinklers for the new administration building and any new control buildings.
3. A secondary entrance point for Fire Department operations along the northern boundary of the property.

Verification: At least 30 days prior to the start of operation, the project owner shall submit to the CPM and the City of El Segundo Fire Department a copy of the Project Operations and Maintenance Safety & Health Program.

LAND USE

LAND-6 The abandoned fuel storage tanks on Parcel 2 shall be removed prior to the start of commercial operation of the new generating units. Any site remediation and/or soil restoration activities required by appropriate authorities shall be completed following tank removal.

Following site remediation, the tank farm area shall be paved and landscaped in accordance with the landscape plan submitted and approved pursuant to condition of certification, VIS-2. The tank farm uses will be restricted to parking in the designated parking areas and approved uses in the paved area south of the designated parking area. Approved uses include temporary equipment staging and overflow parking during maintenance evolutions. The paved area shall not be used for permanent storage of vehicles, equipment or materials.

Verification: The project owner shall submit a detailed schedule for the removal of the fuel storage tanks, site remediation and/or soil restoration to the CPM for review and approval prior to the start of construction.

CONDITIONS NOT YET RESOLVED

The following table lists the Conditions of Certification that have not yet been agreed to by all of the parties and require additional discussion.

CONDITIONS NOT YET AGREED TO

Issue Area		Condition Short Description	Status	Notes
AQ	C5	PM10 offsets in excess of FDOC; use of community bank	Declaration pending review	Staff finalizing new condition and awaiting data from SCAQMD and applicant ERC certificate numbers.
AQ	??	PM10 local offsets; public health impacts to El Porto community	Evidentiary Hearing	Parties to discuss local public health issues in Evidentiary Hearings.
BIO	1	Perform Impingement and Entrainment Studies	Evidentiary Hearing	ESP II proposed condition; no agreement reached.
BIO	2	Aquatic Filter Barrier Feasibility Study	Evidentiary Hearing	ESP II proposed condition; no agreement reached.
BIO	3	Reduce entrainment by annual cap or filter barrier, or equivalent technology	Evidentiary Hearing	ESP II proposed condition; no agreement reached.
BIO	4	Cal. Fish and Game Enforcement funds	Evidentiary Hearing	ESP II proposed condition; no agreement reached.
LAND	4	Off-site Staging and Laydown Property Use Information	Evidentiary Hearing	Basic condition agreed to by parties. COES jurisdiction questions to be addressed in Evidentiary Hearings.
LAND	11	Provide final perimeter landscape plan with park benches	Evidentiary Hearing	Basic condition agreed to by parties. COES to discuss 1.2 acre requirements.
SOC	??	Property values	Evidentiary Hearing	COMB, M-P to provide proposed condition for Evidentiary Hearing.
SOC	??	Temporary lodging for construction impacts	Evidentiary Hearing	COMB will present this condition at the Evidentiary Hearing.
FACD	GEN 6	Assign and Duties of Special Inspectors	Evidentiary Hearing	Basic condition agreed to by parties. COES request for added language for contractors to obtain local business license.
FACD	GEN 8	Obtain CBO Approval of All Completed Work	Evidentiary Hearing	Basic condition agreed to by parties. COES request for added language for final plans on file.
FACD	GEN 10	COES proposal requires trailer for CBO	Evidentiary Hearing	COES request for CBO trailer.
COM	15	Pre-construction milestones	Evidentiary Hearing	ESP II objection to be discussed at Evidentiary Hearing.