

WORKER SAFETY AND FIRE PROTECTION

Supplemental Testimony of Geoff Lesh and Rick Tyler

Beacon Solar Power Plant

Staff has read the declaration and letter dated May 27, 2010, from Kern County Planning and Community Development Director Lorelei Oviatt (Attached as Exhibit A). Staff has read the declaration of Kern County Fire Chief and Director of Emergency Services Nick Dunn (Attached as Exhibit B), and agrees with his conclusion that there will be impacts on the Kern County Fire Department's ability to provide an adequate level of service to the project and surrounding community.

Staff is aware that large fires requiring multiple fire station response can happen at solar thermal power plants using flammable hydrocarbon heat transfer fluid (HTF), an example being the fire at SEGS VIII Solar Plant at Harper Lake, San Bernardino County on Jan 10, 1990, which required a combined response from multiple stations of San Bernardino County, Kern County, California Department of Forestry, and Edwards Air Force Base (Attached as Exhibit D). This fire was confined to the power block of the plant, and did not spread into the solar array field.

Beacon also has a very large amount of flammable material, approximately 2.4 million gallons of HTF (approximately three times the amount used at SEGS VIII). Although safety and controls designs have improved to reduce the probability of such an event in the future, its potential still exists.

Staff is now aware that the level of fire protection that was initially determined to be adequate will not be sustainable due to proposed Kern County budgetary shortfalls that will impact its fire services. Staff is now aware of other large power plants proposed for Kern County (e.g., Ridgecrest, Hydrogen Energy CA) that will make similar demands on local fire and emergency services, thereby resulting in increasing demands on county fire and emergency services. Historical solar thermal power plant emergency response requests have averaged between 2-3 incidents per five years.

Staff has determined that the revised mitigation being requested by Kern County is generally consistent with and falls within the range of that requested for other power plants in other counties.

Staff has determined that there will be a significant impact on Kern County Fire Department (KCFD) resulting from construction and operations of Beacon Solar Energy Plant. Due to proposed budget reductions of the Kern County Fire Department, the construction and operation of the proposed Beacon Solar Energy Project, in addition to construction and operation of multiple other power plants and industrial facilities having similar fire protection demands in the local service area, Staff has now determined that the proposed facility will result in direct impacts and contribute to cumulative impacts on the level of fire protection available in the community.

Staff understands that Kern County and the Applicant are in the process of negotiating an impact fee. While it is preferable for the parties to resolve this issue, if agreement can not be reached by the time of the Presiding Member's Proposed Decision, staff would recommend implementation of its Condition of Certification.

Staff therefore proposes the following Condition of Certification to mitigate the impacts to Kern County Fire Department.

Proposed Condition of Certification

WORKER SAFETY-8 The project owner shall fund its share of the ongoing capital and operational costs by making an annual payment of \$400,000 to Kern County for the support of the fire department's needs for capital, operations and maintenance commencing with the date of start of site mobilization and continuing annually thereafter on the anniversary until the final date of power plant decommissioning.

Verification: At least sixty (30) days prior to the start of site mobilization, the project owner shall provide to the CPM, documentation that the first annual payment of \$400,000 has been paid to the KCFD, and shall also provide a statement in the Annual Compliance Report that subsequent annual payments have been made.

EXHIBITS

Exhibit A – Declaration OF Kern County Fire Chief and Director of Emergency Services Nick Dunn, dated May 28, 2010

Exhibit B – Declaration and letter from Kern County Planning and Community Development Director Lorelei Oviatt, dated May 28, 2010

Exhibit C – Kern County Capital Improvement Plan, dated May 13, 2008

Exhibit D – Email from Doreen Weston, Kern County Fire Department, with attached Station #17 Log Book page for January 10, 2010