

John P. Grattan  
Scott A. Galati  
GRATTAN & GALATI  
801 K Street  
Penthouse Suite  
Sacramento, CA 95814  
916/441-6575

STATE OF CALIFORNIA

Energy Resources  
Conservation and Development Commission

In the Matter of:

Application for Certification for the  
Blythe Energy Project

**DOCKET NO. 99-AFC-8**

**BLYTHE ENERGY, LLC S  
COMMENTS ON THE PRESIDING  
MEMBER S PROPOSED DECISION**

---

BLYTHE ENERGY, LLC hereby files its comments on the Presiding Member s  
Proposed Decision (PMPD) issued February 17, 2001.

**INTRODUCTION**

The Siting Committee is to be commended for recognizing the many benefits that  
the Blythe Energy Project (BEP) brings to the surrounding area.

- The Project will be a clean-burning natural gas facility and will provide  
emission reduction credits in amounts in excess of its worst-case emissions  
thereby creating a net air quality benefit.
- The Project will create approximately 481 construction jobs (at peak  
construction) and 20 permanent jobs.
- The Project will generate approximately \$2 million in property tax revenue  
per year to be divided between Riverside County and the City of Blythe.

- The Project will spend an estimated \$4-\$10 million locally on the purchase of materials and supplies irrespective of the addition of a new Condition of Certification **SOCIO-2**.
- The Project will provide compensation in an amount to purchase and manage 77.15 acres of tortoise habitat in the Chuckawalla Bench Area; and
- Most importantly, the Project will provide much needed power for the State of California electricity consumers.

The PMPD correctly concludes that the with all the Conditions of Certification construction and operation of the BEP will not create any direct, indirect or cumulative significant adverse environmental impacts and will comply with all applicable laws, ordinances, regulations and standards.

Overall, Blythe Energy, LLC agrees with the findings, Conditions of Certification and conclusions of the PMPD with the exception of those outlined below.

## PROJECT DESCRIPTION

At page 10, the PMPD indicates that the cooling towers will employ both plume abatement coils and high efficiency drift eliminators. The PMPD cites the Final Staff Assessment, Exhibit 53 at page 163 as support. Although Exhibit 53 does reference plume abatement coils, the Applicant has not incorporated such coils into its design and Project description. Exhibit 1, page 2.0-27 correctly states that the particulate emissions will be controlled using cooling tower drift eliminators and does not include plume abatement coils. Blythe Energy, LLC respectfully requests that any reference to plume abatement coils on page 10 of the PMPD be deleted.

Finding 1 at page 12 of the PMPD references 24 cooling towers. The correct reference should be 2 cooling towers banks.

Finding 2 at page 12 of the PMPD should be modified to indicate that the parcel encompasses 76 acres instead of 78 acres.

## FACILITY DESIGN

### Cooling Towers

At page 45, the PMPD indicates that the cooling towers will employ both plume abatement coils and high efficiency drift eliminators. The PMPD cites the Final Staff Assessment, Exhibit 53 at page 163 as support. Although Exhibit 53 does reference plume abatement coils, the Applicant has not incorporated such coils into its design and project description. Exhibit 1, page 2.0-27 correctly states that the particulate emissions will be controlled using cooling tower drift eliminators and does not include plume abatement coils. Blythe Energy, LLC respectfully requests that any reference to plume abatement coils on page 45 of the PMPD be deleted.

### Table 1

Table 1 at page 51 of the PMPD summarizes a list of major pieces of equipment for the BEP

- The number of generators should be modified from 2 to 3.
- The number of CT Inlet Air Filters should be modified from 3 to 2.
- The height of the HRSG should be modified from 213 feet to 130 feet.
- The reference to the Aqueous Ammonia Storage Tanks indicating double walled tanks should be deleted.
- The Project will not incorporate a Make-up Water Clarifier and it should be deleted.
- The capacity of the Make-up Water Storage Tank should be modified from 2,300,000 gallons to 600,000 gallons.

- The table should reference that the Demineralized Water Treatment Package will be rental equipment.
- The capacity of the Demineralized Water Storage Tank should be modified from 150,000 gallons to 600,000 gallons.
- The capacity of the Fire Water Pump Skid should be modified from 3,000 gpm to 2,500 gpm.
- The capacity of the Step-up Transformers should be modified from 18/20 kv to 16/161/230 kv.
- The item entitled Emergency Backup Standby Generator should be deleted.

#### Table 2

Table 2, at page 52 of the PMPD summarizes a list of major pieces of equipment and structures for the BEP. It appears the table was taken from the PSA and requires the following minor revisions to accurately reflect the design of the BEP.

- The height of the heat recovery steam generator (HRSG) should be modified from 30 feet to 100 feet.
- The diameter of the HRSG stacks should be modified from 19 inches to 18 feet and the height should be modified from 100 feet to 130 feet.
- The quantity of step-up transformers should be modified from 2 to 3.
- The reference to anhydrous ammonia storage tank should be modified to delete the word anhydrous as the Project will incorporate aqueous ammonia for use in its selective catalytic reduction (SCR) system. Additionally, the number of tanks should be modified from 1 to 2.
- The Project will incorporate neither a wastewater tank nor a Switchyard Control Building ( Valley Acres ) and therefore these items should be deleted from the table.

## AIR QUALITY

Air Quality Table 18 at page 107 of the PMPD does not reflect the conditions. It should be modified as follows:

- The reference to the limits proposed by the District for CO should be modified to reflect 8.4 ppmvd w/ duct firing *or* @CTG loads of 70-80%, ~~24-hour average~~ **3 hour average.**

## WORKER HEALTH AND SAFETY

At page 144 of the PMPD, Condition of Certification **WORKER SAFETY-3** and its accompanying verification should be modified to incorporate the changes recommended by Staff Supplemental Testimony, Exhibit 54 at page 14 and agreed to by Blythe Energy, LLC as follows:

**WORKER SAFETY-3** The project owner shall submit automatic fire extinguishing system plans, fire alarm system plans, and detailed architectural plans (s) to the City of Blythe for review and approval ~~before beginning construction~~ ***prior to the erection of building structures.***

**Verification:** At least thirty (30) days prior to the ~~start of construction~~ ***erection of building structures***, or a date agreed to by the CPM, the project owner shall submit to the CPM a letter from the City of Blythe stating that they have received, reviewed and approved the automatic fire extinguishing system plans, fire system alarm plans, and construction plans.

## BIOLOGICAL RESOURCES

At page 168, the PMPD indicates that a Biological Opinion and the CDFG Letter of Concurrence must be provided to the Commission prior to certification. This is inconsistent with Finding 11 on page 171 of the PMPD and should be changed to correctly reference that such documents should be supplied to the Commission prior to construction.

#### SOIL AND WATER RESOURCES

At page 213 of the PMPD, Condition of Certification **SOIL & WATER-7** contains an equation. The denominator of that equation should be modified to 162,162. In addition, the use of numbered footnotes to define the variables used in that equation should be changed to letters in order to avoid confusion that the footnote number is not intended to indicate use of the number as a mathematical power.

#### TRAFFIC AND TRANSPORTATION

At page 262 of the PMPD, the Verification for Condition of Certification **TRANS-6** should be modified to reflect the changes recommended in Staff's Supplemental Testimony, Exhibit 54 at page 13. The Verification should read as follows:

**Verification:** At least thirty days prior to the start of earth moving activities, the project owner shall provide the City of Blythe, Riverside County Airport Land Use Commission, and the CEC's CPM a copy of the aviation easement, the applicable standards, and a plan regarding ~~lighting~~, reflection of sunlight, electrical interference, noise, smoke and vapor, and attraction of birds. The project owner shall also provide the above-noted parties a copy of ~~a risk analysis regarding the use of hazardous materials at the BEP~~ ***the Risk Management Plan required by Condition of Certification HAZ-2. The project owner shall also provide the above-noted parties a copy of the Lighting Plan required by Condition of Certification and Verification for VIS-3.***

## SOCIOECONOMICS

At pages 290 and 291, the PMPD contains a new Condition of Certification **SOCIO-2**. The PMPD at page 287 states that the intent of the new condition is to ensure that the BEP makes a good faith effort to recruit employees and procure materials within the Blythe area. Blythe Energy, LLC intends to make such a good faith effort and has estimated that the Project will spend an estimated \$4-\$10 million locally on the purchase of materials and supplies. The language of the condition should be modified to reflect this good faith effort. In addition, Blythe Energy, LLC requests that the verification timeline and the amount of the submittals be reduced to reflect the Project's expedited construction schedule. We request that the following modifications be made to **SOCIO-2**.

**SOCIO-2** The project owner and its contractors and subcontractors shall *make a good faith effort to* recruit employees and procure materials and supplies within the Blythe area, unless

- To do so will violate federal and/or state statutes;
- The materials and/or supplies are not available; or
- Qualified employees for specific jobs or positions are not available; or
- There is a reasonable basis to hire someone for a specific position from outside the local area.

**Verification:** ~~At least 60~~ *Five* days prior to the start of construction, *or a lesser time as mutually agreed to by the project owner and the CPM*, the project owner shall submit to the Energy Commission Compliance Project Manager (CPM) copies of ~~contractor, subcontractor, and vendor solicitations and~~ guidelines stating hiring and procurement requirements and procedures. In addition, the project owner shall notify the Energy Commission CPM in each Monthly Compliance Report ~~of the reasons for any planned~~ *any* procurement of materials or hiring outside the local regional area ~~that will~~ *has* occurred during the ~~next two~~ *previous* months. The Energy Commission CPM shall review and comment on the submittal as needed.

Blythe Energy, LLC requests that the changes recommended herein be incorporated into a license of the Blythe Energy Project.

Dated \_\_\_\_\_

---

John P. Grattan  
Grattan & Galati  
For Blythe Energy, LLC

---

Scott A. Galati  
Grattan & Galati  
For Blythe Energy, LLC