

ATTACHMENT 28
PUBLIC DATA REQUEST No. 1

PROPOSED CONDITIONS OF CERTIFICATION

RESPONSE TO DATA REQUESTS
MAY 4, 2001

EL SEGUNDO POWER REDEVELOPMENT
PROPOSED CONDITIONS OF CERTIFICATION

PROPOSED NEW CONDITIONS OF CERTIFICATION

PURPOSE OF PROPOSED CONDITIONS

The proposed conditions contained in this document are intended to address concerns and issues expressed by residents of the City of Manhattan Beach, the City of Manhattan Beach, the City of El Segundo, the California Coastal Commission, and the California Energy Commission. ESP II looks forward to revising and adjusting these conditions so that they are acceptable to these parties. ESP II hopes that these conditions will be useful in resolving the issues and concerns they address.

LIST OF PROPOSED CONDITIONS

Unit 4 Lighting Reduction (VISUAL – A)
Pooled Fund for Visual or Noise (VISUAL – B)
Visual Treatment of Units 5, 6, and 7 (VISUAL – C)
Unit 4 Noise Reduction (NOISE – A)
Public Use Area (LAND – A)
Community Liaison Officer (LAND – B)
Shoreline Erosion Monitoring (GEO – A)

TEXT OF PROPOSED CONDITIONS

Visual - A Unit 4 Lighting Reduction

Applicant shall retool the lighting on the south face of existing ESGS Unit 4, replacing existing lighting with shielded or hooded lighting that minimizes unnecessary illumination.

Protocol:

Project Owner shall develop and submit a lighting modification plan for the south face of existing ESGS Unit 4 to the CPM and CBO for review and approval. The lighting plan shall include the following, consistent with operational and safety requirements, applicable to the south face of Unit 4:

- A. All exterior night lighting shall be of minimum necessary brightness consistent with operational safety.
- B. Exterior light fixtures shall be hooded, with lights directed downward or toward the area to be illuminated, and backscatter to the nighttime sky is minimized. The luminescence or light source shall be shielded to prevent light trespass outside the project boundary.
- C. High illumination areas not occupied on a continuous basis such as maintenance platforms or the main entrance shall be provided with switches or motion detectors to light the area only when occupied. Any lights that must be on shall be of minimum feasible brightness, and directed away from the direction of neighbors.

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Verification:

No later than 60 days after the start of project construction the project owner shall provide the lighting modification plan to the CPM and CBO for review and approval.

If the CPM notifies the project owner that plan revisions are needed, within 30 days of receiving that notification the project owner shall submit a revised plan to the CPM and CBO for review and approval.

Within 1 year of completing commissioning activities, the project owner shall notify the CPM that exterior lighting modifications to the south face of Unit 4 have been completed and that the lighting is ready for inspection.

VISUAL-B Pooled Fund for Visual or Noise

Applicant shall, upon establishment of account pursuant to the protocol below, deposit \$[amount to be determined] to the account established for future use in either development of the public use area established under Land – A, or for further noise reductions following completion of reductions under the Condition Noise – A.

If so requested by the City of Manhattan Beach, and a portion of the funds is proposed to be designated for further noise reduction activities on Unit 4, applicant shall investigate and report what additional noise reduction could be completed with proposed designated funds.

If so requested and a portion of the fund is designated for noise reduction, then applicant shall upon receipt of the funds, complete the noise reduction that it indicated was achievable using that amount of the fund.

Protocol:

No protocol yet developed for this condition. A protocol is needed to establish fund account and rules and purpose of such account.

Verification:

Within 30 days of first turbine roll, applicant shall submit proof of funds transfer to the CPM and report such transfer to the City of Manhattan Beach

When appropriately requested, applicant shall investigate and report what additional noise reduction could be completed with proposed designated funds within 60 days of City of Manhattan Beach.

VISUAL –C Visual Treatment Of Unit 5, 6, and 7

Applicant shall include in the development of the project, visual treatment of Units 5, 6, and 7 to reduce the industrial character of the new units. Such visual treatment shall consist of removable, colored panels covering that portion of HRSG units of 5 and 7 elevated enough to be visible from Vista Del Mar or the Bike path fronting and extending beyond ESGS on the beach, but below the termination of the HRSG units and beginning of the exhaust stacks.

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Protocol:

No protocol for this condition

Verification:

Applicant shall, 90 days prior to commencement of final support equipment installation on any HRSG, submit plans and rendering for the Visual Treatment of all new facilities to the CPM and CBO for review and approval.

NOISE – A Unit 4 Noise Reduction

The applicant shall reduce measured ambient noise levels south of existing ESGS Unit 4 by 2 dBA.

Protocol:

Prior to the installation of noise control measures (such as absorptive noise control panels or acoustical lagging materials), the noise levels from the plant shall be measured at a reference distance of at least 350 feet south of Unit 4. The noise measurements shall take place during an “80 percent or more” operating power condition, with Unit 4 one of the operating units. The measurement shall be conducted during meteorological conditions considered typical, given the plant’s location in a moderate, coastal climate. The meteorological conditions shall be documented. Similarly, the tide level and surf height shall be documented. The sound level meter’s (SLM) microphone shall be suspended at a height that intercepts the line-of-sight between the most affected residence in the El Porto Community and the “noise centroid”. As it pertains to the El Porto Community, the noise centroid is located on the south-facing side of Unit 4, slightly below and west of the center of the unit. The SLM shall be a Type 1 (“Precision” grade) instrument, and the measurement shall be conducted using the “A” weighting scale, set in the “slow” mode. The calibration of the instrument shall be field-verified using a handheld calibrator. Efforts shall be made to eliminate noise contamination from Los Angeles International airport. Thus, short noise intervals shall be used, and enough measurements conducted to show a clear and consistent pattern. The following noise data shall be collected: L_{eq} , L_{max} , L_{min} , L_{10} , L_{50} and L_{90} .

Following installation of the noise control materials, a verification measurement shall be conducted, with the intent of replicating as closely as possible the conditions under which the “before” measurements were conducted. The location, instrumentation and methodology shall be the same as “before”. Similarly, the plant operating conditions shall be comparable to the “before” condition, and the meteorology and surf conditions shall be comparable.

The “before” plant noise reduction and “after” plant noise reduction noise data shall then be subtracted from one another, and the difference between these levels shall be checked to verify at least 2 dB of noise reduction.

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Verification:

Applicant shall report prior-to-noise-reduction readings within 90 days of commencing construction to the CPM and shall submit noise reduction plans to the CPM and CBO within 120 days of commencing construction.

Applicant shall report completion of noise reduction activities within 30 days of first turbine roll.

Applicant shall report verification measurement results to the CPM within 30 days of commencing commissioning activities.

LAND – A Public Use Area

Following construction of project, Applicant shall transfer a public right to use a 1.2 acre area in the form of a public access easement to the area designated in the project as the public use area. Applicant shall prepare such land for public use by:

- a) Removing rip-rap from area west of Existing access road in front of tank farm
- b) Removing existing water and electrical and other utility lines from such public access area
- c) Completing any remediation or soil restoration activities required by appropriate authority as part of completion of tank removal and site remediation
- d) Ensuring that an appropriate municipal authority has accepted development and maintenance responsibility for project
- e) Ensuring that a design and planning committee has been formed that includes a members or representative from the City of Manhattan Beach, the City of El Segundo, the applicant, and the Los Angeles Department of Parks and Recreation.

Protocol:

No protocol identified

Verification:

- a) Within 30 days of first turbine roll, applicant shall submit plans for site preparation for submit them to the CBO and CPM for review and approval
- b) Within 60 days of completion of commissioning applicant shall commence preparation of site for transfer
- c) Within 1 year of completion of commissioning activities, applicant shall transfer public use right through a publicly recorded instrument.

LAND –B Community Liaison Officer

Applicant shall appoint a Community Liaison Officer (CLO) who will coordinate with a City of Manhattan Beach community liaison officer. The CLO shall have the following responsibilities:

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- 1) Ensuring all property owners within 2 blocks of the ESGS are informed in writing how to contact the CLO and the City of Manhattan Beach CLO regarding issues that arise during construction
- 2) Developing personal knowledge of the project description as it limits activities in the tank farm area
- 3) Maintaining a 24 hour answering service checked every weekday for messages from start of construction to completion of construction
- 4) Maintaining an email account that is checked every week day for new emails
- 5) Reporting any and all communications regarding issues or concerns over ESPR to the City of Manhattan Beach CLO within 24 hours of having know of such communication
- 6) Conducting investigation into, mitigating as necessary, and reporting within 5 days of receiving a complaint, the outcome of the investigation to the City of Manhattan Beach CLO and the CPM
- 7) Make weekly inspections of activities in the tank farm area and verify compliance with the project description
- 8) Act as the Noise Complaint Officer for purposes of Condition Noise- x.

Protocol:

No protocol identified

Verification:

The project owner shall transmit to the Energy Commission Compliance Manager (CPM) in the first Monthly Construction Report following the start of project-related ground disturbing activities, a statement signed by the project manager, attesting that the above notification has been performed, and describing the method of that notification. This statement shall also attest that the telephone number has been established and posted at the site and that the CLO has been designated.

Within 5 days of receiving a complaint regarding construction noise, the project owner shall file a copy of the report regarding the resolution to the CPM, and with the City of Manhattan Beach CLO. If mitigation is required to resolve a complaint, and the complaint is not resolved within a designated time period, the project owner shall submit an updated with the mitigation is finally implemented.

GEO-A Shoreline Erosion Monitoring

Applicant shall designate and use a Coastal or Geotechnical Engineer familiar with geomorphology to conduct a shoreline monitoring program. assess erosion on the beach area and at the foot of the revetment on an annual basis. Applicant shall report such results to the California Coastal Commission, and the CPM annually.

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Protocol:

A detailed baseline survey is required with some historical research including air photos, a summary of past beach nourishment and shoreline damage is needed. Sand sampling and testing shall be conducted.

A series of onshore/offshore shore-normal transects every few hundred feet shall be conducted 4 times per year.

Annually, photos from set positions can be taken (from the groin and from a high elevation in the plant).

Shoreline response during and after a major storm will be documented.

Verification:

30 Days prior to commencing construction applicant shall designate the geologist and submit for approval the geologist to the CPM and California Coastal Commission. The engineer or geologist should be experienced in shoreline monitoring, and understand coastal processes.

Applicant shall submit as part of its annual compliance report the results of the assessment. Applicant shall also, at that time, forward results to the California Coastal Commission.

During the first 3 years following commencement of construction, the applicant shall submit quarterly reports.